



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

#EO-123
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Office of Economics, Environmental Analysis and Administration

May 7, 2004

Dr. Robert Fitzgerald
Private Landowner/
President, MCEAA
202 CR 450
Hondo, TX 78861

Re: STB Finance Docket 34284, Southwest Gulf Railroad Company -
Construction and Operation Exemption - Medina County, TX

Dear Dr. Fitzgerald:

As you know, the Surface Transportation Board's Section of Environmental Analysis (SEA) is conducting an environmental review of a proposed rail line construction and operation in Medina County, Texas, pursuant to the National Environmental Policy Act (NEPA) and related environmental laws, including the National Historic Preservation Act (NHPA). SEA appreciates your interest and participation in the environmental review process as a consulting party under Section 106 of the NHPA and is writing to update you on the next steps in the Section 106 process for this proceeding.

SEA has determined that an Environmental Impact Statement (EIS) is the appropriate type of NEPA document for this proceeding, and has recently completed the Final Scope of Study for the EIS, which we have mailed to you under separate cover. SEA is currently preparing a Draft EIS (DEIS) that will be made available for public review and comment. The DEIS will include a discussion of potential impacts to cultural resources and a draft version of a Programmatic Agreement (PA) prepared pursuant to 36 CFR 800.14(b). Although a preliminary cultural resources assessment of the entire project area has been conducted, the PA will outline the process for additional identification, evaluation, effect assessment and treatments to resolve any adverse effects to significant cultural resources located within the area of potential effect (APE) for the approved corridor.

We look forward to working with you to ensure proper completion of the Section 106 process and will appreciate any comments you may provide on the DEIS and Draft PA, when

available. If you have any questions, please do not hesitate to contact me or Rini Ghosh of my staff at (202) 565-1539.

Sincerely,

A handwritten signature in cursive script, appearing to read "Victoria Rutson".

Victoria Rutson
Chief
Section of Environmental Analysis

cc: Mr. David Barton, Esq.
Dr. Lynn Kitchen
Dr. Thomas Hester