



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Environmental Analysis

September 7, 2017

Charlene Dwin Vaughn, Assistant Director
Sarah Stokely, Program Analyst
Federal Permitting, Licensing and Assistance Section
Advisory Council on Historic Preservation
401 F Street NW, Suite 308
Washington DC 20001-2637

**Re: STB Docket No. FD 34284–Southwest Gulf Railroad Company–
Construction and Operation Exemption–In Medina County, Texas;
Approval of Final Resolution Plan including SGR’s Response to Comments;
and OEA and SGR’s Response to MCEAA’s August 11, 2017 Letter**

Dear Ms. Vaughn and Ms. Stokely:

Pursuant to the terms of the Amended Programmatic Agreement (PA), the 30-day comment period on the *Draft Resolution Plan to Resolve Adverse Effects to Historic Properties for the Southwest Gulf Railroad Company Construction and Operation of the Proposed Single-Track Railroad* (Draft Plan) prepared by HDR, Inc. (HDR) on behalf of Southwest Gulf Railroad Company (SGR) ended on June 29, 2017. The Surface Transportation Board’s (STB or Board) Office of Environmental Analysis (OEA) received approximately eight comment letters from the Consulting Parties and two letters and a petition from the public on the Draft Plan (see attached) during the comment period.¹ Comment summaries and responses are included in Appendix D of the attached plan according to major subject areas – rail line location; avoidance measures; interpretive and written material; historic setting; and next steps.² In addition, OEA has posted SGR’s preliminary engineering plan for the project on the Board’s web site.

¹ Commenters included the Texas Historical Commission (THC); the Medina County Environmental Action Association (MCEAA); Thomas R. Hester, PhD and Professor of Anthropology emeritus at the University of Texas at Austin; Madelyn Schott; Scott and Jacque Conrad; Lester and Joyce Landrum; the Castroville Conservation Society; Tom Strickler; and a petition signed by 21 individuals in support of avoiding the Upper Quihi Rural Historic District.

² All correspondence may be viewed on the Board’s web site at www.stb.gov under environmental, then click on environmental correspondence, then incoming and scroll to FD 34284.

Under the terms of the PA and based on consultation with the Advisory Council on Historic Preservation (ACHP) and the Texas Historic Commission (State Historic Preservation Office or SHPO), the signatory parties to the PA; SGR, the invited signatory party to the PA; and the concurring parties to the PA, the Draft Plan has been revised and comments considered. The Draft Plan, as amended as the Final Resolution Plan (Resolution Plan), is approved.

The Resolution Plan considers measures that avoid, minimize, and/or mitigate the adverse effects that construction of the Board-authorized rail line will have on 11 National Register of Historic Places (National Register) eligible properties and the Upper Quihi Rural Historic District (UQRHD). SGR shall follow the terms of the PA, the measures outlined in the Resolution Plan, this letter of approval, and the approved mitigation measures outlined in the Board's 2008 approval decision included as Appendix C in the Resolution Plan during project implementation. The 11 adversely and potentially adversely affected cultural resources include the following:

- 41ME262 – partially surveyed. SHPO concurred that surveyed portion not eligible; parcel R3311 not surveyed and presumed National Register eligible.
- 41ME261 – partially surveyed; National Register eligibility testing needed; unsurveyed portion of parcel R36257 presumed National Register eligible.
- 41ME260 – partially surveyed; National Register eligibility testing needed; unsurveyed portion of parcel R58431 presumed National Register eligible.
- 41ME264 – partially surveyed; National Register eligibility testing needed; unsurveyed portion of parcel R58364 presumed National Register eligible.
- HDR-AR-02 – address 1253 CR 353; structures 190-530 feet from centerline; SHPO concurred adverse effect.
- HDR-AR-03 – address 1040 CR 353; structures 900-1200 feet from the centerline; SHPO concurred adverse effect.
- HDR-AR-04 – address 881 CR 353; structures 700-1000 feet from the centerline; SHPO concurred adverse effect.
- HDR-AR-05 – address 6005 FM 2676; structures 675-815 feet from the centerline; SHPO concurred adverse effect.
- HDR-AR-06 – address FM 2676; structures 90-170 feet from the centerline; SHPO concurred adverse effect.
- HDR-AR-10 – address 944 CR 4643; structures 340-730 feet from the centerline; not surveyed and presumed National Register eligible; possible adverse effect.
- HDR-AR-11 – address 830 CR 4643; structures 750-770 feet from the centerline; not surveyed and presumed National Register eligible; likely no adverse effect.

SGR is reminded that no project work that would cause an adverse effect to historic property may begin until all the terms of the Resolution Plan for that property have been completed and verified by the STB in consultation with the SHPO. As indicated in the Resolution Plan, several properties have not been surveyed because of lack of access to the

properties. These properties are known to contain cultural resources that have not been evaluated. Two of the affected historic properties (41ME260 and 41ME261) require testing to establish National Register eligibility and the potential for adverse effects and two of the affected historic properties (41ME262 and 41ME264) require additional Phase I intensive survey. Sites HDR-AR-10 and HDR-AR-11 are presumed National Register eligible.

Avoidance–Minimization–Mitigation Measures

Archaeology

Sites 41ME260, 41ME261, 41ME262 and 41ME264 should be avoided as a first measure. However, if project-related impacts cannot be avoided, SGR shall develop appropriate mitigation measures consistent with site testing results. These measures shall be reviewed by SHPO and STB and approved by STB prior to initiating site construction. Such mitigation could consist of, but not be limited to, additional data collection with a comprehensive research design component that would include professional research papers shared with academia and made available to the public via the Texas Beyond web site.

Architecture

Five of the seven architectural sites are geographically and thematically linked to the UQRHD and have been deemed eligible for National Register listing under Criterion A for Community Planning and Development, and Agriculture. The project will result in indirect adverse effects that will impact the setting of this grouping of late nineteenth and early twentieth century farmsteads. Potential effects of the project on individual historic properties and the UQRHD may include direct, indirect, and cumulative impacts to the aboveground and subsurface resources; vibration impacts; aesthetic impacts; historic roadway realignment; widening and/or resurfacing to accommodate local truck traffic; changes in land use management that alter vegetation; change in the size and shape of fields; farm bifurcation and natural land contour modification; introduction of non-historic land uses; loss of vegetation related to significant land uses; construction of new buildings, structures, and/or landscape features; and loss of boundary demarcation and small-scale features (fences, walls, ponds, and paving stones). The Resolution Plan includes a combination of strategies to avoid, minimize or mitigate effects of the undertaking, with an emphasis on avoiding where possible and provides that SGR shall implement the mitigation measures outlined in Table 2 on page 19 of the Resolution Plan for the seven architectural properties and submit to the STB and SHPO for approval as follows:

- Within 12 months of initiating site construction, SGR shall submit to STB, ACHP and SHPO Historic American Building Survey (HABS)-like Level II documentation for sites HDR-AR-02, HDR-AR-04, HDR-AR-05, and HDR-AR-06.
- Within 12 months of initiating construction, SGR shall submit landscaping plans to STB and SHPO showing details of the plant material that will be installed in the vegetative buffers at sites HDR-AR-02, HDR-AR-04, HDR-AR-10, and HDR-AR-11.

- Prior to initiating construction at site HDR-AR-06, SGR shall submit to STB and SHPO an impact assessment prepared by a Secretary of Interior-qualified historic architect and structural engineer that includes a vibration assessment and recommendations.
- Within 12 months of initiating site construction, SGR shall submit its plans for a UQRHD exhibition and submit the exhibit guide and education materials to STB and SHPO for sites HDR-AR-02, HDR-AR-03, HDR-AR-04, HDR-AR-05, HDR-AR-06, HDR-AR-10, and HDR-AR-11. SGR shall implement this type of outreach within one month of approval. Format and location(s) to be determined but could include Beyond Texas web site and various local libraries and repositories.

SGR shall notify STB and SHPO of its construction start date in writing and shall comply with all required quarterly and semi-annual reporting requirements in the 2008 Board decision and the PA and shall include the contact information for the community liaison. STB will post this information on its web site for the consulting parties and general public to view.

Additional Correspondence

Following the close of the comment period, OEA received the attached August 11, 2017 letter from Dr. Robert Fitzgerald of the Medina County Environmental Action Association (MCEAA) that among other things, alleged that several violations had occurred at the project site. Specifically, MCEAA stated that two sites – HDR-AR-01 had been demolished and 41 ME 261 had been disturbed – and that construction had begun. MCEAA's questions and OEA's responses follow.

1. *MCEAA Question* - Is the Office of Environmental Analysis aware of the destructive activity of 41ME261, which occurred on or about July 31, 2017? All ten structures of HDR's AR01 location have been demolished, leveled by bulldozers and the debris removed in dumpsters. These structures were on the perimeter of Upper Quihi Rural District (UQRD) located in the APE of the Railroad loop. We would like to know if archeological studies and investigations at this location have been completed by this time, as required by the Sec 106 process. Question: if the above studies were not completed, wasn't this destructive action a violation of the Programmatic Agreement of December 18, 2015, which states no construction of the railroad could be done prior to the completion of the final resolution plan? An additional question – if there was a violation, what action would the Surface Transportation Board take?

OEA Response – SGR provided the following response: The now-demolished structures are the remains of a residence and surrounding structures. These structures were on property acquired by SGR. SGR cleared the structures in connection with its efforts to clear areas for construction of the track, scheduled to take place in the near future. The demolition took place within the last two weeks. SGR, subject to its obligations under the PA (which as discussed below were respected here), holds all the permits it needs from STB and other federal and state agencies to proceed with construction of its rail line.

In the Cultural Resources Report prepared by HDR for the SGR Project and submitted to STB per the PA in March 2017, the structures that have now been demolished were designated HDR-

AR-01 and described as an 11-building farmstead located at 1180 CR 353. These structures were documented and evaluated in the report for eligibility for National Register of Historic Places (National Register) listing. See Cultural Resources Report at pages 148-159. The structures were recommended not eligible for individual listing and, because they were located outside the boundary of the UQRHD, they were also recommended not eligible as contributing resources to the District. In the letter from THC dated March 21, 2017, Historian Justin Kockritz concurred that HDR-AR-01 was not eligible for National Register listing, either individually or as a contributing resource to the UQRHD. As such, HDR-AR-01 was not subject to any mitigation measures under the PA or otherwise. Accordingly, the demolition of these structures is not a violation of the PA or any other obligation undertaken by SGR.

As for the archaeological site 41ME261, it is considered possibly eligible and is addressed in the Final Resolution Plan. Phase II testing is scheduled as part of that Plan to determine its National Register eligibility. Although this site is slated for testing, no excavation or other testing work was planned for the area that contained the demolished structures described above. That area is located approximately 600 feet from any of the proposed testing areas of the archeological site 41ME261. The demolition of the HDR-AR-01 structures therefore will not have any impact on the integrity of the archaeological site. Further, the demolition did not have any subsurface impact, as shown in the attached pictures of the site of the demolished structures.

SGR and its contractors are well aware of SGR's obligation under the PA not to construct in any area where such work would cause an adverse impact on eligible properties. Contrary to Dr. Fitzgerald's suggestion, there has been no violation by SGR of its obligations under the PA.

SGR is beginning to take steps to construct the line in areas unaffected by the Resolution Plan and thus where none of the known cultural resources addressed in the Resolution Plan are located. Initial steps will consist of marking the right of way, followed by fencing, followed by earthwork. The community has been given notice. SGR will shortly be sending to STB its initial report on SGR's compliance with the applicable mitigation measures.

SGR is also going to be undertaking some initial mitigation measures at the sites described in the Final Resolution Plan, including staking off avoidance and vegetation buffers within the APE. Phase II testing at the archeology sites described in the Plan is also scheduled to begin in early September.

2. MCEAA Question – According to postings on the STB website, comments from consultants were unanimous in stating disapproval of the Draft Resolution Plan, stating that it was inadequate, hastily done, needed much more investigation work, and was therefore unacceptable. Will these comments be honored? If not, why not?

OEA Response – After several iterations, SGR submitted the final Resolution Plan which considers comments from the consulting parties per Stipulation VI of the PA. The final Resolution Plan provides more detailed information and responds to the comments made during the comment period.

3. *MCEAA Question* –The solutions being considered up to this point are completely unworkable. It is hard to imagine how vegetation and landscaping will disguise or hide the visual impact of this rail spur project and serve to preserve the aesthetics of the UQRHD, and no drawings are offered. In addition, to have SGR write books on the history of this area is laughable. For over a hundred years, qualified and dedicated historians have been writing and continue to write about the Henri Castro Colonies in Medina County. Families still collect their histories to share with others. The survey of the historic districts of Quihi, Upper Quihi, and New Fountain by Preservation Central, Inc., in 2006 is an in-depth study on the districts. Moreover, the proposal to create a mobile exhibit depicting the history of the UQRHD to traverse the area is inadequate and unworkable for the long term. Question: Are these solutions seriously being considered?

OEA Response – The final Resolution Plan has been revised according to comments on the 11 affected National Register-eligible properties. Three of the potentially adversely affected historic properties are prehistoric archaeological sites, seven are historic architectural sites, and one is an archaeological site with both prehistoric and historic components. Two of the archaeological sites (41ME260 and 41ME261) require National Register testing to establish eligibility and potential for adverse effects, and two of the archaeological sites (41ME262 and 41ME264) require additional Phase I intensive survey. All four archaeological sites are treated as National Register eligible resources. Five of the seven architectural sites are geographically and thematically linked to the UQRHD, a grouping of farmsteads from the late nineteenth and early twentieth centuries, which has been determined eligible for National Register listing under Criterion A for Community Planning and Development, and Agriculture. The Project will result in indirect adverse effects that will impact the setting and feeling of these historic properties.

For the archaeological sites, if project-related impacts cannot be avoided, appropriate mitigation measures will be developed specific to the characteristics contributing to the resources' eligible status. Such mitigation could consist of excavation of additional data (the most common mitigation measure for archaeology), the goal being to increase knowledge of the prehistory of the area by utilizing additional data that would have been lost via construction. Typically, this type of mitigation includes a comprehensive research design developed in concert with STB and SHPO that focuses on specific research themes that might be addressed with the excavation and analysis of the mitigation data. Once additional material is excavated and analyzed, the information is then shared via research papers (for professionals) and public outreach options, such as the Texas Beyond History website. SGR will consult with STB on mitigation measures prior to implementation. Mitigation implementation will be summarized and reported to STB and SHPO as part of SGR's semi-annual reports, which will be posted on the STB's website and by that means made available to consulting parties. The mitigation measures will also be offered for posting on the Texas Beyond website.

For the architectural sites, SGR will fund a temporary exhibition on the history of the UQRHD, to be hosted locally, most likely at the Hondo Public Library, whose director has indicated high interest. Among other things, the materials will include large-format photographs and drawings

completed as part of HABS documentation; survey photography; and user-friendly dissemination of research completed for the Project, to be written by a Secretary of the Interior-qualified historian/architectural historian experienced in the creation of educational and interpretive materials. A copy of all such materials will be provided to STB prior to the opening of the exhibition. Planning discussions with the host will determine the length of time materials will be on display. After the temporary exhibit closes, materials in electronic form will be donated to the Texas Beyond History website to facilitate ongoing distribution and availability to interested parties. Texas Beyond History is hosted by the University of Texas at Austin and organized by a partnership of the Texas Archeological Research Laboratory and the Texas Archeological Society.

If special interest groups, local organizations, or local residents are interested in loaning materials for the exhibition, additional ephemera and objects would be incorporated into the exhibition and be returned to donors at its conclusion. Special interest groups and local organizations that will be consulted for this component include, but are not necessarily limited to: the Quihi and New Fountain Historical Society, Medina County Historical Commission, Castroville Chamber of Commerce, Castro Colonies Heritage Association, Castroville Conservation Society, Medina County Museum, Steinbach House, Landmark Inn Historic Site, Frontier Times Museum, Castroville Public Library, Hondo Public Library, Driscoll Public Library, San Antonio Public Library, and Institute of Texan Cultures at the University of Texas at San Antonio.

To accompany the exhibition and to provide a more permanent record of the research and documentation efforts completed for the Project, SGR will fund publication of an exhibit guide and production of educational materials. The exhibit guide, written by a Secretary of the Interior-qualified historian/architectural historian experienced in the creation of educational and interpretive materials, will be a user-friendly compilation of the research and photography completed for the Project, and will incorporate materials loaned for the exhibition by any participating special interest group, local organization, or local resident, with permission. The exhibit guide will also be made available to local/relevant repositories in print and/or electronic form. Repository distribution should include local libraries within 50 miles (Hondo, Castroville, Devine, San Antonio), Texas State Library, the THC, the Institute of Texas Cultures at University of Texas at San Antonio, the Briscoe Center for American History, and other Texas repositories with statewide genealogy divisions, in addition to the Texas Beyond History website.

The educational materials component will be modeled on the “Texas History Traveling Trunks” program conducted by the Frontier Times Museum in Bandera. The museum has an Educators Outreach Program where teachers can borrow materials that are designed to complement the classroom curriculum including hands-on artifacts, a Teacher Resource Guide, and information written for a variety of reading levels. Content will be based on photography, drawings, and research completed for the Project, but may include ephemera and materials donated for use beyond the exhibition, with permission. A copy of all educational materials or summaries of them will be provided to STB and SHPO through SGR’s semi-annual report, which will be

posted on the STB's website and thereby made available to the consulting parties.

For landscaping, SGR will replace mature trees at a 3:1 ratio and monitor these replacement trees to ensure a survival rate of 80 percent. If the removal of old timber trees is unavoidable, SGR shall replace old timber trees at a ratio of the 10 trees for each one lost and shall monitor these replacement trees to ensure a survival rate of 80 percent. SGR will plant trees within the SGR ROW appropriate and consistent with the existing local landscape to further insulate the historic property as much as possible from the visual and audible effects of the Project, as dictated in the environmental mitigation measures. This landscape buffer, when added to existing vegetation, will help protect and preserve aesthetic appeal and setting of the historic resource, while also acting to reduce noise and visual impacts of the Project. As vegetative screening plans are developed for specific locations, they will be shared with STB and SHPO and available for posting on the STB's website and sharing with consulting parties.

SGR will conduct vibration monitoring for resources within 200 feet during project construction to ensure that the peak particle velocity limit of 2.72 inches per second in any axis (in either of the two lateral directions or in the vertical direction) is not exceeded. SGR must also comply with 11 noise mitigation measures.

4. *MCEAA Question* – The draft resolution plan was prepared by unnamed sources with no statement of their qualifications and experience. Inquiries to the TSHO concerning these unnamed sources referred us to you for this information. Please give us the name, background, education and experience of these individuals as required in the December 18, 2015 Programmatic Agreement, Attachment A, pages 50 & 51. This information is necessary to quiet the doubts concerning the identity and qualifications of the author(s) who wrote the resolutions offered to the adverse effects. More importantly, this information would fulfill the disclosure of qualifications and adherence to the professional requirements stated in Attachment A of the current (2015) Programmatic Agreement in force now. It was noted that this qualification page was omitted in SGR's Draft Resolution Plan, pages B-1 and B-2, submitted by David Coburn dated May 30, 2017.

OEA Response – The qualifications have now been included in Appendix E in the Resolution Plan.

5. *MCEAA Question* – The correspondence from the THC to SHPO dated June 29, 2017, was the deadline date for the comments. This correspondence essentially duplicated SGR's Draft Resolution Plan dated May 30, 2017. Therefore, it precluded the possibility of adequate time for review of comments by all commenters (particularly by ACHP, MCEAA, knowledgeable professionals such as Dr. Tom Hester, and historical groups such as the Quihi and New Fountain Historical Society, and the Castroville Conservation Society. We reached the same conclusion that consultants' comments were not duly considered. The archaeological information regarding this project supplied over the past 18 years by renowned archaeologist Dr. Tom Hester has been largely ignored. Dr. Hester, Professor Emeritus of the University of Texas Austin is very familiar with the Quihi area, having performed digs here numerous times over the past decades.

He states that the Quihi area, with its evidence of human occupation for over 10,000 years, is a prime region for archaeological discoveries. His latest letter – EI 12629, should be carefully reviewed. Please comment on this complaint.

OEA Response – In accordance with Stipulation VI of the PA, all parties were given 30 days to comment on the Draft Resolution Plan. OEA received comments from MCEAA and Dr. Hester. These comments were taken into consideration in the revisions made to the Final Resolution Plan and have been responded to in Appendix D of the same plan. Additional testing will be conducted at the four archaeological sites – 41ME260 and 41ME261 require testing to establish National Register eligibility and the potential for adverse effects and 41ME262 and 41ME264 require additional Phase I intensive survey.

6. *MCEAA Question* – The Corp of Engineers (Corps) approved the Section 404 permit on June 29, 2017. Corps rules have notification requirements. We would like to know if SGR’s pre-construction notification to the Corps noted that this permit would have to consider the possible adverse effects to the UQRHD by the rail crossing of the Quihi Creek? Were any mitigation measures required to preserve and protect archaeologic and historic structures from flooding caused by the rail crossing? Also, were any of the Indian tribes notified as required by the Corps?

OEA Response – SGR provided the following response: The Corps of Engineers relied on the STB with respect to fulfilment of Section 106 obligations. Accordingly, there was no Section 404 permit condition that relates to cultural resources. Further, SGR was under no obligation to provide notification of the pre-construction activities undertaken as described in SGR’s answer to question 1.

7. *MCEAA Question* – The Resolution Plan provides for consultants’ comments. We see no mention in the correspondence of OEA, Texas Historical Commission and Southwest Gulf Railroad with each other that our comments are being used or considered. We hope that the Final Resolution Plan will use our knowledge of the District to preserve its eligibility for the National Register. If the landscaping, vegetation, and brochure solution is adopted as contained in the correspondence noted above, will the UQRHD remain eligible for the National Registry?

OEA Response – Yes.

8. *MCEAA Question* – An alternative STB-approved route that avoids the UQRHD exists since 2006. Using this alternative route would allow the UQRHD to maintain its eligibility for the National Register. Has STB ever questioned why SGR does not want to use this route? We would like an answer to this question.

OEA Response – The Final Environmental Impact Statement (EIS) concluded that the Eastern Bypass Route, the MCEAA Medina Dam Alternative, and the Modified Eastern Bypass Route (a modification to the Eastern Bypass Route that circumvents the Weiblen property and Castroville Subdivision) would be the environmentally acceptable routes. The Final EIS includes

environmental mitigation measures, including compliance with the PA, to address potential impacts to cultural and historic resources.

In December 2008, the Board issued its decision authorizing SGR to construct any of the three environmentally preferred routes, subject to the terms of the Original PA and 80 additional environmental mitigation measures. The Board's decision, which MCEAA challenged in court, was affirmed in 2010. Medina County Environmental Action Ass'n v. STB, 602 F.3d 687 (5th Cir. 2010). SGR subsequently decided to build the Modified Eastern Bypass Route. The time for MCEAA to raise objections on the Board's decision granting SGR construction authority has long passed.

9. MCEAA Question – Another question remains unanswered: Aside from the flooding issues mentioned in Coburn's email dated July 5 concerning new shippers, we previously asked: Wouldn't the ACHP and THC need to determine the *aesthetic* effects and visual impacts of a new shipper locating in the UQRHD? Wouldn't factors such as the type of new shipper, its location and appearance of the facilities need to be evaluated for possible adverse effects on the UQRHD eligibility for the National Register? Shouldn't provisions for this be included in the Final Resolution Plan?

OEA Response – No STB action would be triggered if a shipper decides to use SGR's rail line, nor would there be any STB action for connecting track that would connect a shipper facility to the SGR line. If construction or operation of a new shipper's facility has the potential to impact wetlands or other environmental resources, the shipper would ultimately be responsible for securing the necessary permits.

The EIS considered the environmental impacts of the action requiring STB authorization and STB imposed reasonable conditions that would mitigate the adverse environmental impacts resulting directly from the transaction under consideration. STB identified all the indirect effects that were known and made a good faith effort to explain the effects that are not known but were reasonably foreseeable. Again, the time to raise questions on the scope of the EIS has elapsed long ago.

10. MCEAA Question – What plans are being made for obtaining archeological and architectural data from affected properties having no right of entry as of this date? Shouldn't provisions for this be made in the Final Resolution Plan?

OEA Response – SGR provided the following response: The sites for which no access has been obtained to date are being presumed eligible for listing on the National Register for purposes of the Final Resolution Plan. In each case, the Resolution Plan sets forth plans for resolving any adverse effect that the rail line construction or operation may have on the site.

Conclusion

Under Section VI.A of the PA, in this letter, OEA has determined that SGR has

adequately considered all comments in preparing its Final Resolution Plan. No additional information or additional revisions are necessary, and OEA is now sending out the Final Resolution Plan in compliance the PA.

Thank you for your assistance and participation in this matter. If you have additional questions, please contact me or Diana Wood of my staff by telephone at 202-245-0302 or by email at diana.wood@stb.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Victoria Rutson".

Victoria Rutson
Director
Office of Environmental Analysis

Enclosures (3)

cc: Mark Wolfe, State Historic Preservation Officer, THC
Justin Kockritz, THC
Sara Luduena, THC
Casey Hanson, THC
Bill Martin, THC
David Coburn, Attorney for SGR
Erik Remmert, Vice President, SGR
Concurring Parties

ENCLOSURE 1

Southwest Gulf Railroad Company Construction and Operation of Proposed Single-Track Railroad, Medina County Texas

STB Finance Docket No. 34284

Resolution Plan to Resolve Adverse Effects to Historic Properties

August 2017

EXECUTIVE SUMMARY

This Resolution Plan serves as the blueprint for mitigation for the adverse effects to historic properties that may result from the construction of the Southwest Gulf Railroad's (SGR) 12.04 mile rail line in Medina County, TX (Project). Prior to preparation of this Plan, the Surface Transportation Board (STB) in December 2008 approved construction of the line following extensive environmental analysis and review of potentially affected cultural resources consistent with the National Environmental Policy Act and the National Historic Preservation Act (NHPA). Based on a Final Environmental Impact Statement issued by the STB in 2008, the STB's decision approving the construction of the rail line imposed 81 mandatory mitigation measures on SGR's construction, addressing matters such as biological resources, air quality, land use, noise and vibration. These mitigation measures were in addition to ten voluntary mitigation measures SGR agreed to implement. Among the mitigation measures required by the STB was that a Programmatic Agreement ("PA") be entered to set forth procedures for identifying and addressing impacts on cultural resources located on or proximate to the right of way on which the rail line will be constructed. The PA is designed to satisfy the remaining requirements under the NHPA specific to resolving adverse effects on historic properties (36 Code of Federal Regulations [CFR] 800.6).

Following consultation with consulting parties and interested tribes, an initial PA was entered by the STB, the Texas State Historic Preservation Officer (SHPO), SGR and the Advisory Council on Historic Preservation (ACHP) on April 4, 2008. After the expiration of that initial PA, and following further consultation, the currently effective PA was entered by the same parties in December 2015 (see Appendix A). Throughout the process, STB has consulted with the ACHP, SHPO, SGR, and consulting parties to obtain input on all aspects of its compliance with the NHPA, including multiple draft versions of the PA that set forth stipulations and actions to resolve adverse effects on historic properties. Pursuant to the PA, a survey of archeological resources and historic properties within the Area of Potential Effect was undertaken and the survey report (including an assessment of impacts) was prepared. That report and assessment has been approved by the STB and SHPO.

This effects resolution plan (Resolution Plan) has been prepared pursuant to Stipulation IV of the PA and also reflects input from consulting parties. This Resolution Plan provides (1) a discussion of consideration for developing mitigation under the applicable NHPA regulations and the general characteristics of the historic properties that may be adversely affected by the Project; (2) a description of the mitigation relative to the 11 historic properties and the Upper Quihi Rural Historic District (UQRHD) potentially adversely affected, the steps taken to avoid and minimize adverse effects, and how the proposed mitigation will serve to mitigate unavoidable minimized effects; and (3) a conclusion summarizing the role of the Resolution Plan.

1. DISCUSSION

A. Project Description

The SGR will be constructing a single-track railroad in Medina County, Texas, along an alignment referred to as the Modified Eastern Bypass Route in the PA. The railroad will extend for approximately 12.04 mi (19.38 km) between the proposed Vulcan Construction Materials limestone quarry and the Union Pacific rail line near Dunlay, Texas.

B. Adversely and Potentially Adversely Affected Historic Properties

Table 1 presents the historic properties that have been determined to be subject to adverse effect (concurred by SHPO) or are potentially adversely affected by the alignment selected for the Project, and additional comments regarding their status.

There are a total of seven properties associated with the resources listed in Table 1 that have not been surveyed due to lack of access to the properties. These properties are known to contain cultural resources that have not been evaluated. For the purposes of this consultation process, the properties are considered eligible for the NRHP and are included in this Resolution Plan.

Table 1. Adversely and Potentially Adversely Affected Cultural Resources

Site / Field Survey #	*Parcel / Address	Comments
41ME262	R3311	41ME262 partially surveyed, SHPO concurred surveyed portion not eligible for the NRHP; unsurveyed portion of Parcel R3311 presumed NRHP eligible
41ME261	R36257	41ME261 partially surveyed, NRHP eligibility testing needed; unsurveyed portion of Parcel R36257 presumed NRHP eligible
41ME260	R58431	41ME260 partially surveyed, NRHP eligibility testing needed; unsurveyed portion of Parcel R58431 presumed NRHP eligible
41ME264	R58364	41ME264 partially surveyed, SHPO determined Eligible for the NRHP; unsurveyed portion of Parcel R58364 presumed NRHP eligible
HDR-AR-02	1253 CR 353	Structures 190–530 ft from Centerline; SHPO concurred adverse effect
HDR-AR-03	1040 CR 353	Structures 900–1,200 ft from Centerline; not surveyed; presumed NRHP eligible; likely no adverse effect
HDR-AR-04	881 CR 353	Structures 700–1,000 ft from Centerline; SHPO concurred adverse effect
HDR-AR-05	6005 FM 2676	Structures 675–815 ft from Centerline; SHPO concurred adverse effect
HDR-AR-06	FM 2676	Structures 90–170 ft from Centerline; SHPO concurred adverse effect
HDR-AR-10	944 CR 4643	Structures 340–730 ft from Centerline; not surveyed; presumed NRHP eligible; possible adverse effect
HDR-AR-11	830 CR 4643	Structures 750–770 ft from Centerline; not surveyed; presumed NRHP eligible; likely no adverse effect

*Note: Parcel IDs are denoted by the “R” numbers used by the Medina County Tax Assessor to identify parcels.

C. General Approach to Mitigation

According to the NHPA and its implementing regulations, 36 CFR 800.5(a)(1), “An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a ‘historic property’ that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property’s location, design, setting, materials, workmanship, feeling, or association.” Adverse effects of the Project are most likely to include physical destruction or damage; change in the character of the property’s use or physical features of a property’s setting; visual, atmospheric, or audible intrusions; and neglect resulting in deterioration (36 CFR 800.5(a)(2)). If the adverse effect cannot be avoided or minimized, then the adverse effect must be mitigated.

Assessment of adverse effects is typically a qualitative process, rather than a quantitative one, as effects on a historic property’s integrity and essential character, and its contribution to a landscape or historic district are all impossible to measure quantitatively. Therefore, STB, in consultation with consulting parties, in this Resolution Plan, presents the extent and types of mitigation it will undertake in order to adequately compensate for the Project’s potential to adversely affect historic properties. Mitigation activities that reflect the Project’s overall effects on the Upper Quihi Rural Historic District (UQRHD) have been incorporated, as well as activities directed at each individual historic property potentially affected.

For visual effects to historic properties that could not be avoided or further minimized, mitigation for adverse effects includes: the funding and preparation of an interpretive exhibit on the UQRHD to be hosted at the Hondo Public Library, an accompanying exhibit guide, and educational materials for public use; and the funding and/or completion of improvements to physical aspects of the historic property or landscape. Additional mitigation for historic properties closest to the line includes documentation to HABS Level II standards, with the addition of elevation drawings for primary dwellings, to be submitted to the Texas State Historical Commission and local/relevant repositories. Exhibit guides will also be made available to local/relevant repositories in print and/or electronic form. Where existing vegetative coverage is limited, vegetation will be added to make vegetative screening more dense at impacted properties. However, vegetative buffers will not be introduced where there is no existing vegetation besides grass. Mitigation will be appropriate to the nature of the adverse effect and the significance of the resource, and be of comparable scope as the severity of the impact on the resource. As vegetative screening plans are developed for specific locations, these will be shared with the STB and SHPO and available for posting on the STB’s website and sharing with consulting parties.

D. General Considerations of the Adversely Affected Historic Properties

Three of the potentially adversely affected historic properties are prehistoric archaeological sites, seven are historic architectural sites, and one is an archaeological site with both prehistoric and historic components. Two of the archaeological sites (41ME260 and 41ME261) require NRHP-eligibility testing to establish eligibility and potential for adverse effects, and two of the archaeological sites (41ME262 and 41ME264) require additional Phase I intensive survey. All four archaeological sites are treated as NRHP-eligible resources for the purpose of this Resolution Plan. Five of the seven architectural sites are geographically and thematically linked to the UQRHD, a grouping of farmsteads from the late nineteenth and early twentieth centuries, which has been determined eligible for NRHP listing under Criterion A for Community Planning and Development, and Agriculture. It is significant at the local level and has a period of significance c. 1860–1956. The Project will result in indirect adverse effects that will impact the setting and feeling of these historic properties.

E. The Process of Identifying Appropriate Mitigation

The development of this Resolution Plan reflects a process of collaboration between STB, ACHP, SHPO, SGR, and consulting parties in an effort to develop appropriate mitigation for adversely affected historic properties. The mitigation for each impacted historic property is discussed below.

2. MITIGATION OF ADVERSE EFFECTS TO HISTORIC PROPERTIES

As indicated in the Supplemental Draft Environmental Impact Statement (SDEIS, 2006), potential effects of the Project on individual historic properties and the UQRHD may include: direct, indirect, and cumulative impacts to aboveground and subsurface resources from the new rail alignment; vibration impacts; aesthetic impacts; historic roadway realignment, widening and/or resurfacing to accommodate local truck traffic; changes in land use and management that alter vegetation, change the size and shape of fields, farm bifurcation, and natural land contour modification; introduction of non-historic land uses; loss of vegetation related to significant land uses; construction of new buildings, structures and/or landscape features; and loss of boundary demarcation and small-scale features (fences, walls, ponds, and paving stones).

Following is a summary of the historic properties subject to or potentially subject to adverse effects and proposed mitigation options, grouped according to general recommendations for noise and vibration minimization, archaeological sites, and architectural resources

A. General Mitigation Measures Related to Noise and Vibration

According to the Noise and Vibration Study in the 2006 SDEIS (URS Corp., Appendix C-3), both noise and vibration are potential adverse effects on individual historic properties. While the alignment associated with the route selected, the Modified Eastern Bypass Route, has been modified since the 2006 study, results indicate that structures very near the proposed rail corridor are likely to be adversely affected by noise. STB established an adverse effect noise criteria of 3 dbA (A-weighted decibels) or greater increase in existing L_{dn} (a day-night weighted average noise level), or an increase to an L_{dn} of 65 dBA or greater.

The 2006 study recommended minimum distances from vibration source to sensitive receptor in feet, with sensitive receptors broken down into fragile/extremely fragile resources and historic resources. For fragile or extremely fragile resources, the minimum distance to avoid adverse effect is 180 feet for pile driving, 60 feet for conventional construction, 25 feet for railroad operations, and 30 feet for heavy truck operations. For historic resources, the minimum distances are 150 feet for pile driving, 50 feet for conventional construction, 20 feet for railroad operations, and 25 feet for heavy truck operations (URS 2006:47–48).

Based on these recommendations, the following mitigation measures for minimizing noise and vibration were adopted as required mitigation measures in the STB's December 2008 final decision approving construction of the rail line in December 2008 (Appendix C).

Noise

- 64 SGR shall equip all noise-producing project construction equipment and vehicles using internal combustion engines with mufflers, air-inlet silencers, and other shrouds, shields, or other noise-reducing features, and keep them in good operating condition that meets or exceeds original factory Specifications. SGR shall equip mobile or fixed package equipment (e.g., arc-welders, air

compressors) with shrouds and noise control features that are readily available for that type of equipment.

- 65 SGR shall comply with all applicable local, state, or federal regulations that apply to the noise produced by mobile or fixed equipment used during rail construction activities.
- 66 SGR shall use electric-powered equipment instead of pneumatic or internal combustion-powered equipment during rail construction activities, where electric-powered equipment is available to perform the function.
- 67 SGR shall minimize noise by locating material stockpiles, mobile equipment staging areas, parking areas, and maintenance areas as far as practicable from noise sensitive receptors.
- 68 SGR shall establish and enforce a 10-mile-per-hour construction site and a 25-mile-per-hour private construction access road speed limit during the rail construction period.
- 69 SGR shall not engage in rail construction activities between 7:00 p.m. and 7:00 a.m. Monday through Saturday or at any time on Sunday or on federal holidays, except for emergency situations.
- 70 SGR shall use noise-producing signals, including horns, whistles, alarms, and bells for safety warning purposes only.
- 71 SGR shall ensure that no project-related fixed, mobile, or portable public address or music system is audible at any adjacent noise sensitive receptor, except for emergency situations.
- 72 To minimize wheel squeal, if a loop track is used, SGR shall design the loop track with a radius greater than 1,000 feet or 10 times the wheelbase of the largest car used on the tracks.
- 73 SGR shall provide a track lubrication system for any track that is used to mitigate wheel squeal noise. However, this lubrication system shall only be used over the Edwards Aquifer Recharge Zone with prior approval from the Edwards Aquifer Authority.
- 74 SGR shall provide a movable point crossover (a crossover designed with a spring-loaded piece to eliminate the noise-producing gap) to mitigate excess noise from the crossover at the neck of any loop track (where the curved track reconnects with the tangent or straight track).

Vibration

- 75 Prior to beginning rail construction, SGR shall conduct a survey to locate nearby wells and shall monitor the vibration levels at these wells during any pile driving activities related to rail construction to ensure that the peak particle velocity limit of 2.72 inches per second in any axis (in either of the two lateral directions or in the vertical direction) is not exceeded during construction.

B. Archaeological Sites

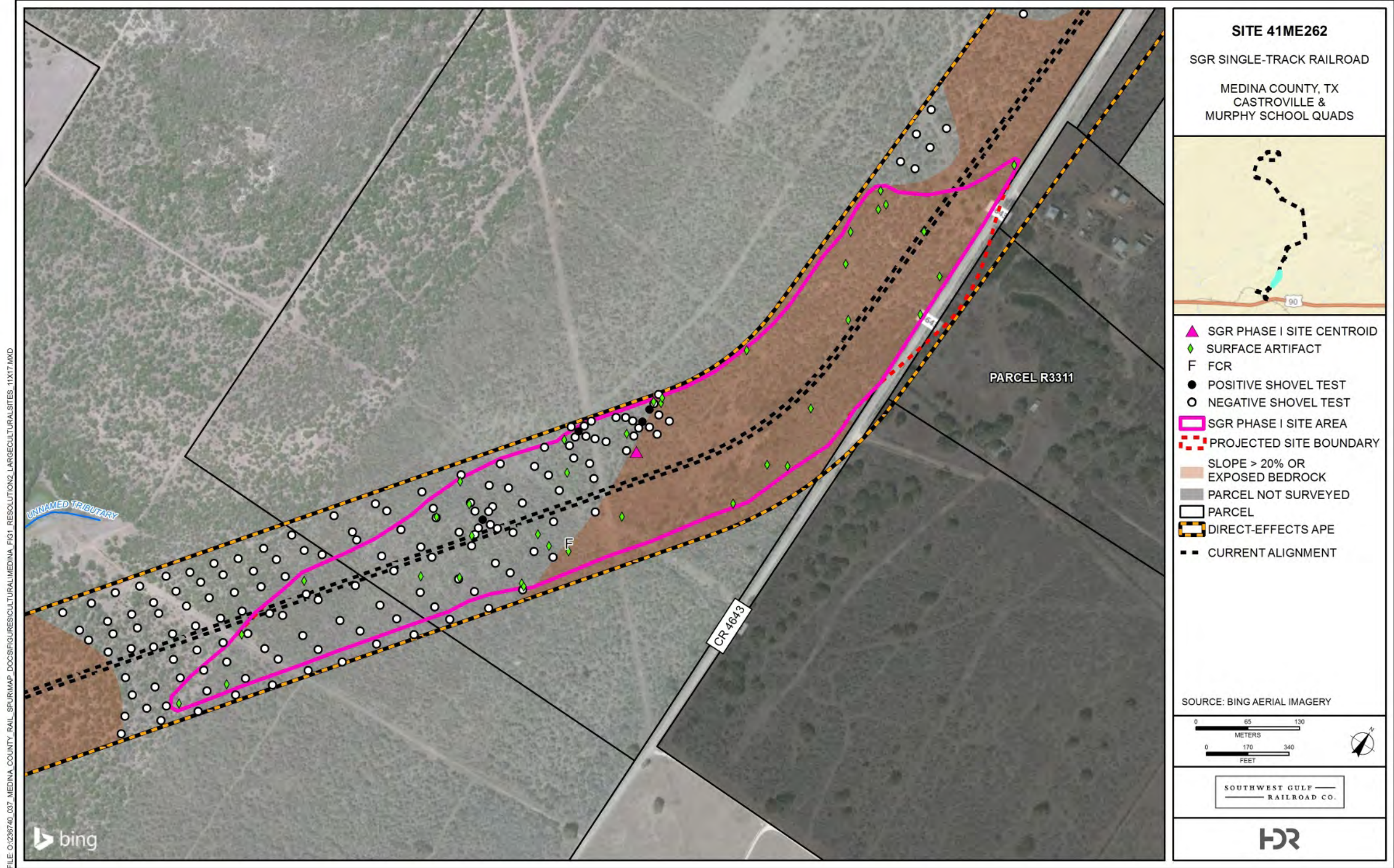
Site 41ME262

1. Background and Eligibility Status: Site 41ME262 is a prehistoric open campsite and lithic procurement area located at the southern portion of the direct-effects Area of Potential Effects (APE) (Figure 1). The site occupies a large area measuring approximately 1,251 m x 165 m (4,104 ft x 541 ft; 38.8 acres) and in several cases spans the entire width of the direct-effects APE. The Phase I survey within parcels where access had been obtained encountered minimal subsurface deposits and an absence of diagnostic materials and cultural features, indicating the site was not likely to yield information important in prehistory or history. As per the March 21, 2017, SHPO Concurrence Letter, the surveyed portion of the site has been determined Not Eligible for listing in the NRHP (Appendix B).

Although the vast majority of the site limits within the direct-effects APE have been determined, the boundary could not be fully delineated due to the lack of access to one parcel at the northeast end of the site (Parcel R3311). This parcel contains a narrow strip of land (0.93 acre) along the eastern edge of the direct-effects APE and on the opposite side of the CR 4643 right-of-way (ROW) relative to the surveyed portion of 41ME262. Access was not granted during the course of the survey; therefore, it is presumed to be eligible for the NRHP for the purposes of Section 106.

2. Adverse Effect: There is potential that the portion of Site 41ME262 on Parcel R3311 would be directly affected by construction activities, and the project would have an adverse effect on the site.
3. Resolution of Adverse Effect—Parcel R3311:
 - a) The portion of Site 41ME262 on Parcel R3311 should be avoided during all project-related impacts (temporary and permanent). Specifically, no impacts should occur within the exclusion zone, defined as the area east of the current fence line marking the boundary between Parcel R3311 and the eastern CR 4643 existing ROW.
 - b) If project-related impacts to the portion of Site 41ME262 on Parcel R3311 cannot be avoided, appropriate mitigation measures will be developed that are specific to the characteristics contributing to the resources' Eligible status. Such mitigation could consist of excavation of additional data (the most common mitigation measure for archaeology), the goal being to increase knowledge of the prehistory of the area by utilizing additional data that would have been lost via construction. Typically, this type of mitigation includes a comprehensive research design developed in concert with STB and SHPO that focuses on specific research themes that might be addressed with the excavation and analysis of the mitigation data. Once additional material is excavated and analyzed, the information is then shared via research papers (for professionals) and public outreach options like the Texas Beyond History website, www.texasbeyondhistory.net. SGR will consult with STB on mitigation measures prior to implementation. Mitigation implementation will be summarized and reported to STB and SHPO as part of SGR's semi-annual reports, which will be posted on the STB's website and by that means made available to consulting parties. The mitigation measures will also be offered for posting on the Texas Beyond website.

Figure 1. Site 41ME262.



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Site 41ME261

1. Background and Eligibility Status: Site 41ME261 is a multicomponent site consisting of a Transitional Archaic Period open campsite and an early to mid-twentieth century domestic scatter at the northern end of the direct-effects APE (Figure 2). The site is spread over a broad area of approximately 1,815 m x 91 m (5,955 ft x 300 ft; 48.4 acres) with a large portion spanning nearly the entire width of the direct-effects APE. The Phase I survey within parcels where access had been obtained identified diagnostic cultural materials, intact subsurface deposits, and a variety of artifact classes, indicating that site 41ME261 could have potential to add to our understanding of regional prehistory. As per the March 21, 2017, SHPO Concurrence Letter, further testing is required to establish the site's NRHP eligibility (see Appendix B). Testing is scheduled to be completed in September 2017. The results of the NRHP eligibility testing will be summarized and reported to STB as part of SGR's semi-annual reports, which will be posted on the STB's website and thereby made available to consulting parties.

Although the vast majority of the site limits within the direct-effects APE have been determined, the boundary could not be fully delineated due to the lack of access to a narrow strip of land (1.92 acres) on one parcel at the southern end of the site (Parcel R36257). As a result, Site 41ME261 (including the 1.92 acres of Parcel R36257 that have not been surveyed) is presumed to be eligible for the NRHP for the purposes of Section 106.

2. Adverse Effect: Given the large area that the site encompasses within the direct-effects APE, it is likely that the site's characteristics and integrity would be directly affected by construction activities, and the project would have an adverse effect on the site.
3. Resolution of Adverse Effect:

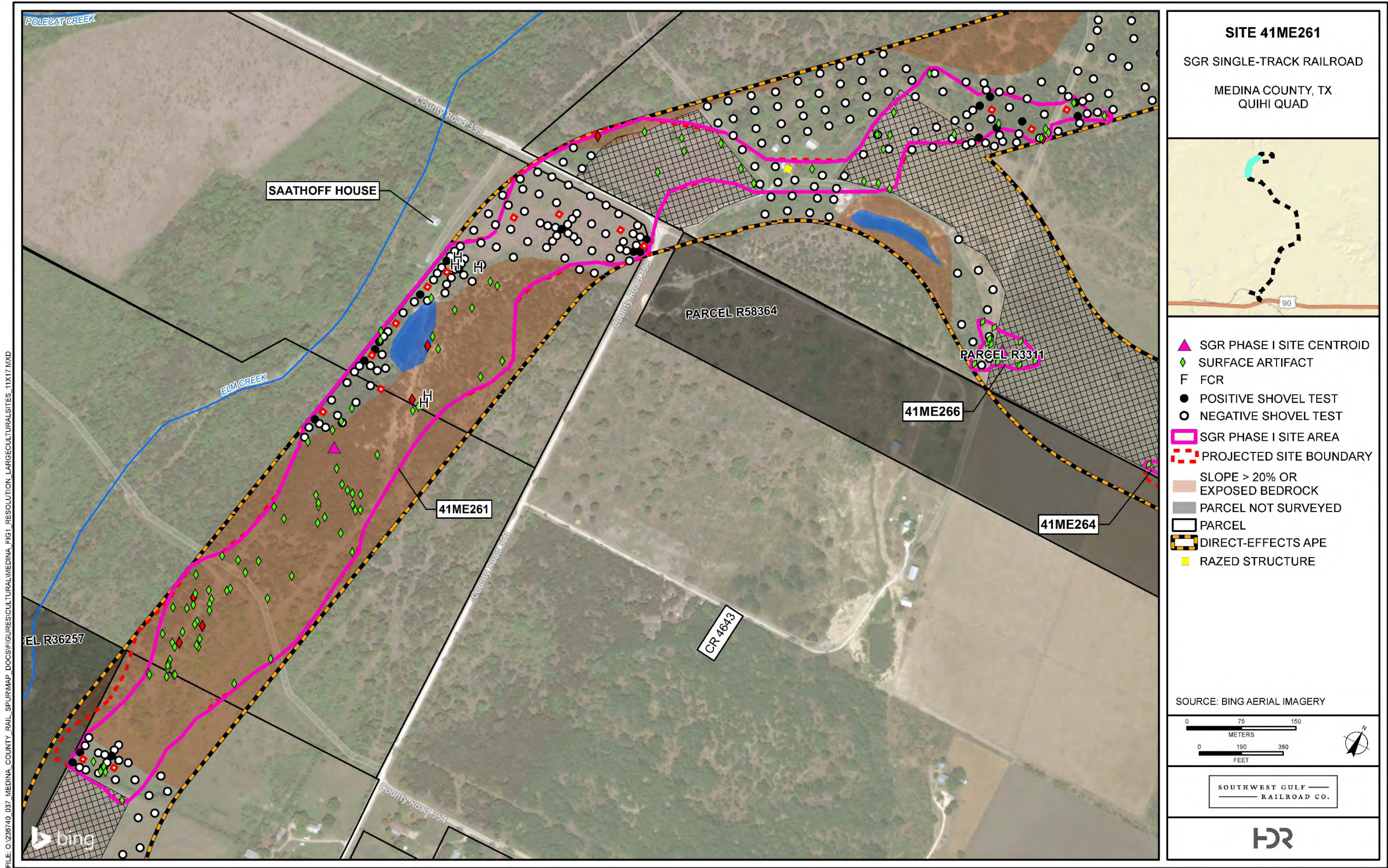
- a) NRHP-eligibility testing plan: Of the 48.4 acres that the site encompasses, approximately 15.5 acres (32 percent of the total acreage) were determined to contain soil deposition requiring subsurface testing. This portion will be the focus of hand-dug test unit excavations. Specifically, it is proposed that 30 cubic meters be initially excavated within areas previously determined to contain soil deposition with archaeological materials (see Figure 2). The units with high artifact concentrations or features will then be expanded into 2 x 2-m units, and additional 1 x 1-m units will be excavated based on initial test unit results. For portions of the site which do not contain soil deposition but yielded surface archaeological materials, systematic transects of 5-m intervals will be walked over, and artifacts/artifacts clusters will be flagged to identify any patterning that may be present (e.g., cultural activity areas, secondary artifact deposition, etc.).

In order to determine the site's eligibility for the NRHP, the testing, analysis, and reporting methods will focus on assessing the integrity of archaeological deposits, the degree of preservation of the cultural resources, the presence (or absence) of features, the vertical and horizontal dimensions of the site, and the cultural components present.

- b) Site 41ME261 should be avoided during all project-related impacts (temporary and permanent).
- c) If project-related impacts to Site 41ME261 cannot be avoided, appropriate mitigation measures will be developed and implemented in consultation with the STB. Such mitigation could consist of excavation of additional data (the most common mitigation measure for archaeology), the goal being to increase knowledge of the prehistory of the area by utilizing

additional data that would have been lost via construction. Typically, this type of mitigation includes a comprehensive research design developed in concert with STB and SHPO that focuses on specific research themes that might be addressed with the excavation and analysis of the mitigation data. Once additional material is excavated and analyzed, the information is then shared via research papers (for professionals) and public outreach options like the Texas Beyond History website, www.texasbeyondhistory.net. SGR will consult with STB on mitigation measures prior to implementation. Mitigation implementation will be summarized and reported to STB and SHPO as part of SGR's semi-annual reports, which will be posted on the STB's website and by that means made available to consulting parties. The mitigation measures will also be offered for posting on the Texas Beyond website.

Figure 2. Site 41ME261.



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Site 41ME260

1. Background and Eligibility Status: Site 41ME260 is a Late Prehistoric open campsite located at the south-central portion of the direct-effects APE (Figure 3). The site occupies a large area of approximately 994 m x 91 m (3,261 ft x 300 ft; 32.9 acres) with several portions spanning the entire width of the direct-effects APE. The Phase I survey encountered an intact diagnostic projectile point in association with a potential lithic processing activity area, indicating that the site contains a high potential for containing additional intact, buried archaeological deposits with diagnostics and cultural features. As per the March 21, 2017, SHPO Concurrence Letter, further testing is required to establish the site's NRHP eligibility (see Appendix B). Testing is scheduled to be completed in September 2017. The results of the NRHP eligibility testing will be summarized and reported to STB as part of SGR's semi-annual reports, which will be posted on the STB's website and thereby made available to consulting parties.

Although the vast majority of the site limits within the direct-effects APE have been determined, the boundary could not be fully delineated due to the lack of access to a narrow strip of land (2.16 acres) on one parcel at the northwest end of the site (Parcel R58431). Access was not granted during the course of the survey; therefore, it is presumed to be eligible for the NRHP for the purposes of Section 106. As a result, Site 41ME260 (including the 2.16 acres of Parcel R58431 that have not been surveyed) is presumed to be eligible for the NRHP for the purposes of Section 106.

2. Adverse Effect: Given the large area that the site encompasses within the direct-effects APE, it is likely that the site's characteristics and integrity would be directly affected by construction activities, and the project would have an adverse effect on the site.
3. Resolution of Adverse Effect:

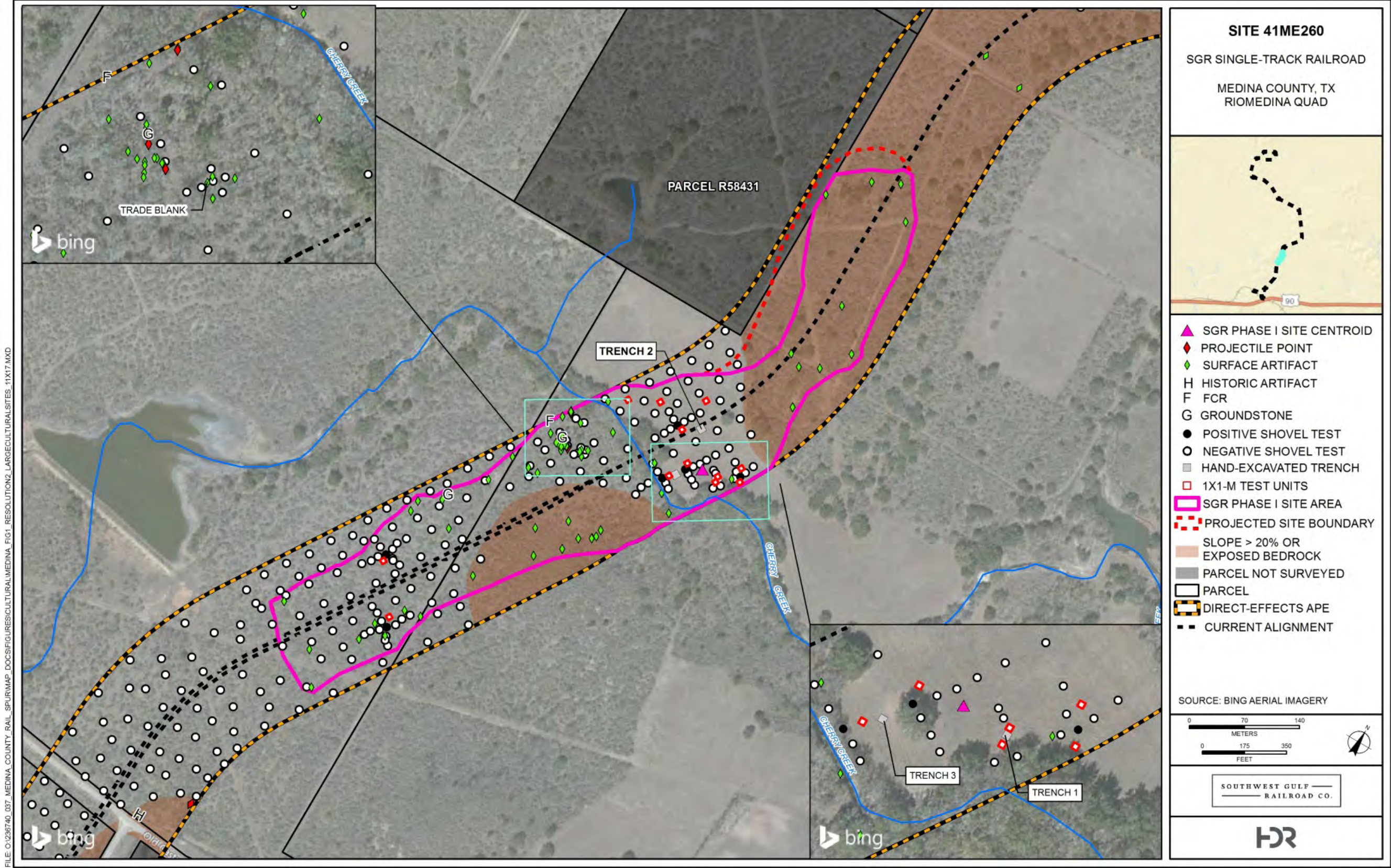
- a) NRHP-eligibility testing plan: Of the 32.9 acres that the site encompasses, approximately 18.7 acres were determined to contain soil deposition requiring subsurface testing (56.8 percent of the total acreage). This portion will be the focus of hand-dug test unit excavations. Specifically, it is proposed that 30 cubic meters be initially excavated within areas previously determined to contain soil deposition with archaeological materials (see Figure 3). The units with high artifact concentrations or features will then be expanded into 2 x 2-m units, and additional 1 x 1-m units will be excavated based on initial test unit results. For portions of the site which do not contain soil deposition but yielded surface archaeological materials, systematic transects of 5-m intervals will be walked over, and artifacts/artifacts clusters will be flagged to identify any patterning that may be present (e.g., cultural activity areas, secondary artifact deposition, etc.).

In order to determine the site's eligibility for the NRHP, the testing, analysis, and reporting methods will focus on assessing the integrity of archaeological deposits, the degree of preservation of the cultural resources, the presence (or absence) of features, the vertical and horizontal dimensions of the site, and the cultural components present.

- b) Site 41ME260 should be avoided during all project-related impacts (temporary and permanent).
- c) If project-related impacts to Site 41ME260 cannot be avoided, appropriate mitigation measures will be developed specific to the characteristics contributing to the resources' Eligible status. Such mitigation could consist of excavation of additional data (the most

common mitigation measure for archaeology), the goal being to increase knowledge of the prehistory of the area by utilizing additional data that would have been lost via construction. Typically, this type of mitigation includes a comprehensive research design developed in concert with STB and SHPO that focuses on specific research themes that might be addressed with the excavation and analysis of the mitigation data. Once additional material is excavated and analyzed, the information is then shared via research papers (for professionals) and public outreach options like the Texas Beyond History website, www.texasbeyondhistory.net. SGR will consult with STB on mitigation measures prior to implementation. Mitigation implementation will be summarized and reported to STB and SHPO as part of SGR's semi-annual reports, which will be posted on the STB's website and by that means made available to consulting parties. The mitigation measures will also be offered for posting on the Texas Beyond website.

Figure 3. Site 41ME260.



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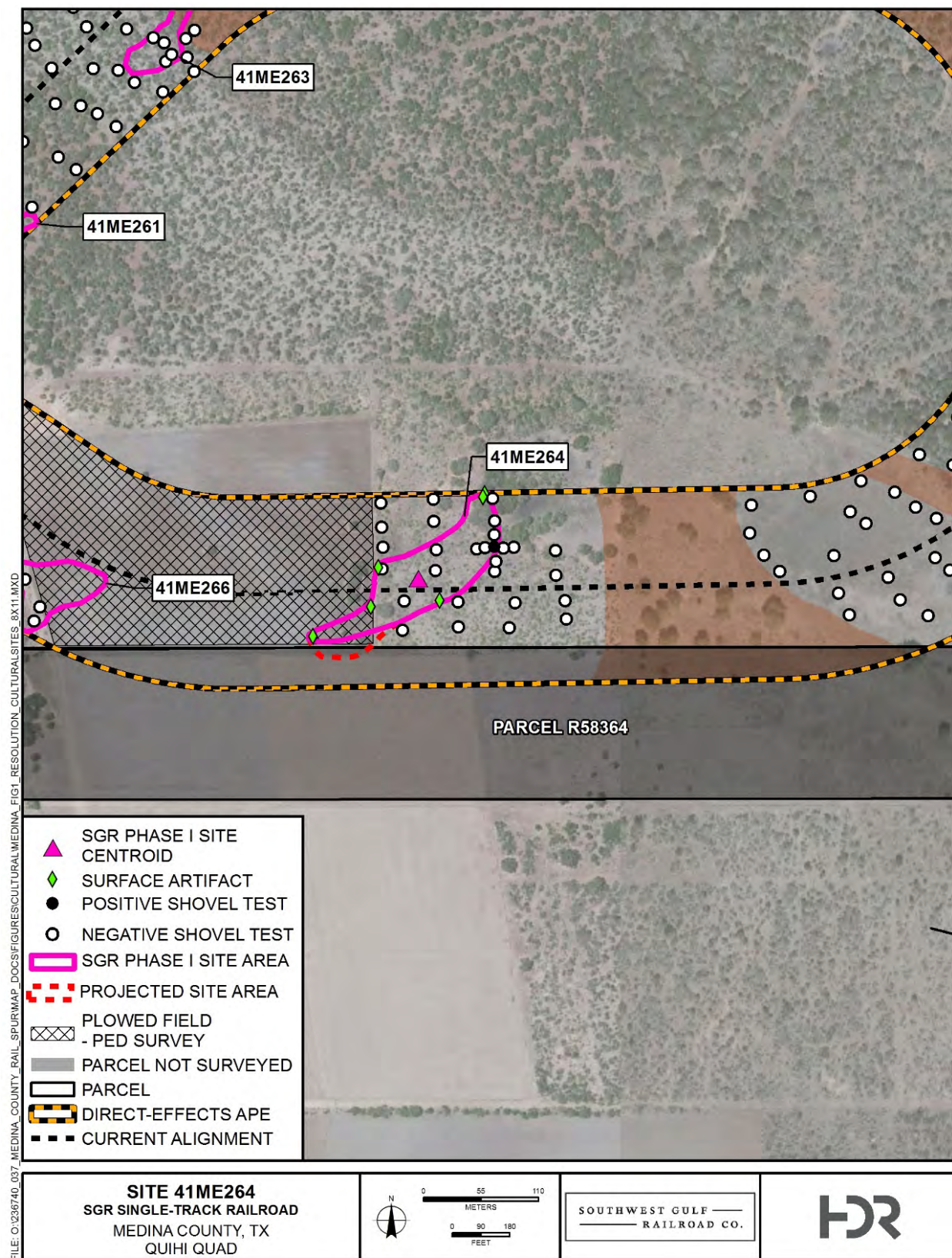
Site 41ME264

1. Background and Eligibility Status: Site 41ME264 is a prehistoric lithic scatter located at the northern end of the direct-effects APE (Figure 4). The site yielded sparse surface and subsurface artifacts within an area measuring approximately 217 m x 64 m (712 ft x 210 ft; 2.15 acres). No diagnostic materials or cultural features were found at the site. Although the vast majority of the site limits within the direct-effects APE have been determined, the boundary could not be fully delineated due to the lack of access to 6.13 acres on one parcel at the southern end of the site (Parcel R58364).

As per the March 21, 2017, SHPO Concurrence Letter, Site 41ME264 (including the 6.13 acres of Parcel R58364 that have not been surveyed) is considered Eligible for listing in the NRHP (see Appendix B). Testing is scheduled to be completed in September 2017. The results of the NRHP eligibility testing will be summarized and reported to STB as part of SGR's semi-annual reports, which will be posted on the STB's website and thereby made available to consulting parties.

2. Adverse Effect: Given that the site encompasses the entire width of the direct-effects APE, it is likely that the site's characteristics and integrity would be directly affected by construction activities, and the project would have an adverse effect on the site.
3. Resolution of Adverse Effect:
 - a) Site 41ME264 should be avoided during all project-related impacts (temporary and permanent).
 - b) If project-related impacts to Site 41ME264 cannot be avoided, appropriate mitigation measures will be developed specific to the characteristics contributing to the resources' Eligible status. Such mitigation could consist of excavation of additional data (the most common mitigation measure for archaeology), the goal being to increase knowledge of the prehistory of the area by utilizing additional data that would have been lost via construction. Typically, this type of mitigation includes a comprehensive research design developed in concert with STB and SHPO that focuses on specific research themes that might be addressed with the excavation and analysis of the mitigation data. Once additional material is excavated and analyzed, the information is then shared via research papers (for professionals) and public outreach options like the Texas Beyond History website, www.texasbeyondhistory.net. SGR will consult with STB on mitigation measures prior to implementation. Mitigation implementation will be summarized and reported to STB and SHPO as part of SGR's semi-annual reports, which will be posted on the STB's website and by that means made available to consulting parties. The mitigation measures will also be offered for posting on the Texas Beyond website.

Figure 4. Site 41ME264.



C. Architectural Sites

Table 2 presents a summary of the mitigation measures suggested for each architectural site adversely or potentially adversely affected by the Project. Discussions of the measures follow the table.

Table 2. Summary of Mitigation Measures Recommended for Architectural Sites

Field Survey #	Address	Recommended Mitigation Measures
HDR-AR-02	1253 CR 353	HABS-like Level II documentation; vegetative buffer; vibration monitoring; UQRHD exhibition, exhibit guide, and educational materials
HDR-AR-03	1040 CR 353	UQRHD exhibition, exhibit guide, and educational materials
HDR-AR-04	881 CR 353	HABS-like Level II documentation; vegetative buffer; UQRHD exhibition, exhibit guide, and educational materials
HDR-AR-05	6005 FM 2676	HABS-like Level II documentation; UQRHD exhibition, exhibit guide, and educational materials
HDR-AR-06	FM 2676	HABS-like Level II documentation; vibration monitoring; SOI-qualified historic architect and structural engineer assessment; UQRHD exhibition, exhibit guide, and educational materials
HDR-AR-10	944 CR 4643	Vegetative buffer; UQRHD exhibition, exhibit guide, and educational materials
HDR-AR-11	830 CR 4643	Vegetative buffer; UQRHD exhibition, exhibit guide, and educational materials

Mitigation Measures Related to All Adversely-Affected Architectural Resources

UQRHD exhibition, exhibit guide, and educational materials. SGR will fund a temporary exhibition on the history of the UQRHD, to be hosted locally, most likely at the Hondo Public Library, whose director has indicated high interest. Materials will include large-format photographs and drawings completed as part of the HABS-like Level II documentation for HDR-AR-02, HDR-AR-04, HDR-AR-05, and HDR-AR-06; survey photography, and user-friendly dissemination of research completed for the Project, to be written by a Secretary of the Interior-qualified historian/architectural historian experienced in the creation of educational and interpretive materials. A copy of all such materials will be provided to the STB prior to the opening of the exhibition. Planning discussions with the host will determine the length of time materials will be on display. After the temporary exhibit closes, materials in electronic form will be donated to the Texas Beyond History website to facilitate ongoing distribution and availability to interested parties. Texas Beyond History (www.texasbeyondhistory.net) is hosted by the University of Texas at Austin and organized by a partnership of the Texas Archeological Research Laboratory and the Texas Archeological Society.

If special interest groups, local organizations, or local residents are interested in loaning materials for the exhibition, additional ephemera and objects would be incorporated into the exhibition and be returned to donors at its conclusion. Special interest groups and local organizations that will be consulted for this component include, but are not necessarily limited to: the Quihi and New Fountain Historical Society, Medina County Historical Commission, Castroville Chamber of Commerce, Castro Colonies Heritage Association, Castroville Conservation Society, Medina County Museum, Steinbach House, Landmark Inn Historic Site, Frontier Times Museum, Castroville Public Library, Hondo Public Library, Driscoll Public Library, San Antonio Public Library, and Institute of Texan Cultures at the University of Texas at San Antonio.

To accompany the exhibition and to provide a more permanent record of the research and documentation efforts completed for the Project, SGR will fund publication of an exhibit guide and production of educational materials. The exhibit guide, written by a Secretary of the Interior-qualified historian/architectural historian experienced in the creation of educational and interpretive materials, will be a user-friendly compilation of the research and photography completed for the Project, and will incorporate materials loaned for the exhibition by any participating special interest group, local organization, or local resident, with permission. The exhibit guide will also be made available to local/relevant repositories in print and/or electronic form. Repository distribution should include local libraries within 50 miles (Hondo, Castroville, Devine, San Antonio), Texas State Library, the Texas Historical Commission (THC), the Institute of Texas Cultures at University of Texas at San Antonio, the Briscoe Center for American History, and other Texas repositories with statewide genealogy divisions, in addition to the Texas Beyond History website.

The educational materials component will be modeled on the “Texas History Traveling Trunks” program conducted by the Frontier Times Museum in Bandera. The museum has an Educators Outreach Program where teachers can borrow materials that are designed to complement the classroom curriculum including hands-on artifacts, a Teacher Resource Guide, and information written for a variety of reading levels. Content will be based on photography, drawings, and research completed for the Project, but may include ephemera and materials donated for use beyond the exhibition, with permission. A copy of all educational materials or summaries of them will be provided to the STB and SHPO through SGR’s semi-annual report, which will be posted on the STB’s website and thereby made available to the consulting parties.

Mitigation Measure Related to SGR-Owned Architectural Resources

Where a historic property is on land owned by SGR for this Project, SGR is responsible for maintenance of the buildings and structures contributing to the NRHP eligibility of the property to the standard that they maintain their eligibility status. SGR will notify SHPO prior to making any modifications to any historic property on land it owns for this Project.

HDR-AR-02, 1253 CR 353

1. Background and Eligibility Status: In total, 14 resources were surveyed on this farmstead (Figure 5). Structures include a single-story dwelling (A) built in the National Folk style and likely constructed c. 1910, as well as two sheds (B and D), an outbuilding of unknown function (C), chicken coops (E and F), a multipurpose barn (G), animal feeding sheds (H, I, and K), an animal shelter (J), a privy (L), an animal pen (M), and an equipment storage building (N).

Jacob Bendele, Sr. (1800–1872) acquired two 320-acre parcels as part of Castro's Colony in 1850. He signed Certificate 58 on April 17, 1850, and the document was officially filed July 2, 1853, likely to finalize the sale of the 640 acres to Henry T. Bauerlein on June 17, 1853. HDR-AR-02 is located on the northern of the two parcels, Abstract 80. Bendele and his wife, Kathrenia, together with their children, first settled in Castroville and then moved to a farm south of Castroville. The parcel may have been an investment for Bauerlein, as he is listed as living in Bandera by 1859 and just south of Medina in the 1860s. Some loose bricks on the property are labeled SECO, referencing the Seco Pressed Brick Company of D'Hanis, Texas, which opened in 1912 and closed in the 1930s.

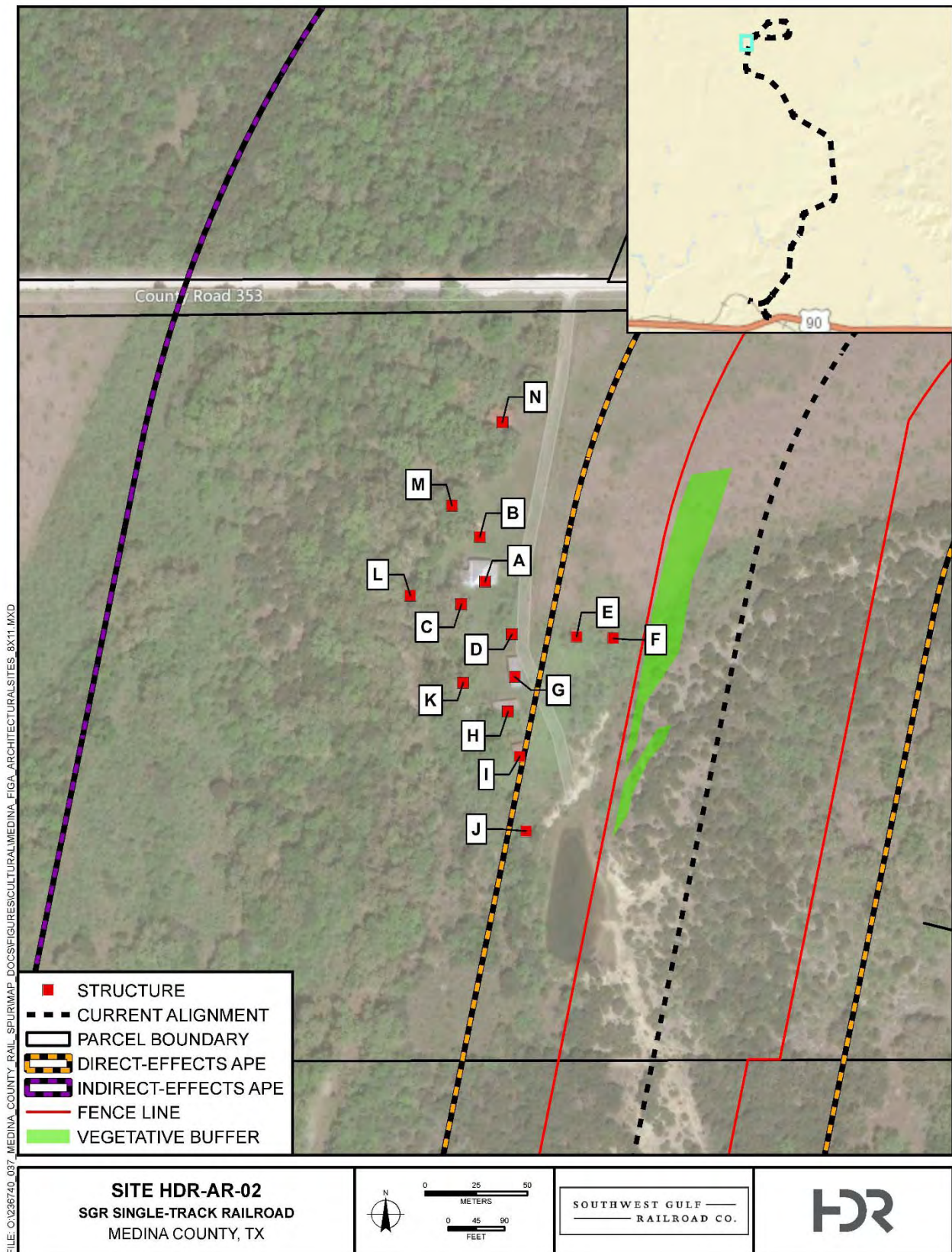
HDR-AR-02 is located within the boundary of the UQRHD. The property has been associated for many years with the Saathoff family, who are known to be early settlers of the area. While this is not the original family homestead associated with the first or second generation of the Saathoff family, the relatively intact early twentieth-century dwelling illustrates the next phase of architectural development in the area after the Alsatian-German stone houses, and the farmstead grouping illustrates the area's ongoing development of the regional agricultural economy through the twentieth century. HDR-AR-02 retains its integrity of location, setting, materials, workmanship, feeling, and association. Integrity of design has been mildly affected by the modifications made to the dwelling, but not to a point of endangering the property's eligibility status. HDR-AR-02 has been determined eligible for NRHP listing (Criteria A and C) individually, and as a contributing resource to the UQRHD.

2. Adverse Effect: The resources associated with HDR-AR-02 are all within 190–530 feet of the project centerline. The visual impact of the Project will have a permanent indirect adverse effect on the setting and feeling of this historic property. Due to the proximity of the structures to the Project, there is also the potential that Project construction and ongoing vibrations and noise from passing trains may have an adverse indirect effect on the structures closest to the line. SHPO has concurred that the Project will have an adverse effect on HDR-AR-02.
3. Resolution of Adverse Effect: In addition to the UQRHD exhibition, exhibit guide, and educational materials described on pages 19–20, mitigation strategies to provide a commensurate level of mitigation of adverse effects on HDR-AR-02 include:
 - a) HABS-like Level II documentation for the primary dwelling. Documentation will include elevation drawings completed by an experienced preservation architect, large-format photographs of exterior views taken and developed by a photographer experienced with HABS photography, and a written history and description of the property completed by a Secretary of the Interior-qualified historian/architectural historian. Documentation will be submitted to THC and the Hondo Public Library.
 - b) Vegetative buffer. SGR's Environmental Mitigation Measures (see Appendix C) includes Measure 51: "During rail construction, SGR shall replace mature trees at a 3:1 ratio and shall monitor these replacement trees to ensure a survival rate of 80 percent. If the removal of old

timber trees is unavoidable, SGR shall replace old timber trees at a ratio of the 10 trees for each one lost and shall monitor these replacement trees to ensure a survival rate of 80 percent.” In the areas indicated on Figure 5, and if viable in the existing setting, SGR will plant trees within the SGR ROW appropriate and consistent with the existing local landscape to further insulate the historic property as much as possible from the visual and audible effects of the Project, as dictated in the Environmental Mitigation Measures. This landscape buffer, when added to existing vegetation, will help protect and preserve aesthetic appeal and setting of the historic resource, while also acting to reduce noise and visual impacts of the Project. As vegetative screening plans are developed for specific locations, these will be shared with the STB and SHPO and available for posting on the STB’s website and sharing with consulting parties.

- c) Vibration monitoring. HDR-AR-02 includes resources within 200 feet on the Project. As such, SGR will monitor vibration during rail construction to ensure that the peak particle velocity limit of 2.72 inches per second in any axis (in either of the two lateral directions or in the vertical direction) is not exceeded.

Figure 5. HDR-AR-02, 1253 CR 353.



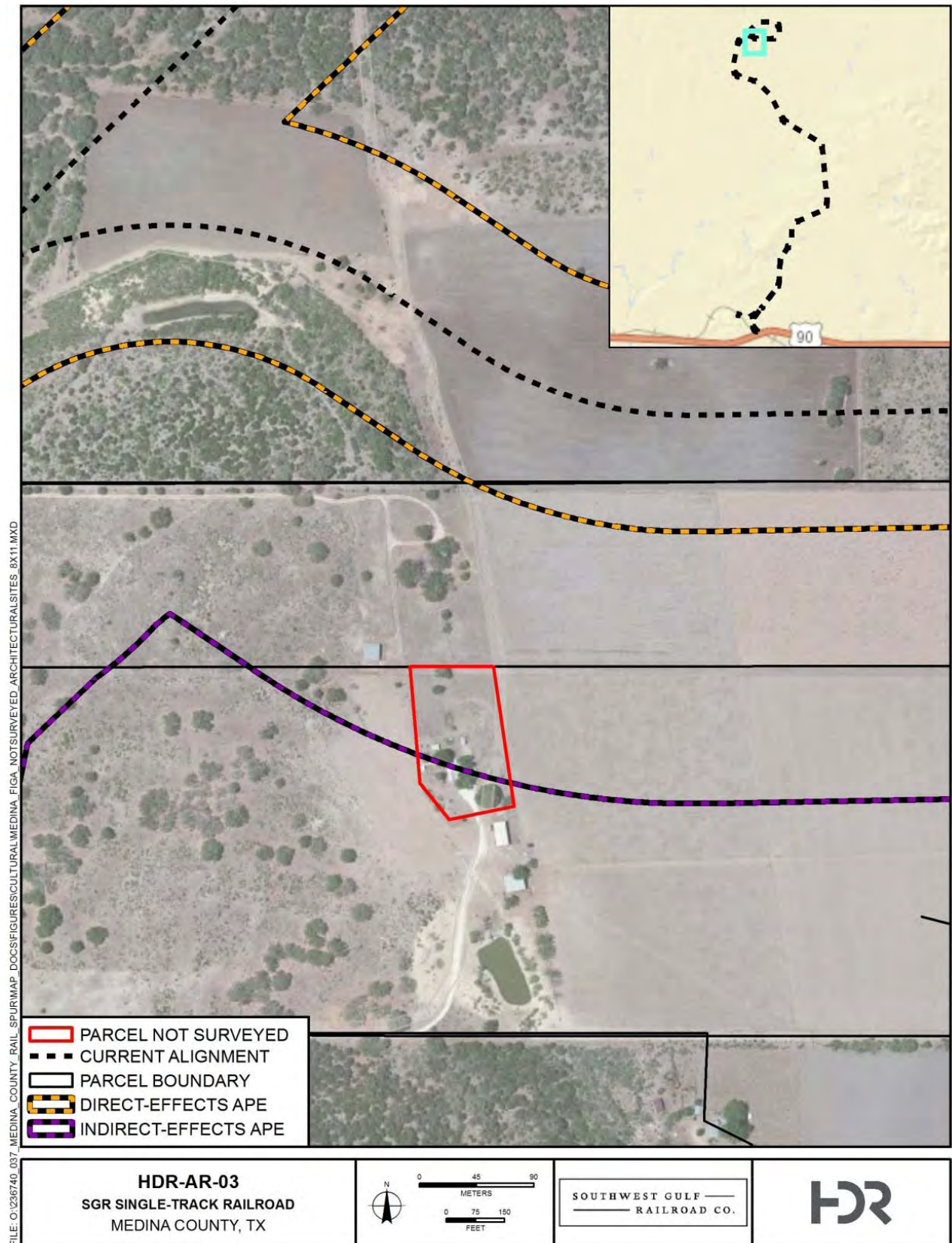
HDR-AR-03, 1040 CR 353

1. Background and Eligibility Status: Access was not granted during the course of the survey; therefore, it is presumed to be eligible for listing in the NRHP for the purposes of Section 106. HDR-AR-03 is located within the boundary of the UQRHD.

Jacob Bendele, Sr. (1800–1872) acquired two 320-acre parcels as part of Castro's Colony in 1850. He signed Certificate 58 on April 17, 1850, and the document was officially filed July 2, 1853, likely to finalize the sale of the 640 acres to Henry T. Bauerlein on June 17, 1853. HDR-AR-03 is located on the northern of the two parcels, Abstract 80. Bendele and his wife, Kathrenia, together with their children, first settled in Castroville and then moved to a farm south of Castroville. The parcel may have been an investment for Bauerlein, as he is listed as living in Bandera by 1859 and just south of Medina in the 1860s.

2. Adverse Effect: The resources associated with HDR-AR-03 are located within 900–1,200 feet of the project centerline (Figure 6). The visual impact of the Project on this property will be minimal and not likely to rise to the level of an adverse effect.
3. Resolution of Adverse Effect: Given the minimal impact the Project will likely have on the property based on its distance from the Project, no additional property-specific mitigation measures are recommended beyond the UQRHD exhibition, exhibit guide, and educational materials, as detailed on pages 19–20.

Figure 6. HDR-AR-03, 1040 CR 353.



HDR-AR-04, 881 CR 353

1. Background and Eligibility Status: In total, 14 resources were surveyed on the farmstead (Figure 7). These resources include a one-story dwelling (A), two sheds (B and D), a workshop that may be the original dwelling on the property (C), a water tank (E), a garage (F), an equipment storage and workshop building (G), a storage building (H), agricultural equipment garage (I), a multipurpose barn with open animal pen (J), a small shed inside the animal pen (K), a wood storage shed (L), animal shelter (M), and two concrete posts with gates that mark the former entry to the property (N).

Nicholas (Nicolaus) Hoffman (1825–1894) acquired a 320-acre parcel that included the HDR-AR-04 land and then sold it to Louis Heath on June 21, 1855. Hoffman was married to Mary Agatha Bendele, the daughter of Jacob Bendele, Sr. who owned the two 320-acre parcels north of Hoffman's property.

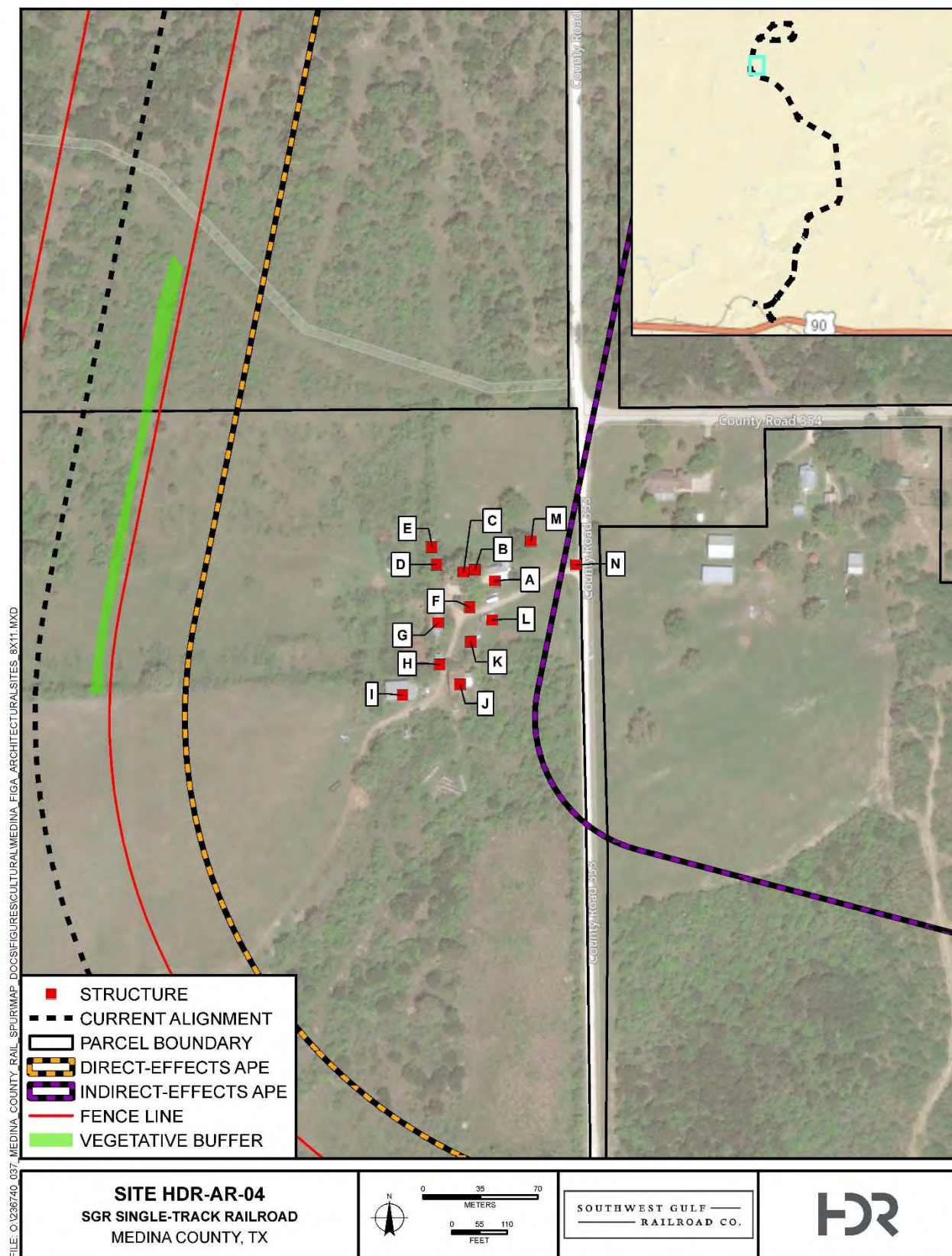
HDR-AR-04 is located within the boundary of the UQRHD. Although earlier surveys of the parcel associated with HDR-AR-04 recommended the property individually eligible as an intact example of Craftsman-influenced vernacular architecture, significant modifications since the previous survey in 2006 have altered the integrity of the dwelling (A) and rendered it nearly unrecognizable as a 1930s-era structure. The possible former dwelling (C) appears to have been built c. 1900 based upon its form and materials, and indicates the next phase of architectural development in the area after the Alsatian-German stone houses of the 1860s and 1870s. The unusual form embodies the distinctive characteristics of a type, period, and method of construction (Criterion C). The property has been associated for many years with the Dittmar family, who are known to be early settlers of the area. The limited number of intact historic resources affects HDR-AR-04's ability to meet the standards for Criterion A individually, but as it is within the UQRHD, the property has been determined eligible as a contributing resource to the historic district. The possible former dwelling associated with HDR-AR-04 (C) has also been determined individually eligible as a contributing resource to the UQRHD under Criterion A for Agriculture and Settlement.

The property retains its integrity of location, setting, feeling, and association. Integrity of design, workmanship, and materials has been affected by the modifications made to the primary dwelling, and the deteriorated condition of some of the structures. However, enough of the primary buildings still retain sufficient integrity to convey their historic significance.

2. Adverse Effect: The resources associated with HDR-AR-04 are all within 700–1,030 feet of the project centerline. The visual impact of the Project will have a permanent indirect adverse effect on the setting and feeling of this historic property. SHPO has concurred that the Project will have an adverse effect on HDR-AR-04.
3. Resolution of Adverse Effect: In addition to the UQRHD exhibition, exhibit guide, and educational materials described on pages 19–20, mitigation strategies to provide a commensurate level of mitigation of adverse effects on HDR-AR-04 include:
 - a) HABS-like Level II documentation for the primary dwelling. Documentation will include elevation drawings completed by an experienced preservation architect, large-format photographs of exterior views taken and developed by a photographer experienced with HABS photography, and a written history and description of the property completed by a Secretary of the Interior-qualified historian/architectural historian. Documentation will be submitted to THC and the Hondo Public Library.

- b) Vegetative buffer. SGR's Environmental Mitigation Measures (see Appendix C) includes Measure 51: "During rail construction, SGR shall replace mature trees at a 3:1 ratio and shall monitor these replacement trees to ensure a survival rate of 80 percent. If the removal of old timber trees is unavoidable, SGR shall replace old timber trees at a ratio of the 10 trees for each one lost and shall monitor these replacement trees to ensure a survival rate of 80 percent." In the area indicated on Figure 7, and if viable in the setting, SGR will plant trees within the SGR ROW appropriate and consistent with the existing local landscape to further insulate the historic property as much as possible from the visual and audible effects of the Project, as dictated in the Environmental Mitigation Measures. This landscape buffer, when added to existing vegetation, will help protect and preserve aesthetic appeal and setting of the historic resource, while also acting to reduce noise and visual impacts of the Project. As vegetative screening plans are developed for specific locations, these will be shared with the STB and SHPO and available for posting on the STB's website and sharing with consulting parties.

Figure 7. HDR-AR-04, 881 CR 353.



HDR-AR-05, 6005 FM 2676

1. Background and Eligibility Status: Six extant resources were surveyed on this farmstead (Figure 8) including the original German-Alsatian dwelling (A) which was built c. 1860 and to which there have been two additions since the mid-twentieth century; three sheds (B, C, and F); a concrete circular water trough (D); and an equipment storage building (E).

Either Jean-Baptiste Wernette II (1813–1882) or his son, Jean-Baptiste Wernette III (1835–1924) applied for and received a patent on a 320-acre parcel that included the HDR-AR-05 land. The patent for the land is dated August 19, 1852.

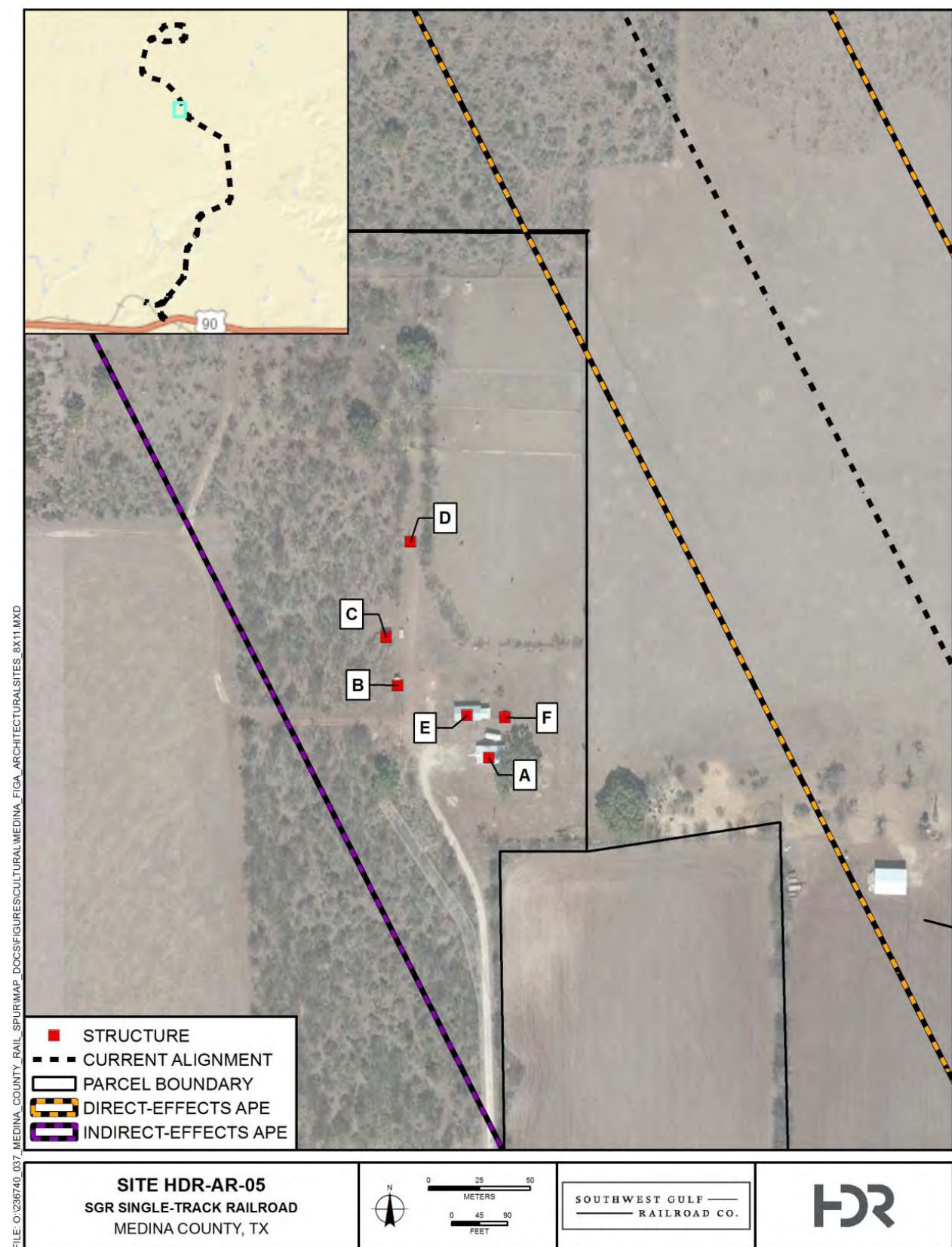
HDR-AR-05 includes a German-Alsatian dwelling built c. 1860 and additional, more recent, agriculture-related resources. Settlers moved to the Upper Quihi after the initial settlement of Quihi in the 1840s, and extant resources from this early period of Upper Quihi settlement are relatively rare. Signage at the property entrance states it is the “Sturm Hill Ranch, established 1859” and if the name indeed goes back to the earliest Sturm settlers, Joannis and Margaretha, HDR-AR-05 could be considered the Sturm homestead in the Quihi area.

HDR-AR-05 is located within the boundary of the UQRHD. The dwelling on this property is an important example of early, permanent development in the Quihi area. The property is associated with the area's settlement (Criterion A) and the dwelling itself is eligible under Criterion C for its distinctive characteristics of a type, period, and method of construction. HDR-AR-05 has been determined eligible as a contributing resource for the UQRHD under Criterion A for Settlement and Criterion C for Architecture, and the dwelling has been determined individually eligible under Criterion C for Architecture. The dwelling retains its integrity of location, design, setting, workmanship, materials, feeling, and association. While its integrity has been affected by modifications made to the dwelling, most were completed during the historic period, and they are clearly discernable from the original stone building.

2. Adverse Effect: The resources associated with HDR-AR-05 are all within 675–815 feet of the project centerline. The visual impact of the Project will have a permanent indirect adverse effect on the setting and feeling of this historic property. SHPO has concurred that the Project will have an adverse effect on HDR-AR-05.
3. Resolution of Adverse Effect: In addition to the UQRHD exhibition, exhibit guide, and educational materials described on pages 19–20, the mitigation strategy to provide a commensurate level of mitigation of adverse effects on HDR-AR-05 includes:
 - a) HABS-like Level II documentation for the primary dwelling. Documentation will include elevation drawings completed by an experienced preservation architect, large-format photographs of exterior views taken and developed by a photographer experienced with HABS photography, and a written history and description of the property completed by a Secretary of the Interior-qualified historian/architectural historian. Documentation will be submitted to THC and the Hondo Public Library.

As indicated in Figure 8, the only existing vegetative buffer between the Project and the historic property is sparse and located outside SGR's ROW. In this case, an added vegetative buffer would not be appropriate or consistent with the existing local landscape, and therefore, is not recommended for HDR-AR-05.

Figure 8. HDR-AR-05, 6005 FM 2676.



HDR-AR-06, FM 2676

1. Background and Eligibility Status: Four resources were surveyed on this property (Figure 9) and include an original single-story stone German-Alsatian dwelling (A), non-historic log cabin (B), metal windmill and concrete cistern built c. 1920 (C), and a circular concrete water trough (D).

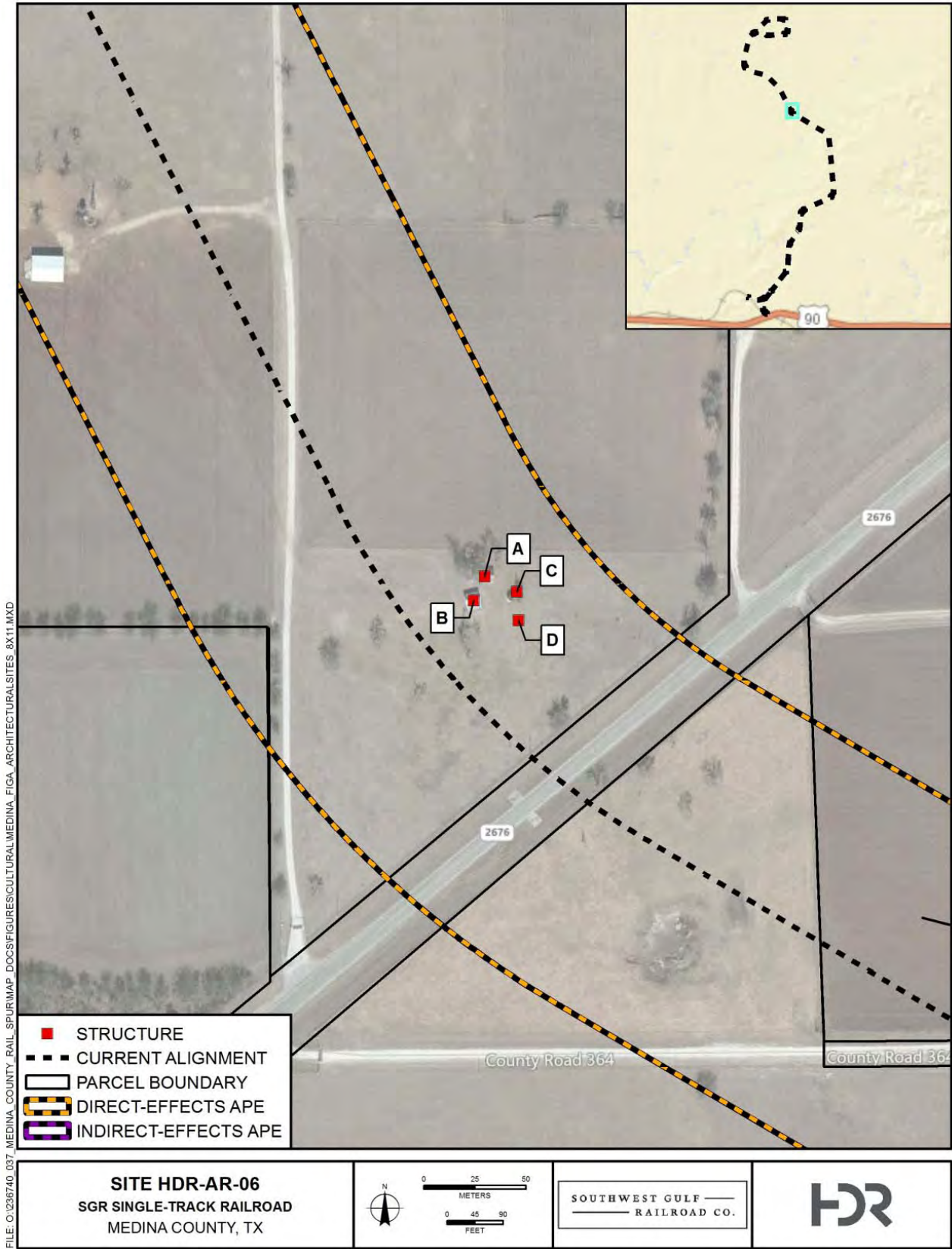
John J. Kuykendall was the original grantee of the 320-acre parcel that included HDR-AR-06. Jacob de Cordova received the patent on October 5, 1846. Cordova (1808–1868) served as a prominent land agent in Texas from 1845 until his death.

HDR-AR-06 is located within the boundary of the UQRHD. The property includes a German-Alsatian dwelling built c. 1860 and an early- to mid-twentieth century watering system, along with a log cabin that was built on or moved to the property after 1995. The stone dwelling is a testament to Quihi settlers moving into Upper Quihi after the initial settlement of Quihi in the 1840s. Extant resources from this early period of Upper Quihi settlement are relatively rare. Given the condition of the structure, which is missing an entire bay, it does not retain enough integrity of design, materials, and workmanship to convey its significance individually. However, the building has been determined eligible as a contributing resource to the UQRHD under Criterion A for Settlement, Criterion C for Architecture, and Criterion D for Information Potential.

2. Adverse Effect: The resources associated with HDR-AR-06 are all within 90–170 feet of the project centerline. The visual impact of the Project will have a permanent indirect adverse effect on the setting and feeling of this eligible property. Due to the proximity of the structures to the Project, there is also the potential that Project construction and ongoing vibrations of the passing trains may have an adverse effect on the structures, especially the stone dwelling. SHPO has concurred that the Project will have an adverse effect on HDR-AR-06.
3. Resolution of Adverse Effect: In addition to the UQRHD exhibition, exhibit guide, and educational materials described on pages 19–20, mitigation strategies to provide a commensurate level of mitigation of adverse effects on HDR-AR-06 include:
 - a) HABS-like Level II documentation for the Alsatian structure. Documentation will include elevation drawings completed by an experienced preservation architect, large-format photographs of exterior and interior views taken and developed by a photographer experienced with HABS photography, and a written history and description of the property completed by a Secretary of the Interior-qualified historian/architectural historian. Documentation will be submitted to THC and the Hondo Public Library.
 - b) Vibration monitoring. HDR-AR-06 includes the primary resource within 110 feet on the Project. As such, SGR will monitor vibration during rail construction to ensure that the peak particle velocity limit of 2.72 inches per second in any axis (in either of the two lateral directions or in the vertical direction) is not exceeded.
 - c) Structural assessment and preservation plan. Given the condition of the Alsatian building, consultation with a Secretary of the Interior-qualified historic architect and structural engineer is recommended to assess the structural integrity of the resource and create a preservation plan with the intent of maintaining the existing condition of the building. The assessment will be completed prior to the commencement of any construction activities that might cause vibration in the vicinity of the Alsatian building.

As indicated in Figure 9, there is no existing vegetative buffer between the Project and the historic property. In this case, an added vegetative buffer would not be appropriate or consistent with the existing local landscape, and therefore, is not recommended for HDR-AR-06.

Figure 9. HDR-AR-06, FM 2676.



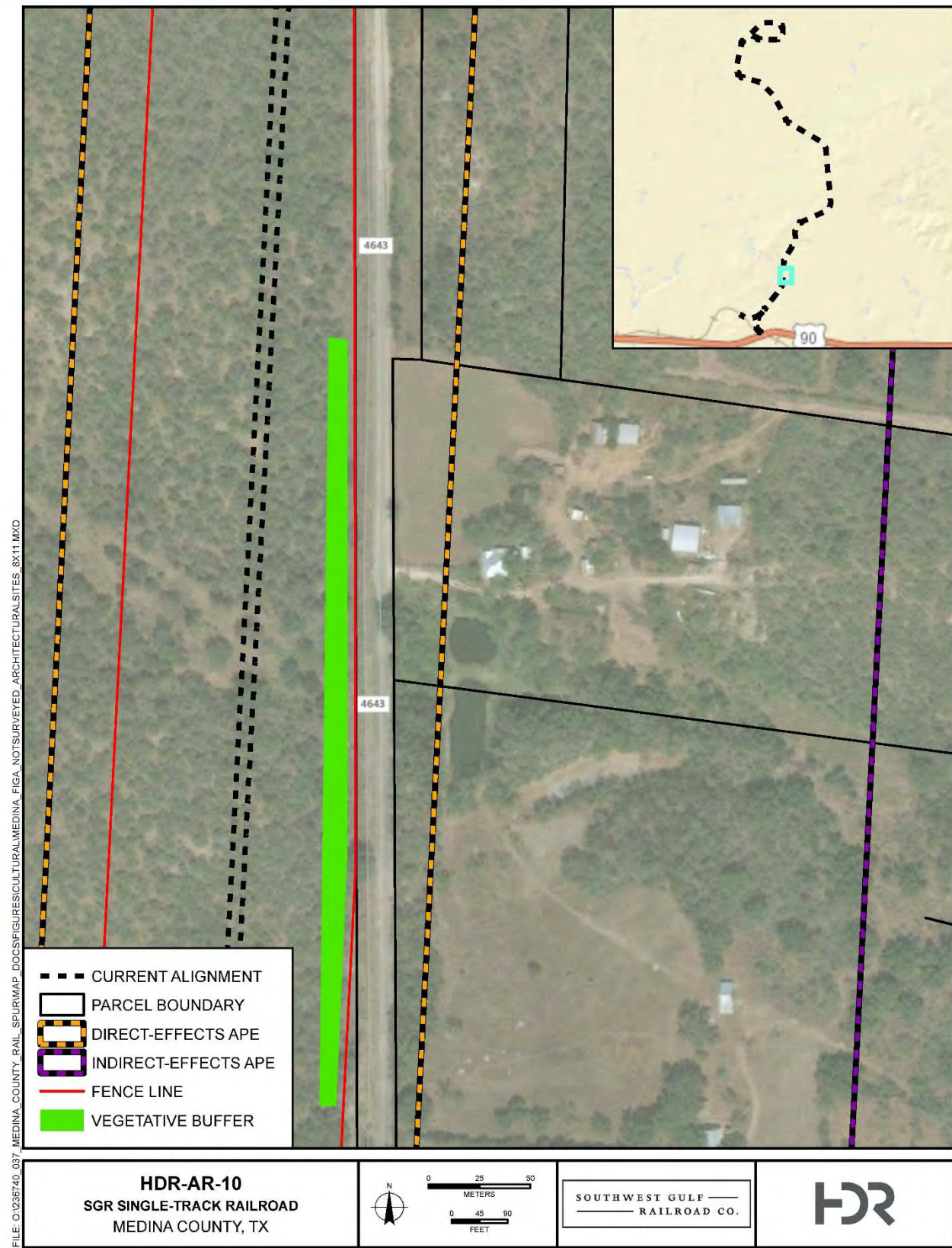
HDR-AR-10, 944 CR 4643

1. Background and Eligibility Status: Access was not granted during the course of the survey; therefore, it is presumed to be eligible for the NRHP for the purposes of Section 106. HDR-AR-10 is located at the southern end of the Project, southeast of Quihi and outside the UQRHD.

Joseph Chrystillis applied for and received a patent on July 12, 1852, for 320 acres of land that included the HDR-AR-10 parcel.

2. Adverse Effect: The resources associated with HDR-AR-10 are located within 340–730 feet of the project centerline (Figure 10). The presence of heavy vegetation between the historic property and the project centerline would result in limited visual impacts of the Project on this property. If there were adverse effects on HDR-AR-10, they would likely be indirect and noise-related.
3. Resolution of Adverse Effect: The property is not located within the UQRHD, and primary adverse effects will likely be noise-related only. In addition to the UQRHD exhibition, exhibit guide, and educational materials described on pages 19–20, the mitigation strategy to provide a commensurate level of mitigation of adverse effects on HDR-AR-10 includes:
 - a) Vegetative buffer. SGR's Environmental Mitigation Measures (see Appendix C) includes Measure 51: "During rail construction, SGR shall replace mature trees at a 3:1 ratio and shall monitor these replacement trees to ensure a survival rate of 80 percent. If the removal of old timber trees is unavoidable, SGR shall replace old timber trees at a ratio of the 10 trees for each one lost and shall monitor these replacement trees to ensure a survival rate of 80 percent." In the area indicated on Figure 10, and if viable in the setting, SGR will plant trees within the SGR ROW appropriate and consistent with the existing local landscape to further insulate the historic property as much as possible from the visual and audible effects of the Project, as dictated in the Environmental Mitigation Measures. This landscape buffer, when added to existing vegetation, will help protect and preserve aesthetic appeal and setting of the historic resource, while also acting to reduce noise and visual impacts of the Project. As vegetative screening plans are developed for specific locations, these will be shared with the STB and THC and available for posting on the STB's website and sharing with consulting parties.

Figure 10. HDR-AR-10, 944 CR 4643.



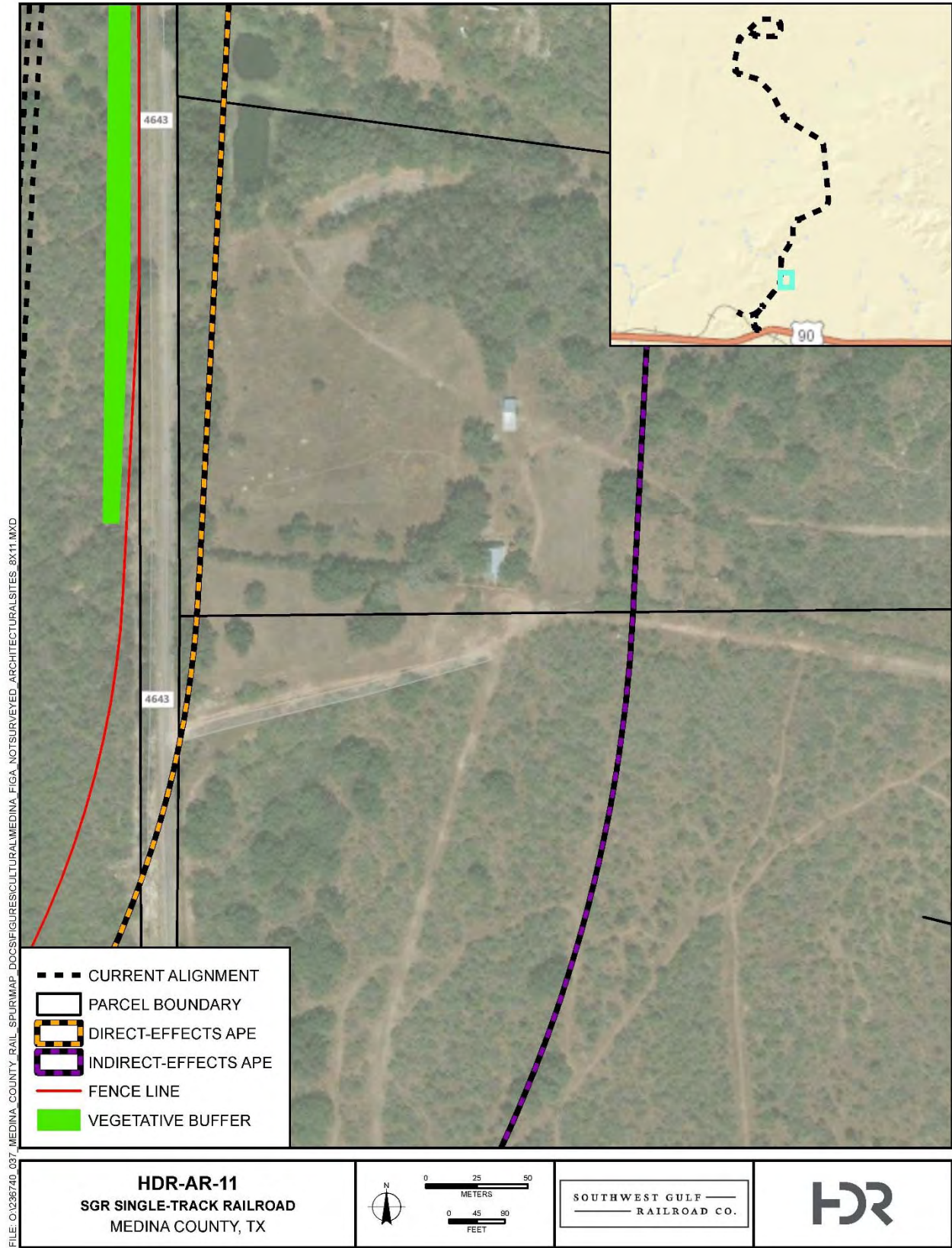
HDR-AR-11, 830 CR 4643

1. Background and Eligibility Status: Access was not granted during the course of the survey; therefore, it is presumed to be eligible for the NRHP for the purposes of Section 106. HDR-AR-11 is located at the southern end of the Project, southeast of Quihi and outside the UQRHD.

Joseph Chrystillis applied for and received a patent on July 12, 1852, for 320 acres of land that included the HDR-AR-10 parcel.

2. Adverse Effect: The resources associated with HDR-AR-11 are located within 750–770 feet of the project centerline (Figure 11). As noted during the course of the survey however, none of the structures are visible from CR 4643, and thus the Project would have no visual impact on the historic property. The noise impact of the Project on this property would likely be limited to audible effects and not rise to the level of an adverse effect.
3. Resolution of Adverse Effect: The property is not located within the UQRHD, and primary adverse effects will likely be noise-related only. In addition to the UQRHD exhibition, exhibit guide, and educational materials described on pages 19–20, the mitigation strategy to provide a commensurate level of mitigation of adverse effects on HDR-AR-11 includes:
 - a) Vegetative buffer. SGR's Environmental Mitigation Measures (see Appendix C) includes Measure 51: "During rail construction, SGR shall replace mature trees at a 3:1 ratio and shall monitor these replacement trees to ensure a survival rate of 80 percent. If the removal of old timber trees is unavoidable, SGR shall replace old timber trees at a ratio of the 10 trees for each one lost and shall monitor these replacement trees to ensure a survival rate of 80 percent." In the area indicated on Figure 11, and if viable in the setting, SGR will plant trees within the SGR ROW appropriate and consistent with the existing local landscape to further insulate the historic property as much as possible from the visual and audible effects of the Project, as dictated in the Environmental Mitigation Measures. This landscape buffer, when added to existing vegetation, will help protect and preserve aesthetic appeal and setting of the historic resource, while also acting to reduce noise and visual impacts of the Project. As vegetative screening plans are developed for specific locations, these will be shared with the STB and THC and available for posting on the STB's website and sharing with consulting parties.

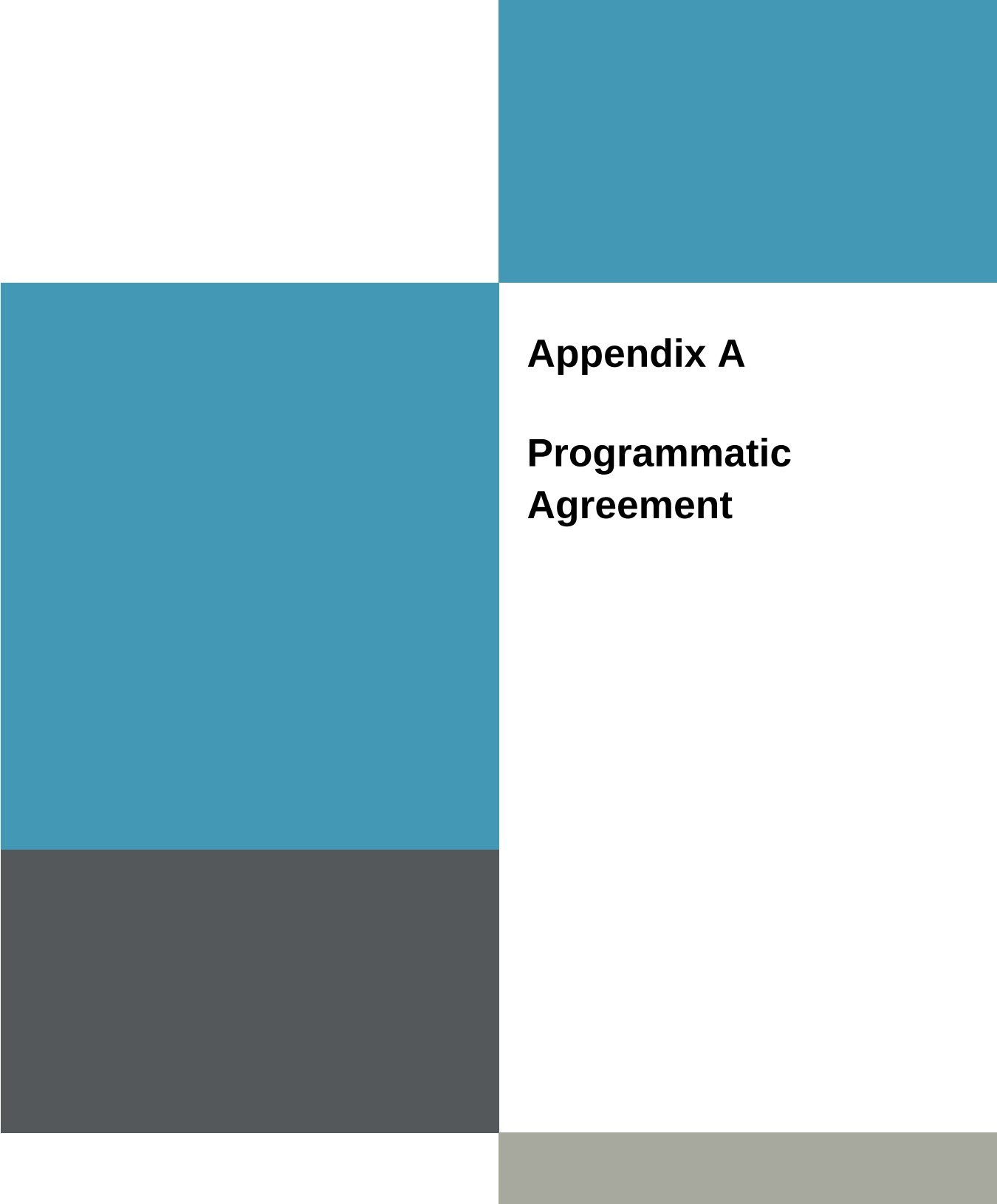
Figure 11. HDR-AR-11, 830 CR 4643.



CONCLUSION

With the approval of this Resolution Plan and satisfaction of the agreed-upon mitigation herein, SGR will have completed its requirements relative to Section 106 compliance, the PA, and resolution of adverse effects as dictated in 36 CFR 800.6.

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Appendix A

Programmatic Agreement

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Preserving America's Heritage

#E1-25349

August 12, 2016

Diana F. Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW Room 1110
Washington, DC 20423

Ref: *Amended Programmatic Agreement for the Southwest Gulf Railroad Company Construction and Operation of the Proposed Single-Track Railroad Medina County, Texas*

Dear Ms. Wood:

Enclosed is the Surface Transportation Board's (STB's) copy of the fully executed Amended Programmatic Agreement (Amendment) for the referenced project. By carrying out the terms of this Amendment, STB will fulfill its responsibilities under Section 106 of the National Historic Preservation Act and its implementing regulations "Protection of Historic Properties" (36 CFR Part 800). The original Amendment will remain on file at our office.

We commend the Surface Transportation Board (STB) for working closely with the Southwest Gulf Railroad and the Texas State Historic Preservation Officer (SHPO) to develop this Amendment.

If we may be of further assistance as the Agreement is implemented, please contact Ms. Najah Duvall-Gabriel at (202) 517-0210, or via e-mail at ngabriel@achp.gov.

Sincerely,

Charlene Dwin Vaughn, AICP
Assistant Director
Office of Federal Agency Programs
Federal Permitting, Licensing, and Assistance Section

Enclosure

ADVISORY COUNCIL ON HISTORIC PRESERVATION
401 F Street NW, Suite 308 • Washington, DC 20001-2637
Phone: 202-517-0200 • Fax: 202-517-6381 • achp@achp.gov • www.achp.gov

PROGRAMMATIC AGREEMENT

Among

**THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE SURFACE TRANSPORTATION BOARD,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND
SOUTHWEST GULF RAILROAD**

Regarding

**SOUTHWEST GULF RAILROAD COMPANY CONSTRUCTION AND
OPERATION OF THE PROPOSED SINGLE-TRACK RAILROAD IN MEDINA
COUNTY, TEXAS**

Executed December 18, 2015
And Amended and Executed August 12, 2016

WHEREAS, the Surface Transportation Board (STB) administers the Interstate Commerce Act, as amended, and, in connection with rail construction projects, is responsible for complying with the National Environmental Policy Act (NEPA), 42 U.S.C. § 4321 *et seq.*, and the National Historic Preservation Act (NHPA), 54 U.S.C. § 306108; and

WHEREAS, Southwest Gulf Railroad Company (SGR) filed a petition with the STB on February 27, 2003, in Finance Docket No. 34284, requesting an exemption from 49 U.S.C. § 10901 seeking authority to construct and operate approximately 9 miles of single-track railroad from a planned Vulcan Construction Materials, LP limestone quarry to a connection with the Union Pacific Railroad Company rail line near Dunlay in Medina County, Texas (Project); and

WHEREAS, the STB issued a Draft Environmental Impact Statement (DEIS) on November 5, 2004, a Supplemental Draft Environmental Impact Statement (SDEIS) on December 8, 2006, and a Final Environmental Impact Statement (FEIS) on May 30, 2008 in *Finance Docket No. 34284 Southwest Gulf Railroad Company - Construction and Operation Exemption, Medina County, TX*, that assessed eight alternatives and one modified alternative; and

WHEREAS, the STB issued the final decision approving the proposed rail line construction on December 18, 2008, and adopting three of the Eastern Routes as the environmentally preferred routes, subject to 81 environmental mitigation measures, including the terms of the Programmatic Agreement (Original PA) developed in consultation with the Advisory Council on Historic Preservation (Council), and the Texas State Historic Preservation Office (SHPO); and

WHEREAS, the Original PA executed on April 4, 2008 expired on April 4, 2013; and

WHEREAS, in May 2015, SGR advised the STB of its intent to begin constructing the Modified Eastern Bypass Route (the build alternative), one of the three environmentally preferred routes; and

WHEREAS, the STB is amending and updating the expired Original PA to reflect the changed circumstances since the Original PA was executed, including eliminating discussion of the other previously approved routes and considering only the Modified Eastern Bypass Route (Agreement or PA); and

WHEREAS, this PA replaces the expired Original PA; and

WHEREAS, construction of the build alternative may adversely affect the Upper Quihi Rural Historic District and other historic properties that may be eligible for inclusion in the National Register and the STB has consulted with the Council and the SHPO, pursuant to Section 800.14(b) of the regulations (36 C.F.R. Part 800) implementing Section 106 of the NHPA; and

WHEREAS, SGR participated in the consultation of the expired PA and has an interest in continuing to participate in the consultation process and, pursuant to 36 C.F.R. § 800.6(c)(2)(iii), is invited to be a signatory party in this PA to help guide the process in assessing and mitigating any adverse effects that the rail line construction and operation may have on historic and cultural resources; and

WHEREAS, SGR has hired HDR, Inc., a nationally recognized engineering consulting firm that is qualified under the Secretary of the Interior's Standards, to prepare and update the required archaeological and historic assessments along the area of potential effects (APE) of the build alternative;¹ and

WHEREAS, the Comanche Nation of Oklahoma; the Mescalero Apache Tribe; the Wichita and Affiliated Tribes of Oklahoma; and the Kiowa Tribe of Oklahoma have participated as consulting parties on the Project and have been invited to concur with this PA; and

WHEREAS, the STB has identified other federally recognized tribes that have ancestral connections to the project area including: the Alabama-Coushatta Tribe of Texas; the Alabama-Quassarte Tribal Town; the Apache Tribe of Oklahoma; the Caddo Nation; the Cherokee Nation of Oklahoma; the Choctaw Nation of Oklahoma; the Coushatta Tribe of Louisiana; the Delaware Nation; the Kialegee Tribal Town; the Kickapoo Traditional Tribe of Oklahoma; the Kickapoo Traditional Tribe of Texas; the Poach Band of Creek

¹ The area of potential effects or APE is defined at 36 C.F.R. § 800.16(d) as "the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist."

Indians; the Quapaw Tribe of Oklahoma; the Seminole Nation of Oklahoma; the Thlopthlocco Tribal Town; the Tonkawa Tribe of Oklahoma; the Tunica-Biloxi Tribe of Louisiana; and the United Keetoowah Band of Cherokee Indians and has invited them to concur with this PA; and whereas, to date, no tribes have indicated an interest in participating in the project; and

WHEREAS, the Medina County Historical Commission; the Quihi and New Fountain Historical Society; the Schweers Historical Foundation; the Tap Pilam Nation; the Coahuilteco Research Associates; and the Medina County Environmental Action Association (MCEAA) have participated as consulting parties in this Project and have been invited to concur with this PA; and

WHEREAS, the STB has identified other parties that have expressed an economic or preservation interest in the project and has invited them to concur with this PA;

WHEREAS, the definitions in 36 C.F.R. Part 800 are applicable throughout this Agreement;

WHEREAS, STB will ensure the implementation of the following stipulations in coordination with SGR;

NOW THEREFORE, the STB, the Council, the SHPO and SGR agree that this Agreement for the Project shall be implemented in accordance with the following stipulations:

Stipulations

The STB, in coordination with SGR, shall ensure that the following measures are carried out for the build alternative:

I. Area of Potential Effects (APE)

- A. The corridor APE will encompass 1000 feet on either side of the right-of-way for indirect effects and 300 feet on either side of the right-of-way for direct effects.
- B. At the end of the preliminary design phase for construction of the railroad, the STB will consult with SGR and the SHPO to determine how the APE should be adjusted to reflect any changes to the design and actual limits of disturbance. This process will be completed in accordance with Stipulation VI.A of this Agreement,

II. Identification and Evaluation of Historic Properties

- A. Prior to construction of the build alternative, SGR will retain qualified personnel as defined in Stipulation V of this Agreement. Qualified personnel of the

appropriate profession will conduct such archeological and architectural surveys within the APE as may be necessary to supplement the surveys undertaken in connection with, and appended as part of, the SDEIS to locate archeological sites, buildings or other structures, objects, districts, traditional cultural properties (TCP), and cultural or historic landscapes that may be eligible for listing in the National Register. The STB will ensure that:

1. The work will be conducted in compliance with the Secretary of the Interior's *Standards and Guidelines for Archeology and Historic Preservation*, 48 Fed. Reg. 44716, September 29, 1983 ("Secretary's Standards"); and
 2. SGR will also consider other applicable State of Texas laws, standards, and guidelines related to historic properties report documentation, specifically, the Antiquities Code of Texas, Title 9, Chapter 191 of the Texas Natural Resource Code; Rules of Practice and Procedure Chapter 26.24 and Chapter 26.25, and the Texas Historical Commission's Minimum Archeological Survey Standards, in accordance with 36 C.F.R. § 800.4(b)(1).
 3. Prior to any field survey(s), SGR in consultation with the STB, SHPO, and any interested and affected Tribes, as appropriate, will develop a scope of work for undertaking any survey under this stipulation. The STB, after seeking comments from the SHPO and Tribes, as appropriate, must approve the scope of work prior to the initiation of fieldwork; and
 4. Any archeological sites, buildings or other structures, objects, TCP, or districts located during the survey(s) will be evaluated or re-evaluated for their individual eligibility for listing in the National Register in accordance with 36 C.F.R. § 800.4. If the identified site, building, structure, object, TCP, or District is located within the Upper Quihi Historic District, then it will be evaluated or reevaluated for its association with and contribution to the applicable District(s).
- B. For historic properties within the APE not previously identified and evaluated, SGR will submit to the STB a report(s) documenting the archaeological and architectural survey results that meets the Secretary's Standards for Identification, Archeological Documentation and Historical Documentation. The report(s) shall include but not be limited to all of the following:
1. For all historic properties identified in the survey(s) documentation will include:
 - a. A map showing the location of the historic property in relation to the Approved Alignments;

- b. Clear photographic prints, including at least one front elevation and one oblique view of each property surveyed, and area or streetscape views in potential districts;
 - c. Research on historical associations or prehistoric contexts; and
 - d. Recommendations regarding National Register eligibility of properties identified.
- 2. For any historic building, or historic structure over 45 years old, documentation will also include:
 - a. Date of construction, if known;
 - b. Dates and descriptions of major alterations, if known;
- C. The STB will distribute the report(s) for review and comment per Stipulation VI. A. of this Agreement. The STB, in consultation with the SHPO and federally recognized Tribes, will make determinations of eligibility in a manner consistent with 36 C.F.R. § 800.4(c) and shall direct SGR to make any required revisions to the report(s).

III. Assessment of Adverse Effect

- A. Adverse effects to any archeological sites, buildings, structures, objects, cultural or historic landscapes, TCPs or districts determined to be individually eligible for listing in the National Register or contributing elements in the Upper Quihi Historic District shall be assessed by the STB in consultation with the SHPO using the Criteria of Adverse Effect, as described at 36 C.F.R. § 800.5.
- B. SGR will submit to STB a report prepared by a qualified professional documenting the assessment of adverse effect for the historic properties identified. The report will include, but not be limited to:
 - 1. Preliminary engineering designs and alignment for the railroad construction with enough detail and specifics for the parties to evaluate the effects on the historic properties;
 - 2. Description of the nature of effects on each historic property within the APE, based on the proposed project design and potential environmental impacts identified in the Environmental Impact Statement prepared for this Project. Results of studies undertaken pursuant to this section will be provided for review upon request to signatories, and summaries of each study will be included in the Resolution Plan;

- C. STB will distribute the report for review and comment per stipulation VI.A of the Agreement. The STB, in consultation with the SHPO and federally recognized Tribes, will determine if the historic properties will be adversely affected by the project and whether or not resolution of such adverse effects (see stipulation IV of this Agreement) is warranted.

IV. Resolution of Adverse Effects

- A. Prior to the initiation of construction of any portion of the rail line that might adversely affect an historic property or archeological resource, SGR will develop, in consultation with the STB and the SHPO, an effects resolution plan (Resolution Plan) developed in accordance with 36 C.F.R. § 800.6 that will include, but not be limited to, the following:
 - 1. Strategies proposed to avoid, minimize or mitigate effects of the undertaking, with an emphasis on avoiding, where possible;
 - 2. Consideration of measures identified by federally recognized Tribes for avoidance or mitigation of adverse effects to properties that are determined to be significant for their traditional cultural values; and
 - 3. Documentation of comments from the consulting parties.
- B. The STB and SGR will consult with the signatories to this Agreement and consulting parties on specific procedures to preserve historic properties in place and avoid adverse effects in accordance with the Resolution Plan. Procedures to be considered shall include, but not be limited to, avoidance by re-routing the railroad alignment around an individual historic property where feasible, and/or monitoring of archeological or tribal historic properties by archeologists or Tribal representatives.
- C. The STB will consult with the consulting parties regarding the development of procedures for ensuring ongoing Public involvement for the project;
- D. In regard to archeological resources, in the event that avoidance is not feasible and data recovery is determined by STB in consultation with the signatories to this Agreement to be the most prudent and feasible treatment option, research design proposed in the Resolution Plan shall specify, at a minimum:
 - 1. The archeological resources to be affected and the nature of those effects;
 - 2. The research questions to be addressed through data recovery, with an explanation of their relevance and importance;
 - 3. Data needed to address specific research questions, the likelihood that this data can be recovered and how the data will be analyzed;

4. Fieldwork and analytical strategies to be employed, with an explanation of their relevance to the research question;
 5. Proposed methods of dealing with individual discovery situations;
 6. Methods to be used in data management and dissemination of data, including a schedule;
 7. How findings will be presented to support the research design;
 8. Proposed repatriation of recovered materials and records including the disposition of Native American sacred items, human remains and grave goods;
 9. Proposed methods for disseminating results of the work, including any plans for educating the general public. Public involvement may include preparation of educational materials for use in local schools, development of an entry on the Texas Beyond History web site, or some other means of disseminating information in a form that can be easily understood by the general public;
 10. Proposed methods by which federally recognized Tribes and the STB approved consulting parties will be kept informed of the work and, where applicable, how the federally recognized Tribes which concurred in this Agreement and other consulting parties, including the Tap Pilam Nation of Texas, will be afforded a reasonable opportunity to participate in the recovery of data that possess religious and cultural significance to them; and
 11. Proposed schedule for the submission of progress reports to the STB and other Signatories to this Agreement.
- E. SGR will develop, in consultation with the STB and the SHPO, an archeological data recovery plan that addresses all the above points and will be incorporated as part of the Resolution Plan. The data recovery plan shall be consistent with the Secretary's Standards and take into account the Council's publication, *Treatment of Archaeological Properties: A Handbook* (Advisory Council on Historic Preservation 1980), subject to any pertinent revisions the Council may make in the publication prior to completion of the data recovery plan, and the SHPO's guidance. STB shall make the outcome of the data recovery plan available to the Texas Beyond History web site.
- F. In regard to buildings and other structures, objects, TCPs and districts, in the event that avoidance of adverse effects to historic properties is not feasible, the Resolution Plan shall propose measures to minimize or mitigate potential adverse effects on historic properties.

Minimizing actions to be considered shall include but are not limited to the following:

- a. With regard to noise effects, a plan to meet the *Secretary of the Interior's Standards for the Treatment of Historic Properties* that is developed in consultation with the SHPO;
 - b. Landscaping to obscure intrusive features and natural vegetation management. The STB and SGR will ensure that mitigation landscaping, if any, is done in accordance with a landscaping plan designed in consultation with the SHPO;
 - c. To the extent feasible and consistent with sound rail engineering, relocating the railroad alignment(s) as far from the historic properties as possible and/or following existing roads, drives, fence lines etc.
- G. Prior to the finalization of the Resolution Plan, SGR will submit its preliminary engineering designs to the STB and the SHPO. If any changes are made to those engineering designs, SGR will consult with the STB and the SHPO to determine if any changes to the Resolution Plan are needed.
- H. STB will circulate the Resolution Plan report for review and comment by consulting parties, as appropriate, per Stipulation VI.A of this Agreement.
- I. STB, in consultation with SGR, federally recognized Tribes, and the SHPO will finalize the Resolution Plan and ensure that, once approved, it becomes part of the Agreement and that its terms are carried out. The STB will provide copies of the final Resolution Plan to all consulting parties.
- J. No Project work that would cause an adverse effect to a historic property may begin until all terms of the Resolution Plan for that property have been completed as verified by the STB in consultation with the SHPO.

V. Professional Qualifications

All work shall be implemented and all documents prepared by personnel meeting the appropriate professional qualifications set forth in the Secretary of the Interior's Professional Qualification Standards as shown in Attachment A.

VI. Monitoring & Reporting

- A. All of the reports generated under the terms of this Agreement (including the Resolution Plan) will be submitted by SGR in draft to the STB, the SHPO, federally recognized Tribes, and STB-approved consulting parties for review and comment. The SHPO, federally recognized Tribes, and STB-approved consulting parties will have 30 calendar days to comment on the draft report. After considering all comments submitted, OEA will determine whether any additional information or revisions are appropriate, and SGR shall modify the draft report in accordance with OEA's determination. The STB will review SGR's revisions of the draft report, and will ensure that SGR considers all comments in revising the draft report before the STB approves a final draft of the report. The STB will further ensure that SGR provides a copy of the final report to the SHPO, consulting parties and the STB. Failure to respond within the review time frame specified herein (30 calendar days) shall be deemed by the STB to constitute acceptance of the draft report and shall not preclude the issuance of the report in final form. Objections to the final report will be handled pursuant to Stipulation IX for objections by signatories to this Agreement, and pursuant to Stipulation X for objections by the public or consulting parties.
- B. Every six months following the execution of the Agreement until it expires or is terminated, SGR shall provide the STB, the SHPO, federally recognized Tribes, and STB-approved consulting parties, a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in STB's efforts to carry out the terms of this PA. Failure to provide such summary report may be considered noncompliance with the terms of this PA pursuant to Stipulation XI below.

VII. Unanticipated Discoveries

- A. Procedures for Unanticipated Discoveries of Cultural Resources and Historic Properties.
 1. In the event that any unreported or unanticipated archaeological sites or cultural resources are discovered or unanticipated effects on historic properties occur during construction, SGR shall:
 - a. immediately cease all work within 200 feet in all directions;
 - b. clearly mark the area of discovery;
 - c. implement interim security measures to protect the discovery from looting and vandalism; and

- d. notify the STB, federally recognized Tribes, the SHPO, and SGR pursuant to 36 C.F.R. § 800.13(a)(3).
 2. Upon notification of the discovery, STB shall consult with the Council, the SHPO, and federally recognized Tribes to determine the National Register eligibility of the discovery, pursuant to 36 C.F.R. § 800.4 (c)(1), and whether appropriate mitigation measures, such as protection in place or archaeological data recovery plans, are necessary.
 - a. STB, in consultation with the Council, the SHPO and appropriate federally recognized Tribes, will have 30 calendar days following notification to determine the National Register eligibility. STB may assume the newly discovered property to be eligible for the National Register.
 - b. If the find is determined to be potentially significant to any federally recognized Tribe, STB will consult with the Council, the SHPO, SGR, and appropriate federally recognized Tribes regarding appropriate measures for site treatment pursuant to 36 C.F.R. § 800.6(a). Once presented, the SHPO and the federally recognized Tribes will have 30 calendar days to provide their objections or concurrence on the proposed actions. Mitigation measures may include:
 - i. formal archaeological evaluation of the site;
 - ii. visits to the site by the SHPO and/or appropriate Tribes; and/or
 - iii. preparation and implementation of a mitigation plan by STB in consultation with federally recognized Tribes for approval by the SHPO.
3. In the event that any human remains are discovered, SGR shall be responsible for compliance with the Texas Health and Safety Code (Title 8, Chapters 711–714), and all other applicable laws, and shall provide immediate proof of these actions to the STB. Should the appropriate law enforcement official determine that the discovered human remains are less than 50 years old, the discovery will not be recorded as an archaeological site, and the coroner shall take responsibility for the remains. Though consultation with Indian tribes is not legally required under the Health and Safety Code, the Texas Historical Commission (THC) encourages consultation in the event of intentional or inadvertent discoveries of human remains and funerary objects to ensure that these items are dealt with properly and respectfully. The excavation of human remains will be conducted with the assistance of a physical anthropologist and will follow guidance from the SHPO and federally recognized Tribes. The excavation, handling, and processing of any such human remains and associated funerary objects, sacred objects, or objects of cultural patrimony shall be in accordance with the SHPO instructions. The curatorial facility that

will house the collections will be subject to the Native American Graves Protection and Repatriation Act (NAGPRA) and will handle the coordination under NAGPRA applicable to such remains and artifacts found in the APE.

- B. In the event of any unanticipated discoveries, SGR shall ensure that a report on the archaeological investigations conducted pursuant to this "Unanticipated Discoveries" section is provided to the Council, the SHPO and the STB, and upon request to other interested parties.
- C. Any report on unanticipated discoveries shall follow (1) procedures for the processing, analysis, and curation of collected materials as described in the Advisory Council's Handbook Treatment of Archaeological Properties, Part 111 of the Secretary of the Interior's Guidelines, and (2) currently accepted standards for the analysis and curation of archaeological remains.

VIII. Emergency Situations

Should an emergency situation occur that represents an imminent threat to public health or safety, a natural disaster, or creates a hazardous condition, the STB shall immediately consult with SGR to develop alternative measures to relevant Stipulations in this Agreement, and notify the SHPO and Council of the situation and measures used to remedy the emergency. In the event the SHPO and Council wish to provide technical assistance, they shall submit comments to the STB within 7 days of notification, if the emergency situation allows for such coordination. STB shall notify consulting parties of the emergency changes within 7 days following the SHPO's or Council's response.

IX. Curation of Artifacts and Records

SGR shall be responsible for the curation of all documentation and materials resulting from implementation of the Agreement. Cultural materials and records resulting from archeological investigations performed pursuant to the Agreement will be curated at a curatorial facility in accordance with applicable requirements of 36 C.F.R. Part 79 and in consultation with the STB and the SHPO. Materials, if any, found on land owned by SGR will be sent to an appropriate curatorial facility. The STB will encourage private landowners to curate collections from their land, if any, in an appropriate facility. In the event that materials are found on private land not owned by SGR, SGR will provide the STB, the SHPO and the landowners with a list of any collected artifact finds from their lands. Materials from private lands, if any, to be returned to private landowners will be maintained in accordance with 36 C.F.R. Part 79 until any specified analysis is complete. Documentation of the return of these materials to the private landowner shall be prepared by SGR and submitted to the STB with a copy to the SHPO.

X. Dispute Resolution

Should any signatory to this Agreement object in writing at any time to any actions proposed or the manner in which the terms of the Agreement are implemented, the STB shall consult with the objecting party(ies) to resolve the objection. If within 30 days of initiating such consultation the STB determines that the objection(s) cannot be resolved, the STB will:

1. Forward all documentation relevant to the dispute to the Council in accordance with this Agreement. Upon receipt of adequate documentation, the Council shall review and advise the STB on resolution of the objection within 30 calendar days. Any comment provided by the Council, and all comments from the signatories to the Agreement, will be taken into account by the STB in reaching a final decision regarding the dispute.
2. If the Council does not provide comments regarding the dispute within 30 calendar days after receipt of adequate documentation, the STB may render a decision regarding the dispute. In reaching its decision, the STB will take into account all comments regarding the dispute from the signatories to the Agreement.
3. Notwithstanding the above, disputes concerning site eligibility shall be referred for resolution to the Keeper of the National Register.
4. The STB's responsibilities to carry out all other actions subject to terms of the Agreement that are not the subject of the dispute remain unchanged. The STB will notify all parties of its decision in writing before implementing that portion of the undertaking subject to dispute under this stipulation. The STB decision will be final.

XI. Resolution of Public Objections

At any time during implementation of the measures stipulated in this Agreement, should an objection pertaining to this Agreement be raised by a member of the public, including but not limited to the consulting parties the STB shall consult further with the Council and SHPO, as needed, in an attempt to resolve any appropriate objection within a period of 30 calendar days. If the objection cannot be resolved within the 30 day period, the STB and SGR shall continue with implementation of the project and this PA.

XII. Amendments and Noncompliance

If any signatory to this Agreement determines that its terms will not or cannot be carried out or that an amendment to its terms must be made, that party shall immediately consult with the other signatory parties to develop an amendment to the Agreement. The

amendment will be effective when signed by all signatories. The execution of any amendment shall follow the procedures in 36 C.F.R. Part 800.14.

XIII. Terminating the Agreement

This Agreement may be terminated by any signatory by providing the other parties 30 days written notice. The parties shall consult during the period prior to termination of participation to seek agreement or amendments or other actions that would avoid termination. Within 30 calendar days following termination, the STB shall request the comments of the Council under 36 C.F.R. § 800.7(a) and proceed accordingly.

XIV. Expiration

- A. The term of this Agreement shall be ten (10) years from the date of initiating construction of the rail line unless terminated earlier pursuant to Stipulation XIII. If construction is expected to extend beyond this timeframe, SGR shall notify the STB six months prior to this Agreement's expiration that more time is needed for project completion, and develop an Amendment to the Agreement with signatories in accordance with Stipulation XII. SGR shall notify the Council, the STB, and the SHPO when construction ends and operation begins.
- B. EXECUTION of this Agreement by the STB, the Council, and the SHPO and implementation of its terms is evidence that the STB has afforded the Council and the SHPO an opportunity to comment on the construction and operation of the proposed Project and its potential effects on historic properties, and that the STB has taken into account the effects of the construction of the proposed Project on historic properties, thereby satisfying its NHPA Section 106 responsibilities for the undertaking.

PROGRAMMATIC AGREEMENT

Among

**THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE SURFACE TRANSPORTATION BOARD,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND
SOUTHWEST GULF RAILROAD**

Regarding

**SOUTHWEST GULF RAILROAD COMPANY CONSTRUCTION AND
OPERATION OF THE PROPOSED SINGLE-TRACK RAILROAD IN MEDINA COUNTY,
TEXAS**

SIGNATORY PARTIES:

ADVISORY COUNCIL ON HISTORIC PRESERVATION

By John M. Fowler Date: 8/12/16
Printed Name: JOHN M. FOWLER
Title: EXECUTIVE DIRECTOR

SURFACE TRANSPORTATION BOARD

By Victoria Rutson Date: Aug 4, 2016
Printed Name: Victoria Rutson
Title: Director, Office of Environmental Analysis

PROGRAMMATIC AGREEMENT

Among

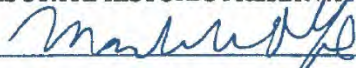
**THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE SURFACE TRANSPORTATION BOARD,
THE TEXAS STATE HISTORIC PRESERVATION OFFICER,
AND
SOUTHWEST GULF RAILROAD**

Regarding

**SOUTHWEST GULF RAILROAD COMPANY CONSTRUCTION AND
OPERATION OF THE PROPOSED SINGLE-TRACK RAILROAD IN MEDINA COUNTY,
TEXAS**

SIGNATORY PARTIES:

TEXAS STATE HISTORIC PRESERVATION OFFICER

By  Date: 8/3/16
Printed Name: Mark Weir
Title: Exec. Dir.

INVITED SIGNATORY PARTY:

SOUTHWEST GULF RAILROAD

By  Date: 08-01-2016
Printed Name: ERIK T. REMMERT
Title: VICE PRESIDENT

Appendix B

SHPO Concurrence Letter

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#E1-25848

TEXAS HISTORICAL COMMISSION
real places telling real stories

March 21, 2017

Diana Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: *Project Review under Section 106 of the National Historic Preservation Act, Southwest Gulf Railroad Draft Cultural Resources Report, Medina County, Texas (STB/106, THC #201704530, STB Finance Docket No. 34284)*

Ms. Wood:

On February 21, 2017, we received the *Draft Cultural Resources Report for the Southwest Gulf Railroad Company Construction and Operation of the Proposed Single-Track Railroad*, prepared by HDR, Inc., in accordance with the December 2015 Programmatic Agreement (PA) for the project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

The History Programs Division staff, led by Justin Kockritz, has completed its review of the draft report, and for the purpose of compliance with Section 106 of the National Historic Preservation Act, THC concurs that the Upper Quilhi Rural Historic District (UQRHD) is **eligible** for listing in the National Register of Historic Places under Criterion A for agriculture and Criterion C for architecture, with a period of significance of circa 1860–1956. The boundaries of the UQRHD as shown in Figure 3.1 appear to be appropriate. THC further concurs that the following properties are **eligible for listing in the National Register**:

- HDR-AR-02, 1253 CR 353—individually eligible under Criterion A for agriculture and Criterion C for architecture, and eligible as a contributing resource to the UQRHD;
- HDR-AR-04, 881 CR 353—individually eligible under Criterion C for architecture, and eligible as a contributing resource to the UQRHD;
- HDR-AR-05, 6005 FM 2676—individually eligible under Criterion C for architecture, and eligible as a contributing resource to the UQRHD;
- HDR-AR-06—eligible as a contributing resource to the UQRHD. The partial ruin of the main dwelling is also individually eligible under Criterion D for its potential to yield information about building technology and construction practices; and,
- HDR-AR-07, 6110 FM 2676—individually eligible under Criterion C for architecture, and eligible as a contributing resource to the UQRHD.

At this time, based on all available information, THC concurs that the following properties are *not* eligible for listing in the National Register, neither individually nor as contributing resources to the UQRHD:

- HDR-AR-01, 1180 CR 353;
- HDR-AR-08, 300 CR 364;
- HDR-AR-09, 6000 FM 2676; and,
- HDR-AR-12, Eastbound US 90 over Union Pacific Railroad.

*Southwest Gulf Railroad Draft Cultural Resources Report
Medina County, Texas, THC #201704530, STB Finance Docket No. 34284*

Unless access is granted to HDR-AR-03 (1040 CR 353), HDR-AR-10 (944 CR 4643), and HDR-AR-11 (830 CR 4643) THC recommends treating these properties as eligible for listing in the National Register and assessing the potential effects of the project.

The Division of Architecture staff, led by Sara Ludueña, has completed its review of the project information provided. Given the eligibility determinations presented in the draft report as well as the proximity of the proposed rail line to many of the eligible resources, THC concurs with the determinations of **ADVERSE EFFECT** presented in the report. As per Stipulation IV of the PA regarding this undertaking, a Resolution Plan should be developed to advance strategies to avoid, minimize, or mitigate adverse effects to historic resources. We look forward to the development of this Plan and are happy to assist and provide feedback in the process.

The Archeology Division review staff, led by Casey Hanson, has completed its review and THC concurs with your recommendations that 41ME258, 41ME259, 41ME262, 41ME263, 41ME265, 41ME266, 41ME267, 41ME268, 41ME269, 41ME270, 41ME271, 41ME272, and Isolated Finds 001ISO001-021ISO004 are *not* eligible for listing in the National Register. THC also concurs with your recommendation for National Register-eligibility testing at sites 41ME260 and 41ME261. THC does not concur with your determination that site 41ME264 is ineligible for listing in the National Register because the site has not been fully evaluated as it may extend onto the adjacent parcel where right-of-entry was not obtained. If access is not granted to the adjacent parcel and a comprehensive eligibility determination for 41ME264 cannot be made, we recommend treating 41ME264 as eligible for listing in the National Register and assessing the potential effects of the project.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our comments on National Register eligibility, please contact Justin Kockritz at 512-936-7403 or justin.kockritz@thc.texas.gov; if you have any questions concerning our comments on the potential effects of the project on historic properties, please contact Sara Ludueña at 512-463-8952 or sara.luduenaa@thc.texas.gov; or, if you have any questions concerning our comments on archeological resources, please contact Casey Hanson at 512-463-5915 or casey.hanson@thc.texas.gov.

Sincerely,



Justin Kockritz, Historian, Federal Programs
For: Mark Wolfe, State Historic Preservation Officer

cc: Najah Duvall-Gabriel, Advisory Council on Historic Preservation *via email*
David H. Coburn, Steptoe & Johnson, LLP *via email*
Robert Hancock, Chair, Medina County Historical Commission *via email*
Lyn Scott Conrad, Quihi and New Fountain Historical Society
Schweers Historical Foundation
Raymond Hernandez, Tap Pilam-Coahuiltecan Nation *via email*
Richard Garay, Coahuiltecan Research Associates
Alyne Fitzgerald, Medina County Environmental Action Association *via email*

MW/jk/ch/sl



GREG ABBOTT, GOVERNOR • JOHN L. NAU, III, CHAIR • MARK WOLFE, EXECUTIVE DIRECTOR
PO BOX 12276 • AUSTIN TEXAS • 78711-2276 • P 512-463-6100 • F 512-475-4872 • TDD 1-800-735-2989 • thc.texas.gov

Appendix C

Mitigation Measures

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STB Finance Docket No. 34284

APPENDIX

ENVIRONMENTAL MITIGATION MEASURES

Voluntary Mitigation Measures

1. As agreed to by SGR, SGR shall conduct all maintenance and fueling activities at a designated area off the Edwards Aquifer Recharge Zone (EARZ) and SGR shall ensure that the fueling and maintenance activities occur at a facility with secondary containment to meet the requirements of an approved Texas Commission on Environmental Quality (TCEQ) Water Pollution Abatement Plan (WPAP) and a Spill Prevention, Containment, and Countermeasures Plan (SPCC).
2. As agreed to by SGR, SGR shall conduct appropriate hydrological modeling prior to beginning construction and shall incorporate the resulting design criteria into the design of the rail line to avoid or minimize adverse impacts to existing floodplain conditions. As part of this modeling, SGR shall:
 - (a) Compile information regarding existing land use, topography, drainage features, impervious surfaces, and other information needed for the modeling effort.
 - (b) Conduct additional surveying, as required, to obtain data related to existing channel geometry.
 - (c) Coordinate with the Medina County Floodplain Administrator and the U.S. Army Corps of Engineers (Corps) to discuss the project and address reasonable mitigation requirements.
 - (d) Delineate the overall watershed and sub-watersheds, and related drainage patterns corresponding to relevant points of interest.
 - (e) Compile an existing-conditions hydrologic model, based on existing watershed characteristics and regional design storm information to determine the 2, 5, 10, 25, 50, 100, and 500-year design storm intensities and related stream or flood-flow rates for these recurrence intervals.
 - (f) Develop existing-conditions hydraulic models of appropriate points of interest, such as stream crossings, so that the existing conditions-hydraulic model can be compared to the existing floodplain data.
 - (g) Analyze the proposed bridges and other proposed structures on the rail line that may impact the floodplain and the watershed, producing a technical report addressing the estimated extent of the existing floodplains in the project vicinity and providing appropriate design criteria for minimum bridge openings, culvert locations and sizes, bridge lengths and low chord heights, bank stabilization, scour protection, and erosion control measures.
 - (h) Design a WPAP and a Stormwater Pollution Prevention Plan (STPPP), and provide a narrative description of plans to mitigate water quality impacts during and after construction of the rail line.

3. As agreed to by SGR, SGR shall use continuously welded rail for construction of the rail line other than the loading area.
4. As agreed to by SGR, SGR shall maintain native grass and shrubs inside the rail line right-of-way to allow the rail line to blend with the natural surroundings.
5. As agreed to by SGR, SGR shall control weeds and vegetation along its right-of-way, consistent with rail industry standards and the need to minimize fire hazards.
6. As agreed to by SGR, SGR shall maintain the right-of-way consistent with the Manual for Railway Engineering issued by the American Railway Engineering and Maintenance of Way Association (AREMA).
7. As agreed to by SGR, SGR shall work with local utilities, and review crossing protocols that may already be in place for each such utility to ensure that its rail line does not interfere with the operation of any utility line that might be crossed.
8. As agreed to by SGR, SGR shall develop emergency evacuation plans following the completion of final engineering prior to beginning construction. SGR's operational plans shall require the routine monitoring of weather reports and conditions, and SGR shall temporarily cease operations along the line when warranted by weather conditions, including flooding. Rail operations shall not resume until any flooding has ceased and an inspection is made of the rail line to ensure that it is safe to resume operations. SGR shall not park trains along the rail line in areas that would block emergency evacuation routes.
9. As agreed to by SGR, SGR shall prepare and implement a SPCC in compliance with the EPA regulations at 40 CFR Part 112, and provide the map requested by EPA in its comments to the DEIS. SGR's operational plans shall incorporate appropriate measures to protect groundwater from contamination.
10. As agreed to by SGR, SGR shall utilize above-ground fuel and oil storage tanks, and locate them in concrete containments of adequate height, volume, and thickness to prevent leakage into the ground should the integrity of the tanks be breached. SGR's SPCC shall include fencing and/or other security measures for the containment area, and require tanks to have fill gauges to prevent overfilling. SGR shall also adopt procedures to clean up incidental spills.

Mitigation Measures Developed by the Section of Environmental Analysis

Transportation and Traffic Safety

1. SGR shall conduct track safety inspections and maintenance in accordance with the Federal Railroad Administration (FRA) standards set forth at 49 CFR Part 213 to detect potential problems and minimize derailment potential.

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2. SGR shall consult with the owner of the pipeline that would be crossed prior to beginning rail line construction and shall make appropriate modifications to the design of the rail line necessary to ensure that the rail line will not affect the integrity of the pipeline.
3. SGR shall consult with the Texas Department of Transportation (TxDOT) prior to beginning rail line construction regarding the rail line crossing of Farm-to-Market Road (FM) 2676 and shall adhere to TxDOT's reasonable recommendations regarding the design of this crossing.
4. SGR shall consult with Medina County prior to beginning rail line construction regarding the rail line crossing of county roads and shall adhere to Medina County's reasonable recommendations regarding the design of these crossings.
5. Prior to beginning rail construction activities, SGR shall consult with the TxDOT and Medina County regarding how to minimize vehicular traffic delay during rail line construction across roadways, and shall adhere to their reasonable requirements.
6. SGR shall develop internal emergency response plans for use during rail line construction and operation to ensure that appropriate agencies and individuals are notified in case of an emergency. SGR shall provide the emergency response plan to appropriate state and local entities prior to any rail construction activities.
7. SGR shall consult with local fire, police, and Emergency Medical Services (EMS) officials prior to beginning construction activities in order to develop a plan to minimize impacts to area emergency response capabilities during construction and operation of the rail line.
8. Prior to beginning construction activities, SGR shall consult with TxDOT and Medina County to develop a plan that specifies the responsibility of each party concerning the maintenance and repair of grade-crossing warning devices and the grade crossings along the new rail line, consistent with recognized highway safety standards, taking into account the level of highway traffic at the crossing.
9. SGR shall take into account maintenance of emergency response capabilities and school bus schedules in planning and executing the necessary roadwork for construction and maintenance activities on the rail line. SGR shall station equipment so as to minimize the need for any total road closures and to allow the disturbed areas to be quickly restored for passage by emergency vehicles.
10. SGR shall consult with local school officials in Medina County prior to construction, to take school bus schedules into consideration in its plans and to minimize rail operations when school buses are on area roadways.

11. SGR shall be responsible for the cost of all permits, detours, coordination with local officials and agencies, and public notifications related to temporary lane restrictions or road closures necessitated by rail construction activities.
12. SGR shall maintain the vegetation along and within the railroad right-of-way to provide a clear line of sight for train operators and vehicle drivers at all at-grade crossings (including public roadways, private roadways, and driveways).
13. Prior to beginning any rail construction activities, SGR shall perform an engineering evaluation at each private roadway and driveway crossing, and shall consult and negotiate with the respective landowners to implement appropriate changes to roadway geometry and to install and maintain appropriate warning signs and/or signals.
14. Prior to beginning rail construction activities, SGR shall consult with UP to ensure that the design of the connection and rail interchange area with the UP line is safe. During construction, maintenance, and rail operations, SGR shall coordinate with UP regarding all activities in the vicinity of the UP line and shall comply with all applicable safety laws.
15. SGR shall notify local authorities immediately in the event that a train malfunction causes a roadway to become blocked; shall clear the blocked roadway crossing as soon as possible; and shall work with local authorities to set up warning signs and detour routes for area vehicles so that drivers are made aware of the situation and would not be cut off while a crossing is blocked.

Public Health and Safety

16. SGR shall take appropriate measures to prohibit public access to the construction site during rail line construction activities.
17. As recommended by the EPA, SGR shall conduct construction and waste disposal activities in accordance with applicable local, state, and Federal statutes and regulations.

Hazardous Materials/Waste Site and Existing Energy Resources

18. Prior to initiating rail construction activities, SGR shall survey the location of the transmission line poles and avoid them during the construction of the rail line right-of-way.
19. SGR shall consult with utility companies serving the area prior to beginning rail construction and shall develop a plan to provide area residents with advance notice prior to any necessary disruption of utility services during construction. In the event of any unscheduled disruption of utility services during construction and operation of the rail line, SGR shall contact the appropriate utility companies as

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soon as it becomes aware of the situation and shall work with the utility companies to restore service to area residents as soon as possible.

Worker Health and Safety

20. SGR shall comply with appropriate Occupational Safety and Health Administration standards (OSHA) General Industry Standards (GIS) at 29 CFR Part 1926 and OSHA Construction Industry Standards at 29 CFR Part 1926 during rail line construction and operation activities.

Groundwater

21. SGR shall develop a SWPPP prior to initiating rail line construction activities and implement the measures in the plan during construction and maintenance activities.
22. SGR shall use Best Management Practices (BMPs) during rail line construction and maintenance activities to minimize impacts of sediment runoff.
23. SGR shall require construction contractors and maintenance crews to maintain their equipment in good operating condition and to operate the equipment safely.
24. Prior to beginning rail construction, SGR shall develop a SPCC specifically for stream crossings and for portions of the route constructed over the EARZ. The SPCC shall include planning for flood conditions.
25. SGR shall include, at a minimum, the following provisions in the SPCC: definition of what constitutes a spill; requirements and procedures for reporting spills to appropriate government agencies; methods of containing, recovering, and cleaning up spilled material; equipment available to respond to spills and where the equipment is located; and a list of government agencies and SGR's management personnel to be consulted with in the event of a spill.
26. During both rail construction and operation, SGR shall monitor the stream beds, land, and water quality in the vicinity of the rail line for indications of diesel or gasoline releases; shall take appropriate action to prevent diesel or gasoline releases; and shall remediate any soils contaminated by any diesel or gasoline release for which SGR is responsible as soon as practicable.
27. Prior to initiating any rail line construction activities, SGR shall develop a contingency plan to protect the health and safety of well owners, should any contamination to wells occur as a result of rail line construction and operation.
28. SGR shall conduct a survey prior to construction to locate all wells within the rail line right-of-way. SGR shall ensure that all functioning wells within the right-of-way are protected from damage and contamination to the extent reasonably

- possible during construction. Where damage or contamination to a functioning well is unavoidable, SGR shall ensure that the well is properly abandoned prior to beginning rail construction activities.
29. SGR shall comply with the Edwards Aquifer rules as presented in Title 30 Texas Administrative Code (TAC) Chapter 213 for all construction activities for the rail line and associated fuel supply facility that occur within the EARZ.
 30. SGR shall conduct a recharge zone delineation study by a qualified hydrogeologist, under the supervision and oversight of the Edwards Aquifer Authority (EAA), to determine the exact boundaries of the recharge zone, in order to locate the fueling and maintenance area completely off the recharge zone.
 31. SGR shall ensure compliance with NPDES storm water permit during construction, including any sampling requirements imposed under the permit.
 32. SGR shall use Above Ground Storage Tanks (ASTs) at its fueling and maintenance facility. These ASTs are above-ground, full-storage tanks that have dual wall construction to provide maximum protection in the event of a leak. These ASTs are also equipped with sensors that will “alarm” if leakage is detected and that have instruments to show fuel level and multiple safety devices to prevent overfilling and rupture, and superior flame-arrested venting ports. These ASTs shall also be located within a third concrete-walled container that holds 1-1/2 times the volume of the AST maximum volume to provide extra protection to contain a fuel leak in the unlikely event of multiple containment failures. All ASTs shall be located off of the EARZ and on areas where fuels from an unlikely catastrophic release would flow away from the EARZ (generally areas south of the Balcones Escarpment on outcrops of Del Rio Clay, as determined by a geologist). SGR’s fueling and maintenance facility shall also have an established SPCC in place in addition to any STPPP appropriate to the location.
 33. SGR shall locate its fueling and maintenance facility on a site to the south of the EARZ over the upper confining units of the Edwards Aquifer within the general location depicted in Figure 5-2 of the FEIS, and shall implement permanent BMPs to prevent and/or abate the release of potential pollutants or sediment from the site. In addition, SGR shall establish a STPPP appropriate to the site to address potential stormwater runoff concerns.
 34. Prior to construction, SGR shall conduct a comprehensive karst feature inventory (including springs, seeps, and sink holes) and evaluation in compliance with 30 TAC Chapter 213, administered by the TCEQ for the area of the selected rail line alignment.

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Surface Water

35. SGR shall use BMPs during rail line construction, operation, and maintenance activities to minimize soil erosion and to reduce the potential for oil and fuel spills.
36. SGR shall use Best Engineering Practices in the design of rail line stream crossings to avoid increasing the floodplain width.
37. Prior to initiating any rail line construction activities, SGR shall design and implement site-specific "scour and instability countermeasures" to minimize local and downstream instability from stream crossings.
38. Prior to initiating any rail line construction activities, SGR shall conduct a floodplain study, as described in Voluntary Mitigation Measure # F-VM2, in consultation with the Medina County Floodplain Administrator. SGR shall comply with the reasonable requirements of the Medina County Floodplain Administrator, as delegated to the Medina County Floodplain Administrator pursuant to the regulations of the Federal Emergency Management Agency at 44 CFR 60.3. These requirements will include, but not be limited to, ensuring that SGR's construction plans will not cause more than a 12-inch rise in the current 100-year floodplain elevation, consistent with the Medina County Floodplain Administrator's permitting standards, as set forth during the environmental consultation process for this project.
39. SGR shall obtain all required Corps permits for stream crossings prior to initiating any rail line construction activities.
40. SGR Company shall use environmentally friendly solvents and/or absorbent pads to minimize ground contact by the materials used to clean the engine and to clean excess oil from lubricated parts of the train.
41. SGR shall repair and resurface its railroad tracks using manual resurfacing and switch-cleaning methods.
42. SGR shall use manual vegetation cutting methods (rather than chemicals or herbicides) for weed control and other right-of-way clearing activities.
43. SGR shall incorporate specific BMPs into the SPCC to address the possibility of sediment runoff or diesel spills flowing into privately owned stock watering ponds.
44. In response to the request of the USEPA, SGR shall:
 - (a) Use span bridges where possible to minimize impacts to streams, including all perennial streams;

- (b) Take precautions to avoid channel degrading from head-cutting (such as ensuring that grades at the culverts and bridges remain at their existing elevation);
 - (c) If a series of box culverts is installed to carry high flows, make one culvert lower than the others to handle frequent flows (i.e., “bankfull” or less) and the other culverts at higher elevations for less frequent events;
 - (d) Plan the route and design of the rail line crossings to avoid the need to cut off meanders and channelize stream reaches;
 - (e) Minimize impacts to the riparian corridor, especially by forested areas for example, not clearing entire right-of-way through the riparian area or floodplain, and only clearing what is needed for construction and access;
 - (f) Minimize impacts to the creek banks (soil and vegetation) and stabilize and replant disturbed banks with native vegetation as soon as construction in the creek bank is completed.
 - (g) Minimize erosion of banks and bare soil, and reduce siltation of streams; stabilize and revegetate bare soil as soon as possible; inspect and repair hay bales and silt fences as needed after each rainfall that creates runoff; install multiple rows of silt fences as necessary, parallel to contours on long and steep slopes; and
 - (h) Avoid using wetlands or forested floodplains for staging areas or for borrow areas.
45. SGR’s plans for maintaining drainage structures associated with the rail line shall provide for regular maintenance (i.e., removal of debris, rock, and sediment) of ditches and crossings.
46. SGR shall consult with appropriate Medina County officials prior to beginning rail construction to identify the location of emergency evacuation routes in the project area. When flood conditions prevail in the area, SGR shall ensure that train operations do not obstruct identified emergency evacuation routes, even if this may require SGR to cease rail operations during periods of flooding.

Wetlands

47. Prior to initiating rail construction activities, SGR shall survey the location of privately owned stock ponds and irrigation systems within the project area. If avoidance is not possible, SGR shall minimize intrusion to these water bodies and to important sources to these water bodies to the extent practicable, and shall consult with the Corps to determine if a full wetland delineation study is required. In addition, SGR shall negotiate with affected landowners regarding the appropriate replacement of these stock ponds/irrigation systems.
48. Prior to initiating rail line construction activities, SGR shall develop a plan to prevent erosion and sediment runoff from disturbed areas and shall implement the measures in its plan during the rail construction activities. Any hay used for erosion control shall be certified weed free. Slopes for graded embankments shall

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be established based upon standard engineering practices, environmental considerations, and consultation with Texas Parks and Wildlife Department (TPWD). Runoff control measures shall be maintained until native vegetation has been established in all disturbed areas.

49. Prior to the completion of final engineering plans, SGR shall conduct surveys of stream channels and associated wetlands along the railroad right-of-way. These surveys shall include photographs of the sites, general descriptions of the dominant vegetation species and percent cover, and the elevations of the sites. SGR shall submit a written report of the surveys to TPWD and the Medina County Floodplain Administrator, as well as to SEA. SGR shall then consult with TPWD and the Medina County Floodplain Administrator and shall incorporate into its final engineering plans methods of restoring each site to the pre-project elevations, contours, and hydrologic conditions or other conditions that may more appropriately take into consideration the engineering needs of the rail line and post-construction hydrology.

Biological Resources

50. Prior to finalizing construction plans and before beginning rail construction activities, SGR shall review specific aspects of its construction plans, including temporary construction features, and shall instruct the preparers of the plans to fully review areas to be affected such that losses of stands of woody vegetation and other forms of natural buffers, including areas along waterways, will be held to a minimum. During rail construction, SGR shall minimize disturbance of natural buffers contiguous to floodplains in order to prevent soil erosion and to preserve wildlife cover, food sources, and travel corridors.
51. During rail construction, SGR shall replace mature trees at a 3:1 ratio and shall monitor these replacement trees to ensure a survival rate of 80 percent. If the removal of old timber trees is unavoidable, SGR shall replace old timber trees at a ratio of 10 trees for each one lost and shall monitor these replacement trees to ensure a survival rate of 80 percent.
52. To protect migratory birds in the area, if rail construction activities take place during the March-August migratory bird nesting season, SGR shall consult with the TPWD to develop and implement measures to avoid impacts on nesting birds prior to initiating construction activities.
53. During rail construction, SGR shall promptly reseed the native grasses on the portion of the right-of-way that does not consist of the roadbed (tracks and ballast) or the 10-foot access area on either side of the roadbed.
54. SGR shall consult with the U.S. Fish and Wildlife Service (USFWS) and the EAA during final engineering of the rail line and prior to beginning construction to ensure that the material used for the track, ties, and ballast does not pose hazards

to the water quality of the Edwards Aquifer or species dependent upon the aquifer (e.g., use of ties not preserved with creosote).

55. SGR shall use only Vulcan Material's existing Edwards Aquifer water rights or any other existing Edwards Aquifer water rights that may be acquired when using water from the Edwards Aquifer during construction, maintenance, and operation of the rail line.
56. SGR shall consult with the TPWD and affected landowners prior to beginning rail construction activities regarding appropriate measures to protect livestock and wildlife in the area during rail construction and operation activities. Appropriate measures could include the use of specific types of fencing or barriers.
57. During rail construction and operation, SGR shall maintain native grass and shrubs within the right-of-way and mow only essential use areas.

Air Quality

58. SGR shall comply with all applicable Clean Air Act requirements for burning debris generated by construction of the rail line.
59. During rail line construction, SGR shall take appropriate measures to control fugitive dust, including the use of water trucks.
60. SGR shall implement best practices to minimize the impact of any air pollutants released during rail construction and operation.
61. As agreed to by SGR, SGR shall conduct appropriate visual monitoring of the moisture content of the limestone prior to or during loading of the railcars. If necessary to prevent the dispersion of limestone dust during rail transportation, SGR shall wet the surface of the limestone prior to transportation.

Land Use

62. Where construction of the rail line would cause unavoidable property severance, damage to a home or to an irrigation system, or property demolition and/or destruction, SGR shall negotiate with the appropriate land owner(s) to ensure access to the severed property and/or replacement of the irrigation system, and, if appropriate, realign the track to avoid taking houses and/or to minimize the impacts.
63. Prior to beginning rail construction, SGR shall consult with the TPWD and with affected landowners to determine whether the rail line would separate livestock and wildlife from water supplies. If the rail line would separate livestock and wildlife from water supplies and suitable alternative sources are not available, SGR shall develop additional water sources for livestock and wildlife to replace

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those lost, adversely affected, or rendered inaccessible to wildlife and livestock due to the rail line construction.

Noise

64. SGR shall equip all noise-producing project construction equipment and vehicles using internal combustion engines with mufflers, air-inlet silencers, and other shrouds, shields, or other noise-reducing features, and keep them in good operating condition that meets or exceeds original factory specifications. SGR shall equip mobile or fixed package equipment (e.g., arc-welders, air compressors) with shrouds and noise control features that are readily available for that type of equipment.
65. SGR shall comply with all applicable local, state, or Federal regulations that apply to the noise produced by mobile or fixed equipment used during rail construction activities.
66. SGR shall use electric-powered equipment instead of pneumatic or internal combustion-powered equipment during rail construction activities, where electric-powered equipment is available to perform the function.
67. SGR shall minimize noise by locating material stockpiles, mobile equipment staging areas, parking areas, and maintenance areas as far as practicable from noise sensitive receptors.
68. SGR shall establish and enforce a 10 mile per hour construction site and a 25 mile per hour private construction access road speed limit during the rail construction period.
69. SGR shall not engage in rail construction activities between 7:00 p.m. and 7:00 a.m. Monday through Saturday or at any time on Sunday or on Federal holidays, except for emergency situations.
70. SGR shall use noise-producing signals, including horns, whistles, alarms, and bells for safety warning purposes only.
71. SGR shall ensure that no project-related fixed, mobile, or portable public address or music system is audible at any adjacent noise sensitive receptor, except for emergency situations.
72. To minimize wheel squeal, if a loop track is used, SGR shall design the loop track with a radius greater than 1000 feet or 10 times the wheelbase of the largest car used on the tracks.

73. SGR shall provide a track lubrication system for any track that is used to mitigate wheel squeal noise. However, this lubrication system shall only be used over the EARZ with prior approval from the EAA.
74. SGR shall provide a movable point crossover (a crossover designed with a spring loaded piece to eliminate the noise producing gap) to mitigate excess noise from the crossover at the neck of any loop track (where the curved track reconnects with the tangent or straight track).

Vibration

75. Prior to beginning rail construction, SGR shall conduct a survey to locate nearby wells and shall monitor the vibration levels at these wells during any pile driving activities related to rail construction to ensure that the peak particle velocity limit of 2.72 inches per second in any axis (in either of the two lateral directions or in the vertical direction) is not exceeded during construction.

Recreational and Visual Resources

76. Prior to initiating construction activities, SGR shall identify the location of privately owned stock ponds within the project area and attempt to avoid them. If avoidance is not possible, SGR shall minimize intrusion to these water bodies to the extent practicable and minimize disturbances to important sources of influent to these water bodies.

Cultural Resources

77. SGR shall comply with the terms of the PA, developed pursuant to 36 CFR 800.14(b), which has been executed by all required parties.

Karst Features

78. SGR shall identify potential risk areas for sinkhole formation prior to initiating rail construction activities along the two-mile loading loop or one-mile parallel loading tracks and the first 1,500 feet of rail line south of the loading loop or loading tracks, and shall implement engineering design measures to protect the rail line from future sinkhole development. SGR shall conduct its identification efforts by one of the following two methods:
 - a) If SGR identifies a significant void or cave during the grading and construction of the rail line, SGR shall undertake additional investigation by using qualified personnel to determine the potential risk of construction causing a sinkhole to develop; or
 - b) SGR shall conduct geophysical and geotechnical analysis to identify areas of sinkhole risk prior to construction. SGR shall further inspect any identified suspect voids by using geotechnical borings to determine the

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hazard probability. For locations at which the geotechnical borings reveal voids of significant enough size and proximity to the ground surface to pose a risk of collapse to the rail line, SGR shall identify and implement additional hazard-mitigation efforts, such as moving the rail line to avoid the hazard area; intentionally collapsing or digging out and then filling in the void; grouting the void closed; or developing additional engineering controls to reinforce the rail line and to distribute the weight away from the void.

79. If SGR identifies a significant karst feature during the grading and construction of the two-mile loading loop or one-mile parallel loading tracks and the first 1,500 feet of rail line south of the loading loop or loading tracks, SGR shall consult with a karst feature specialist and implement appropriate mitigation measures. These include developing an inventory of caves for endangered species and complying with the reasonable requirements of the State of Texas for construction activities in the recharge and transition zones of the Edwards Aquifer.

Monitoring and Enforcement

80. SGR shall submit quarterly reports to SEA documenting the progress of its implementation of all of the environmental mitigation measures during rail construction and for three years after rail operations have begun.
81. SGR shall retain a community liaison to work with the community in addressing any concerns related to SGR's rail construction and operation activities, and assist in the implementation of the environmental mitigation measures.

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Appendix D

Comments on May 2017 Draft Resolution Plan

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EDITORIAL (ED)

Comment ED-01, #DRP-01: Two sites are mistakenly identified as 41ME260. In the first row of Table 1, site 41ME262 is identified as site 41ME260. On page 10, site 41ME264 is identified as 41ME260.

Response: No typos found on Page 10; however, all site number references throughout the Resolution Plan were rechecked for accuracy and consistency.

Comment ED-02, #DRP-03, #DRP-06: Commenters expressed concern that the individuals completing the study and the DRP are unnamed either individually or by organization.

Response: Resumes for primary HDR staff associated with the Project have been added to the Resolution Plan as Appendix E.

Comment ED-03, #DRP-03: According to the project description (pg. 2) length is 12.04 miles. This does not match the August 2016 Programmatic Agreement (approximately 9 miles) or the May 20, 2015, HDR letter (14.35 miles).

Response: 12.04 miles is the current length. The variations in length relate to minor route modifications that occurred during Project design, including relocation of the loading loop at the north end of the Project.

Comment ED-04, #DRP-03: Appendix A is blank

Response: Appendix A, the Programmatic Agreement, is attached to the document, with appropriate pagination.

Comment ED-05, #DRP-03: The maps are too small and difficult to read

Response: Landscape-oriented maps of sites have been increased in size from 5.5x8.5 to 8.75x14. Portrait-oriented maps of sites have been increased in size from 7.75x6 to 8.5x6.75.

Comment ED-06, #DRP-03: The THC letter of Justin Kockritz, Historian, is printed poorly and difficult to read.

Response: The letter was inserted as a jpeg into the report format, which impacted the quality. For this revision of the DRP, the size of the jpeg was increased, which improved legibility.

Comment ED-07, #DRP-03: The 81 environmental mitigation measures should be included for quick reference.

Response: The Environmental Mitigation Measures, as approved by the STB in its December 18, 2008 decision, have been included in the Resolution Plan as Appendix C.

Comment ED-08, #DRP-06: Commenter expressed surprise that so few formal tools were found. Commenter has found it unusual not to pick up a distinctive Guadalupe tool.

Response: This comment references information from the cultural resources report, *Southwest Gulf Railroad Company Construction and Operation of the Proposed Single-Track Railroad*, (HDR 2017). The comment period for that report expired in March 2017 and the comment, while appreciated, does not bear on the Resolution Plan.

Comment ED-09, #DRP-06: Report states that Site 41ME261 is “Transitional Archaic Period,” supported by the Darl Point (Fig. 4-69) but the Early Triangular (?) point in Fig. 4-70 pushes potential occupation back to early Middle Archaic.

Response: See Comment Response for ED-08, #DRP-06. Also note that the site’s age will be re-evaluated during NRHP-eligibility testing.

Comment ED-10, #DRP-06: Fig. 4-6 (Site 41ME263) is a preform for a Scallorn or maybe Edwards point. It is not Early Triangular, and patination is not a reliable indicator of age.

Response: See Comment Response for ED-08, #DRP-06.

Comment ED-11, #DRP-06: Fig. 4-4 (Site 41ME263) is an unfinished Castroville point/very late state preform and is not related to the Calf Creek series types noted in the description.

Response: See Comment Response for ED-08, #DRP-06.

Comment ED-12, #DRP-06: Regarding Site 41ME266, cores are mistakenly called “choppers” on pg. 58 – the “chopper” thought to be perhaps Late Archaic Kerrville Biface is not illustrated, and neither of the “choppers” shown resemble this tool form.

Response: See Comment Response for ED-08, #DRP-06.

Comment ED-13, #DRP-06: Archaeologists need to keep in mind the range of types and time ranges found in the Quihi area. The Mangold collection, which the commenter has documented, came from a “gravel ridge” (site 41ME132)

Response: The types and time ranges found in the Quihi area have been considered.

Comment ED-14, #DRP-06: Vulcan Quarry area never received archaeological survey

Response: The Vulcan Quarry was outside of the final archaeological area of potential effects, which defined the archaeological survey area. The quarry is also outside of the STB’s jurisdiction.

AVOIDANCE OF HISTORIC RESOURCES (AV)

Comment AV-01, #DRP-02: The plan does not include any route that avoids the historic buildings and archaeological sites, though two are in the EIS for the project. This plan should include the Medina Dam Route as identified in the EIS.

Response: This comment appears to relate to the NEPA process that was undertaken for the Project, including the consideration of routing alternatives. As the STB made clear in its public notice regarding the amended PA, however, the NEPA process for this project is closed. The STB completed the NEPA process in May 2008 and issued a final decision in December 2008 approving the rail line for construction on any one of three alternative alignments. The Modified Eastern Bypass Route was adopted as the build alternative in May 2015 and is the route identified as the build alternative in the executed Programmatic Agreement of 2016. Comments related to Project routing and the environmental review process are not germane to the current issue, which is finalization of the Resolution Plan.

Comment AV-02, #DRP-02, #DRP-04, #DRP-07: The Medina Dam Route should be selected to avoid adverse effects upon historic buildings and sites. The Programmatic Agreement stipulates an “emphasis on avoiding, where possible” adverse effects.

Response: See Comment Response for AV-01, #DRP-02.

Comment AV-03, #DRP-02, #DRP-03, #DRP-05, #DRP-07: Avoiding entirely any effects on the historic buildings and sites is necessary to preserve the Upper Quihi Rural Historic District.

Response: See Comment Response for AV-01, #DRP-02. With the adoption of this Resolution Plan, effects on the historic properties in the UQRHD will be minimized and appropriately mitigated, in accordance with Section 106 of the NHPA, as amended.

Comment AV-04, #DRP-06: SGR should move those parts of the line that can be moved farther away from the structures to minimize adverse effects.

Response: See Comment Response for AV-03, #DRP-02, #DRP-04, #DRP-07.

VEGETATIVE BUFFERS (VB)

Comment VB-01, #DRP-02, #DRP-03, #DRP-06: The proposed vegetative buffers would not be effective in mitigating adverse effects of the passage of mile-long trains several times daily.

Response: Noise and vibration mitigation measures have been incorporated into the Resolution Plan to lessen the impacts of the Project (see page 4 of the Resolution Plan). In addition, vegetative buffers are intended to create an opaque screen, minimizing adverse visual impacts of the Project in areas that currently have an existing, naturally occurring buffer. Addition to that buffer within the SGR ROW is recommended. If there is currently no existing vegetation between historic properties and the rail line, a vegetative buffer is not suggested, as it would not help blend the rail corridor into its natural surroundings, but instead create a permanent opaque screen on formerly flat, open land.

Comment VB-02, #DRP-01: The proposed vegetative buffer would not necessarily alleviate concerns about the effects of vibration upon the historic buildings.

Response: See Comment Response for VB-01, #DRP-02, #DRP-03, #DRP-06.

Comment VB-03, #DRP-03: The proposed vegetative buffer passes the burden of care on to the property owners.

Response: All new vegetative buffers planted in accordance with this Resolution Plan will be planted on SGR ROW and maintained by SGR.

INTERPRETIVE EXHIBIT (IE)

Comment IE-01, #DRP-01: Commenter asks if specific special interest groups have been identified as potential partners or been contacted about these efforts. If so, those should be included in the plan.

Response: Potential partners have been identified on page 20 of the Resolution Plan. As the mitigation measure is refined, appropriate parties will be consulted.

Comment IE-02, #DRP-02, #DRP-06: The Steinbach House lacks the space and facilities to accommodate an exhibit about the Upper Quihi Rural Historic District.

Response: A wider search for potential partners was conducted. See Comment Response IE-01, #DRP-01.

Comment IE-03, #DRP-01: Commenter recommends a mobile or traveling exhibit to be used in area schools and libraries instead of an exhibit in a fixed location such as the Steinbach House.

Response: As suggested, that option as a mitigation measure has been incorporated into this Resolution Plan.

Comment IE-04, #DRP-06: The proposed interpretive exhibit would require a temperature-controlled and secure facility. The commenter recommends a location in Castroville for better public access and the presence of related conservation organizations.

Response: See Comment IE-03, #DRP-01.

BOOKLET (BO)

Comment BO-01, #DRP-02: The proposed booklet would be insufficient to match the scale of the adverse effects caused.

Response: The document that results from HABS photo-documentation, digital photographs, historical photographs, and research conducted is proposed as a physical and electronic document. Its content, length, target audience, and format will be refined as the project proceeds.

Comment BO-02, #DRP-02: Several volumes have already been written about these districts, so any further publication is not useful to mitigate the adverse effects.

Response: The addition of HABS photo-documentation and research conducted specifically for this Project could add to the existing knowledge of the area. Alternatively, a different audience beyond researchers could be targeted for this document, potentially children or the general public.

Comment BO-03, #DRP-03, #DRP-06: Topics covered in a book-length publication should include the prehistory and history of the Quihi area, illustrative material, and subjects concerning the impact of SGR activities such as pollution, eminent domain, and road safety.

Response: While the document's content, length, target audience, and format are open to refinement, the objective of this type of mitigation measure is to convey the history and significance of the historic properties impacted.

HISTORIC CONTEXT (HC)

Comment HC-01, #DRP-06: A historic context would not be circulated or implemented to assess remaining Alsatian properties and is therefore insufficient to mitigate the adverse effects caused.

Response: This suggested mitigation measure has been removed from the recommended list, in favor of options with more public reach.

FURTHER WORK (FW) REQUIRED

Comment FW-01, #DRP-01: Photo-documentation along Historic American Buildings Survey (HABS) Guidelines should be carried out prior to construction.

Response: This suggestion has been incorporated into the Resolution Plan.

Comment FW-02, #DRP-02: Commenter recommends SGR be required to guarantee maintenance of adversely affected historic properties for the duration of the railroad's existence to be monitored by the SHPO or other suitable entity at SGR's cost.

Response: This Resolution Plan includes a maintenance requirement for historic properties on land owned by SGR (see page 20 of the Resolution Plan).

Comment FW-03, #DRP-06: Detailed survey data must be required once SGR secures the property where access for previous survey was forbidden.

Response: According to THC's correspondence included in Appendix B of this report, all sites for which no access was received are being treated as NRHP eligible and addressed as such in this Resolution Plan.

Comment FW-04, #DRP-02: SGR should include the engineering plans and where additional sidings would be located so that public comment can occur on those adverse effects.

Response: The Programmatic Agreement calls for submission of the preliminary engineering designs to STB and SHPO prior to the finalization of the Resolution Plan. The designs are being submitted to the STB and SHPO with this Plan. No additional sidings are currently engineered.

Comment FW-05, #DRP-06: Commenter recommends that HDR-AR-06 be excavated to confirm whether it was a dog-run or not.

Response: Current mitigation measures recommended for HDR-AR-06 include assessment by a historic architect and structural engineer that both meet Secretary of the Interior Qualifications for treatment of historic properties.

Comment FW-06, #DRP-06: SGR's mitigation responsibilities should include the necessary stabilization of HDR-AR-06.

Response: See Comment Response FW-05, #DRP-06.

Comment FW-07, #DRP-02, #DRP-03, #DRP-06: The current plan is not specific and detailed enough to provide solutions that maintain the Upper Quihi Rural Historic District's eligibility for the National Register of Historic Places.

Response: More detail has been incorporated into this Resolution Plan, which will be submitted to the Texas Historical Commission for its approval, as one of the Programmatic Agreement's signatories.

Comment FW-08, #DRP-03: The current plan does not account for two new quarries in the area and the cumulative effects of these along with SGR activities.

Response: These quarries are outside the APE for indirect effects and therefore beyond the scope of the Programmatic Agreement.

Comment FW-09, #DRP-06: Survey of site 41ME261 must be finished and needs further exploration. The large biface (Fig. 4-45) may be representative of a cache given the flaking and technology.

Response: NRHP-eligibility testing will be conducted at site 41ME261.

Comment FW-10, #DRP-06: The lack of access to site 41ME264 must be resolved.

Response: Avoidance has been recommended if access is not acquired. See Comment FW-03, #DRP-06.

Comment FW-11, #DRP-06: Regarding site 41ME263, the commenter states that even "deflated ridges" deserve attention and more attention to the "ridge top" sites would enhance knowledge of the Quihi-area archaeological landscape.

Response: See Comment Response ED-08, #DRP-06.

Comment FW-12, #DRP-06: Regarding site 41ME266, the commenter states that the "choppers" on pg. 58 reflect a lithic procurement or processing site. Lithic processing sites have been ignored by many Texas archaeologists. More attention to this neglected but important site form might render it "eligible" in the ACHP sense.

Response: See Comment Response ED-08, #DRP-06.

Comment FW-13, #DRP-06: The survey of site 41ME262 needs to be completed. Commenter remarks that the "ridge top" site has been ignored, while the potential for an "open campsite" calls for "presumed NRHP" eligibility.

Response: The survey of site 41ME262 has been completed except for a small area on two parcels where access has not been obtained. Avoidance of this area has been recommended if access is not acquired. See Comment FW-03, #DRP-06.

Comment FW-14, #DRP-03: Each archaeological site noted or enumerated should include Voluntary mitigation Measures 2d, 2f, and 2g to insure high water protection. Elevated rail beds can change drainage and/or damming of waters that would result in damage to the site.

Response: Watersheds and drainage patterns along the rail corridor will be examined as per Voluntary Mitigation Measures (see Appendix C) and, as needed, applied to NRHP-eligible archaeological sites.

Appendix E

HDR Staff Resumes

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Clayton M. Tinsley

Archaeology Program Manager

Mr. Tinsley is a Principal Investigator with 21 years of experience in both prehistoric and historic cultural resources investigations. He has been directing archaeological projects for 16 years in both the United States and Northern Europe. Mr. Tinsley exceeds the Secretary of the Interior Standards for archaeology. He has directed projects in Texas, Oklahoma, New Mexico, Louisiana, Mississippi, New York and Pennsylvania for a variety of clients. He has written or contributed to dozens of technical reports, cultural resources management plans (CRMPs), environmental assessments (EAs) and environmental impact studies (EISs). Primary lead agencies have included the U.S. Army Corps of Engineers, the Federal Energy Regulatory Commission, the Nuclear Regulatory Commission, the Department of Homeland Security and several state highway administrations. Mr. Tinsley specializes in both environmental archaeology and field methodology as applied to cultural resources investigations.

- Project management of archaeological, historical, and multidisciplinary investigations
- Archaeological survey and site recordation (inventory), testing, mitigation
- National Register determinations/evaluations
- Cultural resources input for environmental assessments (EA) and environmental impact studies (EIS)
- Compliance procedures with the National Historic Preservation Act (NHPA) as amended through 1992, the National Environmental Policy Act, as amended, the Native American Graves Protection and Repatriation Act (NAGPRA), State of Texas Antiquities Code
- Historic and prehistoric artifact identification
- Environmental Archaeology: Zooarchaeology

EDUCATION

M.A., Anthropology, City University of New York, 2001

B.A., Psychology (Human Psychology), City College of New York, 1992

CERTIFICATIONS

TxDOT Precertification

2.10.1 Archeological Surveys, Documentation, Excavations, Testing Reports and Data Recovery Plans

PROFESSIONAL MEMBERSHIPS

Association of Environmental Archaeology

Council for Texas Archaeologists

Society for American Archaeology

Society for Historical Archaeology

Texas Archeological Society

INDUSTRY TENURE

21 years

HDR TENURE

5 years

OFFICE LOCATION

Dallas, Texas

HDR EXPERIENCE

Southwest Gulf Railroad, Medina County Rail Spur Project – Medina County, TX (2016). Project Manager. This project involved Phase I intensive survey for the proposed 14.69 mile track between Vulcan Construction Materials, LP proposed limestone quarry to the Union Pacific Railroad line near Dunlay, TX. Excavations were conducted to assess the potential impacts to cultural resources in the area. Oversaw survey planning and execution, field documentation, and writing of the report presenting results and recommendations.

Palo Pinto County, Texas Municipal Water District 1, Lake Palo Pinto Storage Restoration Project - Turkey Peak Reservoir, TX (2016). Project Manager. This project involved Phase I and II cultural resources surveys for the proposed Lake Palo Pinto storage restoration project. HDR has completed preliminary design for the new Turkey Peak Dam project including geologic exploration and geotechnical engineering LiDAR acquisition and interpretation hydrologic and hydraulic (H&H) analyses structural design spillway and outlet works design and environmental assessments and permitting. HDR has also finished Phase I and II cultural resources surveys in order to determine the impact to existing cultural resources in the proposed project area. Oversaw survey planning and execution, field documentation, and writing of the report presenting results and recommendations.

Canadian National Railroad, Illinois Central Railroad Company Bridge 866.2, McComb Subdivision – Tangipahoa Parish, Louisiana (2016). Project Manager. This project involved a Phase I cultural resources survey in advance of the proposed ICRC bridge replacement in Tangipahoa Parish, Louisiana. Oversaw the survey which consisted of a Phase I survey and photo documentation of the bridge location.

Brown and Gay Engineers, Proposed CR 101 Road Construction Project – Williamson County, Texas (2016). Project Manager. This project involved an intensive cultural resources survey in advance of the proposed CR 101 Road Construction Project, Williamson County, Texas. Oversaw the systematic shovel testing and pedestrian survey of the area of potential effects.

Columbia Gas Transmission, A NiSource Company, Phase I Intensive Cultural Resources Survey for the Proposed Central Virginia Connector Project in Goochland and Louisa Counties, Virginia (2014-2016). Principal Investigator. This project involved an intensive archaeological survey consisting of pedestrian survey and shovel testing of the pipeline right of way as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Oversaw the planning and execution of the survey, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

City of College Station, Phase I Intensive Cultural Resources of the University Drive Pedestrian Improvements Project in Brazos County, Texas (2016). Project Manager. This project involved an intensive cultural resources survey consisting of pedestrian survey within the APE. Oversaw execution of the survey and writing of the report presenting results and recommendations.

Duke Energy Carolinas, LLC, Phase I Intensive Cultural

Resources Assessment for the Proposed Mountain Island Embankment Seismic Stabilities Improvements Project in Gaston County, North Carolina (2016).

Principal Investigator. This project involved an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE and writing of the report presenting results and recommendations.

UPRR, Phase I Intensive Archaeological Survey for the Proposed UPRR Davidson to Iona Second Mainline Project in Tarrant County, Texas (2016).

Principal Investigator. This project involved an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Venus Switch to Cedar Hill Transmission Line in Dallas and Ellis Counties, Texas (2016).

Project Manager. Supervised a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Trinidad to Big Brown Transmission Line in Freestone County, Texas (2016).

Project Manager. Supervised a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 345kV Big Brown to Navarro Transmission Line in Navarro and Freestone Counties, Texas (2016).

Project Manager. Supervised a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Hutto to Gilead Transmission Line in Williamson and Travis

Counties, Texas (2016). Project Manager. Supervised a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Mountain Creek to Norwood Transmission Line in Dallas County, Texas (2015). Project Manager. Supervised a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area.

CP&Y, Inc./TxDOT, Archaeology Background Studies for Four Proposed Bridge Replacement Projects in Montgomery and Waller Counties, Texas (2016). Project Manager. Supervised desktop reviews for the proposed construction projects. The desktop reviews consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project areas.

CP&Y, Inc./TxDOT, Archaeology Background Studies for Four Proposed Bridge Replacement Projects in Montgomery and Waller Counties, Texas (2016). Project Manager. Supervised desktop reviews for the proposed construction projects. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project areas.

TxDOT, Project Coordination Request for Historical Studies for the Proposed RM 2222 from Bonaventure Drive to Ribelin Ranch Drive Construction Project in Williamson County, Texas (2016). Project Manager. Supervised a desktop review for the proposed construction project. The desktop review consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within the APE.

TxDOT, Archaeology Background Study for the Proposed RM 2222 from Bonaventure Drive to Ribelin Ranch Drive Construction Project in Williamson County, Texas (2016). Project Manager. Supervised a desktop review for the proposed construction project. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile

radius of the project area.

AIA Engineers, LTD/TxDOT, Project Coordination Request for Historical Studies for the Proposed I-35 at Williams Drive Construction Project in Williamson County, Texas (2016). Project Manager. Supervised a desktop review for the proposed construction project. The desktop review consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within and adjacent to the APE.

TxDOT, Archaeological Background Study for the Proposed RM 1871 at Llano River Bridge Replacement in Mason County, Texas (2016). Project Manager. Supervised a desktop review for the proposed bridge replacement project. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project area.

Southern Star Central Gas Pipeline, Phase I Intensive Cultural Resources Survey for the Proposed Line V and V-193 Tonkawa Tap and Delivery Site Project in Kay County, Oklahoma (2016). Principal Investigator. Conducted an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Southern Star Central Gas Pipeline, Phase I Intensive Cultural Resources Survey for the Proposed Line MD Rectifier 281 Improvements Project in Osage County, Oklahoma (2016). Project Manager. This project included an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey and documentation of field activities and disturbances within the APE.

Burk-Kleinpeter, Inc., Phase I Intensive Cultural Resources Survey of the Proposed Comstock LA 3132 Inner Loop Extension Project in Caddo Parish, Louisiana (2016). Project Manager. This project included an intensive cultural resources survey consisting of pedestrian survey within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of report presenting results and recommendations.

U.S. Customs and Border Protection, Cultural Resources Database Review for the Proposed Carrizo Cane Topping Project in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick,

Kinney, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Hudspeth, and El Paso Counties, Texas (2016). Project Manager. Supervised a desktop review for the proposed Carrizo Cane Topping project along the Rio Grande River in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Hudspeth, and El Paso Counties, Texas. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded along the Rio Grande River.

U.S. Customs and Border Protection, Phase I Intensive Cultural Resources Survey of the Proposed Comstock UPRR Access Road Maintenance Project in Val Verde County, Texas (2016). Project Manager. This project involved an intensive archaeological survey consisting of pedestrian survey within the APE. Oversaw the planning and performing survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

U.S. Customs and Border Protection, Phase I Intensive Archaeological Survey of the Proposed Eagle Pass South Traffic Checkpoint Renovation Project in Maverick County, Texas (2016). Project Manager. This project involved an intensive cultural resources survey consisting of pedestrian survey within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

TNMP, Phase I Intensive Cultural Resources Survey of the Love's Travel Stop and Country Stores Line Project in Brazoria County, Texas (2016). Principal Investigator. Conducted an intensive cultural resources survey in advance of the proposed installation of a 0.5-mile distribution line in Brazoria County, Texas. The survey consisted of shovel testing, pedestrian survey, and photo documentation of the entire project area.

San Miguel Electric Cooperative, Inc., FM 791 Overpass Project – McMullen County, Texas (2016). Project Manager. This project involved an intensive cultural resources survey in advance of the proposed installation of an overpass on FM 791 in McMullen County, Texas. Oversaw the shovel testing, pedestrian survey, and photo documentation of the entire project area.

TNMP, Phase I Intensive Archaeological Survey of the CR 341—CR3PH Line Extension Project in Brazoria County, Texas (2016). Principal Investigator. Conducted an intensive cultural resources survey in advance of the proposed installation of a 0.5-mile line extension in Brazoria County, Texas. The survey consisted of shovel testing, pedestrian survey, and photo documentation of the entire

project area.

Oncor Electric Delivery, Addendum to the Phase I Intensive Cultural Resources Survey of the 15.8-mile 138 kV ONCOR Hicks to Elizabeth Creek Transmission Line Project in Tarrant and Denton Counties, Texas (2016). Project Manager. This project involved an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Williamson County, Phase I Intensive Archaeological Survey of the Proposed P243 Southwest Bypass Project Area B Driveway Construction Project in Williamson County, Texas (2016). Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey within the existing ROW. Oversaw the execution of the survey within the APE, and documentation of field activities and disturbances, and writing the report presenting results and recommendations.

EOG Resources, Inc., Phase I Intensive Cultural Resources Survey for the Proposed Pyote Permanent EOG Communications Tower in Ward County, Texas (2015). Project Manager. This project involved an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations. Work was performed in compliance with Federal Communication Commission's (FCCs) 2004 National Programmatic Agreement for Review and Effects on Historic Properties.

EOG Resources, Inc., Phase I Intensive Cultural Resources Survey for the Proposed Bright Leg Permanent EOG Communications Tower in McMullen County, Texas (2015). Project Manager. This project involved an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation field activities and disturbances, and writing of the report presenting results and recommendations. Work was performed in compliance with Federal Communication Commission's (FCCs) 2004 National Programmatic Agreement for Review and Effects on Historic Properties.

Project Coordination Request for Historical Studies for the Proposed AIA Engineering, LTD/TxDOT, SH 97 Improvements Project in Wilson, Atascosa, and McMullen Counties, Texas (2015). Project Manager. Supervised five desktop reviews for the

proposed construction project. The desktop reviews consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within and adjacent to the APEs.

AIA Engineering, LTD/TxDOT, Categorical Exclusions for the Proposed SH 97 Improvements Project in Wilson, Atascosa, and McMullen Counties, Texas (2015). Project Manager. Supervised nine archaeological background desktop reviews for the proposed construction project. The desktop reviews consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within and adjacent to the APEs.

Columbia Gas Transmission, A NiSource Company, Addendum Phase I Intensive Cultural Resources Survey of the Tri-County Bare Metal Replacement Project Area, Allegheny, Washington, and Greene Counties, Pennsylvania (2015). Principal Investigator. This project included an intensive cultural resources survey at additional workspaces added subsequent to the 2014 survey of the Tri-County Project Area. Cultural resources investigations included archaeological and historic-age structure/building surveys as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Columbia Gas Transmission, A NiSource Company, Phase II National Register Testing of Site 36GR0014 for the Proposed Tri-County Bare Steel Replacement Project in Greene County, Pennsylvania (2015). Principal Investigator. This project included Phase II testing of site 36GR0014 resulting from the cultural resources investigations of the pipeline right of way as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Oversaw the planning and execution of site testing, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Energy Transfer Crude Oil Pipeline, LLC, Geoarchaeological Investigations for the Energy Transfer Crude Oil Pipeline Project in Marion and Wayne Counties, Illinois (2015). Principal Investigator. This project included deep testing with a backhoe and an auger-mounted skid steer in three river valleys designated as high probability areas during the Energy Transfer Crude Oil Pipeline Project. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

U.S. Customs and Border Protection, Phase I Intensive

Archaeological Survey of the Proposed El Indio Ranch Roads Maintenance Project in Maverick County, Texas (2015). Principal Investigator. This project included an intensive archaeological survey consisting of pedestrian survey of approximately 60.44 miles of existing roads within the APE. Over the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

ONCOR Electric Delivery, Phase I Intensive Cultural Resources Survey of the 15.8-mile 138 kV ONCOR Hicks to Elizabeth Creek Transmission Line Project in Tarrant and Denton Counties, Texas (2015). Project Manager. This project included an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Central and Federal Lands Highway Division (Federal Highway Administration), Phase I Intensive Archaeological Survey for the Proposed Medicine Trail Construction Project in Comanche County, Oklahoma (2015). Principal Investigator. This project included an intensive archaeological survey for a 0.7-mile linear area of potential effects in the Wichita Mountains National Wildlife Refuge in Comanche County, Oklahoma. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Central and Federal Lands Highway Division (Federal Highway Administration), Reconnaissance Survey for the Proposed SH 49 Widening and Resurfacing Project in Comanche County, Oklahoma (2015). Principal Investigator. This project included a reconnaissance survey for 2.8 miles of proposed roadway improvements along SH 49 in Comanche County, Oklahoma. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of report presenting results and recommendations.

TNMP, Intensive Archaeological Survey of the Proposed Westminster 3.7-Mile 138kV Transmission Line Project, Collin County, Texas (2015). Project Manager. This project involved an intensive cultural resources survey in advance of the proposed installation of a 3.7-mile transmission line in Collin County, Texas. Oversaw the survey which consisted of shovel testing, pedestrian survey, and photo documentation of the entire project area.

U. S. Customs and Border Protection, Intensive Archaeological

Survey of the Proposed Carrizo Springs Traffic Checkpoint Renovation Project, Dimmit County, Texas (April 2015). Project Manager. This project involved an intensive archaeological survey for U.S. Customs and Border Protection (CBP) for the proposed renovation of the Carrizo Springs Traffic Checkpoint, Dimmit County, Texas. The survey included an assessment of archaeological potential, consisting of a pedestrian survey and the identification and evaluation of historic buildings and structures to complete a comprehensive inventory of cultural resources present within CBP facilities.

TNMP, Intensive Archaeological Survey of the Kermit Distribution Line Relocation Project, the City of Kermit, Winkler County, Texas (2015). Project Manager. This project involved an intensive cultural resources survey in advance of the relocation of three distribution poles.

The Trinity River Authority of Texas, Phase I Intensive Archaeological Survey for the Proposed TM-1 Relief Interceptor Project, Dallas County, Texas (2014). Project Manager. Oversaw an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE.

RES Americas, Inc., Phase II Archaeological Survey of the RES Americas Iron Horse Wind Farm Project (2014). Principal Investigator. This project included an intensive archaeological survey consisting of pedestrian survey within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Palo Pinto Municipal Water District No. 1, Phase I Intensive Archaeological Survey for the Proposed Palo Pinto County RO Treatment Plant, Palo Pinto County, Texas (2014). Project Manager. Oversaw an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE.

Palo Pinto Municipal Water District No. 1, Phase I Intensive Archaeological Survey for the Proposed Palo Pinto County Rock Creek Pump Station Pipeline, Palo Pinto and Parker Counties, Texas (2014). Project Manager. This project included an intensive archaeological survey consisting of pedestrian survey, shovel testing, and backhoe trenching within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations. Dollar value \$17,000.

Bowman Consulting, Phase I Cultural Resources Survey for the Proposed La Cima Development Project, Hays County, Texas

(October 2014). Project Manager. This project involved a Phase I cultural resources survey of the 1,247 acres proposed La Cima development site. Oversaw both archaeological and architectural resource investigations.

City of Leander, Phase I Intensive Archaeological Survey for the Proposed Hero Way Road Improvements, Williamson County, Texas (2014). Project Manager. This project included an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey.

Central and Federal Lands Highway Division (Federal Highway Administration), Intensive Archaeological Survey for the Proposed Lewisville Lake Park Improvements, City of Lewisville, Denton County, Texas (August 2014). Project Manager. This project involved an intensive archaeological survey for 2.25 miles of linear project area in Lewisville Lake Park, Denton County, Texas. Oversaw shovel testing, pedestrian survey, and photo documentation.

Columbia Gas Transmission, A NiSource Company, Phase I Intensive Cultural Resources Survey for the Proposed Tri-County Bare Steel Replacement Pipeline, Greene, Washington, and Allegheny Counties, Pennsylvania (2014). Principal Investigator. This project included an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Northern Natural Gas, Intensive Phase 1 Archaeological Survey of the Line A Abandonment, Guthrie County, Iowa (2014). Project Manager. This project involved an intensive survey of approximately 7.4 miles of 150 ft. pipeline linear right of way. Oversaw the cultural resources investigations which included above and belowground archaeological surveys as part of the Federal Energy Regulatory Commission (FERC) mandated effort.

Columbia Gas (NiSource), Intensive Archaeological Survey of the Clendenin Compressor Station, Kanawha County, West Virginia (2014). Project Manager. This project involved an intensive survey of portions of the Clendenin compressor station in advance of infrastructure improvements. Oversaw the cultural resources investigations which included an archaeological survey as part of the Federal Energy Regulatory Commission (FERC) mandated effort.

Texas A&M Corpus Christi (TAMU-CC), Phase I Intensive Archaeological Survey for the Proposed TAMU-CC Momentum

Campus Expansion, Nueces County, Texas (2014). Project Manager. The project included an intensive archaeological survey consisting of pedestrian survey, shovel testing, and backhoe trenching within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

NextEra Energy Resources, Phase I Intensive Cultural Resources Survey of the Mammoth Plains Wind Farm, Dewey and Blaine Counties, Oklahoma (2014). Principal Investigator. This project included an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

RES Americas, Phase I Intensive Cultural Resources Survey of the EDF v22 Layout Wind Farm, Briscoe and Floyd Counties, Texas (2013). Principal Investigator. This project included an intensive archaeological survey consisting of pedestrian survey within the APE. Oversaw the planning and execution of the survey within the APE and documentation of field activities and disturbances.

Louisiana Department of Wildlife and Fisheries, Phase I Cultural Resources Survey for the Proposed Louisiana Marine Fisheries Enhancement, Research, and Science Center, Calcasieu Parish, Louisiana (2013). Principal Investigator. The project included an intensive archaeological survey consisting of shovel testing within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing of the report presenting results and recommendations.

Coastal Protection and Restoration Authority, Phase I Intensive Cultural Resources Survey of the Proposed Site for the Mid-Barataria Sediment Diversion, Plaquemines Parish, Louisiana (2013). Principal Investigator. The project included an intensive archaeological survey consisting of pedestrian survey with shovel testing within the APE. Oversaw the shovel testing and description of soils and cultural materials encountered.

RES Americas, Phase I Intensive Cultural Resources of the RES Americas Origin Wind Farm, Carter and Murray Counties, Texas (2013). Principal Investigator. The project included an intensive archaeological survey consisting of pedestrian survey within the APE. Oversaw the planning and execution of the survey within the APE, documentation of field activities and disturbances, and writing

of the report presenting results and recommendations.

Southern Star Central Gas Pipeline, Inc., Phase I Intensive Archaeological Survey of the Canadian River Line VP Pipeline Project Area, Cleveland and McClain Counties, Oklahoma (2013). Principal Investigator. The project included an intensive archaeological survey consisting of pedestrian survey and shovel testing within the 12.7-acre project area. Oversaw the pedestrian survey with judgmental shovel testing and writing of the report presenting results and recommendations.

Texas A&M Corpus Christi (TAMU-CC), Phase I Intensive Archaeological Survey for the Proposed Athletic Field Relocation, Nueces County, Texas (2013). Project Manager. The project included an intensive archaeological survey of a 9-acre parcel in Corpus Christi, Texas. Oversaw planning and execution of survey within the APE, documentation of field activities and disturbances, and writing of report presenting results and recommendations.

White Sands Missile Range, White Sands Cultural Resources Survey – Sierra and Otero on White Sands Missile Range, New Mexico (2012-2013). Project Manager. The White Sands Cultural Resources Survey consisted of pedestrian survey of over 100,000 acres, divided into three parts - Sierra, Otero, and Thurgood. In total, over 600 prehistoric and historic resources were recorded. Identified periods range from Paleoindian to Military Cold War. During the Sierra survey, five crews consisting of three to five crew members pedestrian surveyed the project area over a three month period. Oversaw execution of the survey of designated areas within the APE, documentation of field activities, and management of the field crew.

Mid-Barataria Diversion Project, Plaquemines Parish, Louisiana (2012-2013). Principal Investigator for the intensive Phase IB cultural resources survey of 40 acres and delineation of site (16PL107) as part of a Coastal Protection and Restoration Authority (CPRA) funded project. Work was completed on behalf of the CPRA.

Intensive Archaeological Survey of the Lakeview Wastewater Line Rehabilitation, The City of New Braunfels, Comal County, Texas (2012). Principal Investigator for the intensive archaeological survey along Landa Lake as part of wastewater line rehabilitation for the City of New Braunfels. Work was conducted on behalf of New Braunfels Utilities.

Intensive Archaeological Survey of the Southern Star Line V Pipeline Retirement Project Area, Logan and Oklahoma Counties, Oklahoma (2012). Principal Investigator of the intensive survey of approximately 21 miles of 200-foot pipeline linear right of

way. Cultural resources investigations included archaeological and historic-age structure/building surveys as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Work was conducted on behalf of Southern Star Central Gas Pipeline, Inc.

Intensive Archaeological Survey of the Proposed Oklahoma Municipal Power Authority Project Site, Kay County Oklahoma (2012). Principal Investigator for the intensive archaeological survey of a 160 acre parcel as part the proposed site for a single-stage gas power electric generation plant for Oklahoma Municipal Power Authority. Work was conducted on behalf of Sargent-Lundy and the Oklahoma Municipal Power Authority.

Phase IB Cultural Resources Survey of the Dow Salt-Berm Staging Area, Brazoria County, Texas (2012.) Principal Investigator for the intensive archaeological survey of a 10 acre parcel as part the proposed site for a salt-berm construction staging area along the Brazo River. Work was conducted on behalf of Dow Chemical.

Intensive Archaeological Survey of the Cedar Ridge Reservoir Project Area, Shackelford and Throckmorton Counties, Texas (2011 – 2012). Principal Investigator. Designed and directed probability based archaeological survey of the 6,000-acre project area. Work is being conducted under Texas Antiquities Permit # 5646 on behalf of the City of Abilene. The 16 week survey will be performed over two field seasons during the 2011 and 2012 calendar years. Season one (2011) resulted in the discovery of 75 archaeological sites and 140 non-site isolates.

Phase IB Survey of the Willow Creek-Hicks 42-mile 345 kV Transmission Line, Wise and Tarrant Counties, Texas (Oncor) (2011-2012). Principal Investigator of intensive survey of approximately 42 miles of linear right of way (ROW) 160 feet in width in Wise and Tarrant counties. The purpose of the HDR designed cultural resources investigation in this project area, was to determine the presence/absence of archeological resources and to evaluate identified resources (including historic-age structures) for their eligibility for inclusion on the National Register of Historic Places (NRHP), as per Section 106 of the National Historic Preservation Act of 1966, as amended, or as a designated State Archeological Landmark under the Antiquities Code of Texas.

Phase IB Survey of the Graham-Willow Creek 45-mile 345 kV Transmission Line, Wise, Jack and Young Counties, Texas (Oncor) (2011-2012). Principal Investigator of the 45-mile Graham-Willow Creek transmission line project which consisted of an intensive cultural resources survey of both archaeological remains and historic-age structures within the 160-foot linear ROW. The survey was necessary to determine the presence/absence of

archeological resources and to evaluate identified resources (including historic-age structures) for their eligibility for inclusion on the National Register of Historic Places (NRHP), as per Section 106 of the National Historic Preservation Act of 1966, as amended, or as a designated State Archeological Landmark under the Antiquities Code of Texas.

Phase IB Survey of the Clear Crossing-Graham 65-mile 345 kV Transmission Line, Young, Throckmorton and Haskell Counties, Texas (Oncor) (2011-2012). Principal Investigator of intensive survey of approximately 65 miles of linear right of way (ROW) 160 feet in width in Young, Throckmorton and Haskell counties. The cultural resources survey carried out by our HDR Dallas cultural resources group, included a pedestrian survey with shovel testing and an assessment of historic-age structures. The purpose of the HDR designed cultural resources investigation in this project area, was to determine the presence/absence of archeological resources and to evaluate identified resources (including historic-age structures) for their eligibility for inclusion on the National Register of Historic Places (NRHP), as per Section 106 of the National Historic Preservation Act of 1966, as amended, or as a designated State Archeological Landmark under the Antiquities Code of Texas.

Intensive Archaeological Survey of the Origins 200 MW Wind Farm Project, Murray and Carter Counties, Oklahoma (Renewable Energy Systems Americas, Inc.) (2011). Principal Investigator of the cultural resources survey of the Origins Wind Farm project area. Survey efforts were based on a GIS and geoarchaeology informed landscape model.

Intensive Archaeological Survey of Select Roads in Border Fence Segments (O-6A, O-7, O-9A, O-10, O-16, O-17, AND O-19) for HSBP, Cameron and Hidalgo Counties, Texas (2011). Principal Investigator of the survey of county road ROW's in support of the US Border Fence Project on behalf of the Department of Homeland Security – Customs and Border Protection.

Benjamin Fullerton

Archaeology Project Manager

Mr. Fullerton is a Project Manager with 11 years of experience in cultural resources investigations. Mr. Fullerton exceeds the Secretary of the Interior Standards for archaeology and has directed projects in Texas, Arkansas, Oklahoma, Louisiana, North Carolina, Montana, Virginia, Pennsylvania, Kansas, Illinois, and Mississippi for a variety of clients. He has written or contributed to dozens of technical reports, cultural resources management plans (CRMPs), environmental assessments (EAs) and environmental impact studies (EISs). Primary lead agencies have included the Federal Energy Regulatory Commission (FERC), U.S. Army Corps of Engineers, the Nuclear Regulatory Commission, the Department of Homeland Security and several state highway administrations. Mr. Fullerton specializes in environmental archaeology with a focus on mammalian zooarchaeology and field methodology as applied to cultural resources investigations.

EDUCATION

Master of Science, Archaeology,
University of North Texas, 2009

Bachelor of Arts, Anthropology,
University of North Texas, 2005

PROFESSIONAL MEMBERSHIPS

Register of Professional Archaeologists,
2011-Present

INDUSTRY TENURE

11 years

HDR TENURE

4 years

OFFICE LOCATION

Dallas, TX

HDR EXPERIENCE

Columbia Gas Transmission, A NiSource Company, Phase I Intensive Cultural Resources Survey for the Proposed Central Virginia Connector Project in Goochland and Louisa Counties, Virginia (2016). Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing of the pipeline right of way as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Responsibilities included planning and performing survey, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

City of College Station, Phase I Intensive Cultural Resources of the University Drive Pedestrian Improvements Project in Brazos County, Texas (2016). Principal Investigator. Conducted an intensive cultural resources survey consisting of pedestrian survey within the APE. Responsibilities included co-authoring report presenting results and recommendations.

Duke Energy Carolinas, LLC, Phase I Intensive Cultural Resources Assessment for the Proposed Mountain Island Embankment Seismic Stabilities Improvements Project in Gaston County, North Carolina (2016). Archaeology Project Director. Conducted an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the

APE.

UPRR, Phase I Intensive Archaeological Survey for the Proposed UPRR Davidson to Iona Second Mainline Project in Tarrant County, Texas (2016). Archaeology Project Director. Conducted an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Venus Switch to Cedar Hill Transmission Line in Dallas and Ellis Counties, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area. Responsibilities included conducting the desktop review and authoring memo presenting results and recommendations.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Trinidad to Big Brown Transmission Line in Freestone County, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area. Responsibilities included conducting the desktop review and authoring memo presenting results and recommendations.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 345kV Big Brown to Navarro Transmission Line in Navarro and Freestone Counties, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area. Responsibilities included conducting the desktop review and authoring memo presenting results and recommendations.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Hutto to Gilead Transmission Line in Williamson and Travis Counties, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed transmission line improvements

project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area. Responsibilities included conducting the desktop review and authoring memo presenting results and recommendations.

Oncor Electric Delivery, Cultural Resources Database Memo in Advance of Proposed Improvements to Oncor's Existing 138kV Mountain Creek to Norwood Transmission Line in Dallas County, Texas (2015). Archaeology Project Director. Conducted a desktop review for the proposed transmission line improvements project area. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within and within a one-mile radius of the project area. Responsibilities included conducting the desktop review and authoring memo presenting results and recommendations.

CP&Y, Inc./TxDOT, Archaeology Background Studies for Four Proposed Bridge Replacement Projects in Montgomery and Waller Counties, Texas (2016). Archaeology Project Director. Conducted desktop reviews for the proposed construction projects. The desktop reviews consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project areas.

CP&Y, Inc./TxDOT, Archaeology Background Studies for Four Proposed Bridge Replacement Projects in Montgomery and Waller Counties, Texas (2016). Archaeology Project Director. Conducted desktop reviews for the proposed construction projects. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project areas.

TxDOT, Project Coordination Request for Historical Studies for the Proposed RM 2222 from Bonaventure Drive to Ribelin Ranch Drive Construction Project in Williamson County, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed construction project. The desktop review consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within the APE.

TxDOT, Archaeology Background Study for the Proposed RM 2222 from Bonaventure Drive to Ribelin Ranch Drive Construction Project in Williamson County, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed construction project. The desktop review consisted of a

review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project area.

AIA Engineers, LTD./TxDOT, Project Coordination Request for Historical Studies for the Proposed I-35 at Williams Drive Construction Project in Williamson County, Texas (2016).

Archaeology Project Director. Conducted a desktop review for the proposed construction project. The desktop review consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within and adjacent to the APE.

TxDOT, Archaeological Background Study for the Proposed RM 1871 at Llano River Bridge Replacement in Mason County, Texas (2016).

Archaeology Project Director. Conducted a desktop review for the proposed bridge replacement project. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded within a one-quarter mile radius of the project area.

Southern Star Central Gas Pipeline, Phase I Intensive Cultural Resources Survey for the Proposed Line V and V-193 Tonkawa Tap and Delivery Site Project in Kay County, Oklahoma (2016).

Archaeology Project Director. Conducted an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations.

Southern Star Central Gas Pipeline, Phase I Intensive Cultural Resources Survey for the Proposed Line MD Rectifier 281 Improvements Project in Osage County, Oklahoma (2016).

Principal Investigator. Conducted an intensive cultural resources survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey and documenting field activities and disturbances within the APE.

Burk-Kleinpeter, Inc., Phase I Intensive Cultural Resources Survey of the Proposed Comstock LA 3132 Inner Loop Extension Project in Caddo Parish, Louisiana (2016).

Principal Investigator. Conducted an intensive cultural resources survey consisting of pedestrian survey within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and supervising report presenting results and recommendations.

U.S. Customs and Border Protection, Cultural Resources Database Review for the Proposed Carrizo Cane Topping Project in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Val Verde, Terrell, Brewster, Presidio, Jeff Davis,

Hudspeth, and El Paso Counties, Texas (2016). Archaeology Project Director. Conducted a desktop review for the proposed Carrizo Cane Topping project along the Rio Grande River in Cameron, Hidalgo, Starr, Zapata, Webb, Maverick, Kinney, Val Verde, Terrell, Brewster, Presidio, Jeff Davis, Hudspeth, and El Paso Counties, Texas. The desktop review consisted of a review of the THC's Archeological Sites Atlas in order to complete a comprehensive inventory of cultural resources recorded along the Rio Grande River. Responsibilities included conducting the desktop review and co-authoring memo presenting results and recommendations.

U.S. Customs and Border Protection, Phase I Intensive Cultural Resources Survey of the Proposed Comstock UPRR Access Road Maintenance Project in Val Verde County, Texas (2016). Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

U.S. Customs and Border Protection, Phase I Intensive Archaeological Survey of the Proposed Eagle Pass South Traffic Checkpoint Renovation Project in Maverick County, Texas (2016). Principal Investigator. Conducted an intensive cultural resources survey consisting of pedestrian survey within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

TNMP, Phase I Intensive Cultural Resources Survey of the Love's Travel Stop and Country Stores Line Project in Brazoria County, Texas (2016). Archaeology Project Director. Conducted an intensive cultural resources survey in advance of the proposed installation of a 0.5-mile distribution line in Brazoria County, Texas. The survey consisted of shovel testing, pedestrian survey, and photo documentation of the entire project area.

TNMP, Phase I Intensive Archaeological Survey of the CR 341—CR3PH Line Extension Project in Brazoria County, Texas (2016). Archaeology Project Director. Conducted an intensive cultural resources survey in advance of the proposed installation of a 0.5-mile line extension in Brazoria County, Texas. The survey consisted of shovel testing, pedestrian survey, and photo documentation of the entire project area.

Oncor Electric Delivery, Addendum to the Phase I Intensive Cultural Resources Survey of the 15.8-mile 138 kV ONCOR

Hicks to Elizabeth Creek Transmission Line Project in Tarrant and Denton Counties, Texas (2016). Principal Investigator.

Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Williamson County, Phase I Intensive Archaeological Survey of the Proposed P243 Southwest Bypass Project Area B Driveway Construction Project in Williamson County, Texas (2016).

Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey within the existing ROW. Responsibilities included performing survey within the APE and documenting field activities and disturbances.

EOG Resources, Inc., Phase I Intensive Cultural Resources Survey for the Proposed Pyote Permanent EOG

Communications Tower in Ward County, Texas (2015). Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations. Work was performed in compliance with Federal Communication Commission's (FCCs) 2004 National Programmatic Agreement for Review and Effects on Historic Properties.

EOG Resources, Inc., Phase I Intensive Cultural Resources Survey for the Proposed Bright Leg Permanent EOG
Communications Tower in McMullen County, Texas (2015).

Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations. Work was performed in compliance with Federal Communication Commission's (FCCs) 2004 National Programmatic Agreement for Review and Effects on Historic Properties.

Project Coordination Request for Historical Studies for the Proposed AIA Engineering, LTD./TxDOT, SH 97 Improvements Project in Wilson, Atascosa, and McMullen Counties, Texas (2015).

Archaeology Project Director. Conducted five desktop reviews for the proposed construction project. The desktop reviews consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within and adjacent to

the APEs.

AIA Engineering, LTD./TxDOT, Categorical Exclusions for the Proposed SH 97 Improvements Project in Wilson, Atascosa, and McMullen Counties, Texas (2015). Archaeology Project Director. Conducted nine archaeological background desktop reviews for the proposed construction project. The desktop reviews consisted of a review of the THC's Historical Sites Atlas, historical maps, and parcel research in order to complete a comprehensive inventory of historic-age resources recorded within and adjacent to the APEs.

Columbia Gas Transmission, A NiSource Company, Addendum Phase I Intensive Cultural Resources Survey of the Tri-County Bare Metal Replacement Project Area, Allegheny, Washington, and Greene Counties, Pennsylvania (2015). Archaeology Project Director. Conducted an intensive cultural resources survey at additional workspaces added subsequent to the 2014 survey of the Tri-County Project Area. Cultural resources investigations included archaeological and historic-age structure/building surveys as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Columbia Gas Transmission, A NiSource Company, Phase II National Register Testing of Site 36GR0014 for the Proposed Tri-County Bare Steel Replacement Project in Greene County, Pennsylvania (2015). Archaeology Project Director. Conducted Phase II testing of site 36GR0014 resulting from the cultural resources investigations of the pipeline right of way as part of the Federal Energy Regulatory Commission (FERC) mandated effort. Responsibilities included planning and performing testing of the site, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Energy Transfer Crude Oil Pipeline, LLC., Geoarchaeological Investigations for the Energy Transfer Crude Oil Pipeline Project in Marion and Wayne Counties, Illinois (2015). Archaeology Project Director. Conducted deep testing with a backhoe and an auger-mounted skid steer in three river valleys designated as high probability areas during the Energy Transfer Crude Oil Pipeline Project. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

U.S. Customs and Border Protection, Phase I Intensive Archaeological Survey of the Proposed El Indio Ranch Roads Maintenance Project in Maverick County, Texas (2015).

Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey of approximately 60.44 miles of existing roads within the APE. Responsibilities included performing survey within the APE and documenting field activities and disturbances.

ONCOR Electric Delivery, Phase I Intensive Cultural Resources Survey of the 15.8-mile 138 kV ONCOR Hicks to Elizabeth Creek Transmission Line Project in Tarrant and Denton Counties, Texas (2015). Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Central and Federal Lands Highway Division (Federal Highway Administration), Phase I Intensive Archaeological Survey for the Proposed Medicine Trail Construction Project in Comanche County, Oklahoma (2015). Archaeology Project Director. Conducted an intensive archaeological survey for a 0.7-mile linear area of potential effects in the Wichita Mountains National Wildlife Refuge in Comanche County, Oklahoma. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations.

Central and Federal Lands Highway Division (Federal Highway Administration), Reconnaissance Survey for the Proposed SH 49 Widening and Resurfacing Project in Comanche County, Oklahoma (2015). Archaeology Project Director. Conducted a reconnaissance survey for 2.8 miles of proposed roadway improvements along SH 49 in Comanche County, Oklahoma. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations.

The Trinity River Authority of Texas, Phase I Intensive Archaeological Survey for the Proposed TM-1 Relief Interceptor Project in Dallas County, Texas (2014). Principal Investigator. Supervised an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and supervising survey.

RES Americas, Inc., Phase II Archaeological Survey of the RES Americas Iron Horse Wind Farm Project (2014). Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey within the APE. Responsibilities included planning and performing survey within the APE,

documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Palo Pinto Municipal Water District No. 1, Phase I Intensive Archaeological Survey for the Proposed Palo Pinto County RO Treatment Plant, Palo Pinto County, Texas (2014). Principal Investigator. Supervised an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and supervising survey.

Palo Pinto Municipal Water District No. 1, Phase I Intensive Archaeological Survey for the Proposed Palo Pinto County Rock Creek Pump Station Pipeline, Palo Pinto and Parker Counties, Texas (2014). Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey, shovel testing, and backhoe trenching within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

City of Leander, Phase I Intensive Archaeological Survey for the Proposed Hero Way Road Improvements, Williamson County, Texas (2014). Principal Investigator. Supervised an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and supervising survey.

Columbia Gas Transmission, A NiSource Company, Phase I Intensive Cultural Resources Survey for the Proposed Tri-County Bare Steel Replacement Pipeline, Greene, Washington, and Allegheny Counties, Pennsylvania (2014). Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

TAMU-CC—Texas A&M Corpus Christi, Phase I Intensive Archaeological Survey for the Proposed TAMU-CC Momentum Campus Expansion, Nueces County, Texas (2014). Principal Investigator. Conducted an intensive archaeological survey consisting of pedestrian survey, shovel testing, and backhoe trenching within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations.

NextEra Energy Resources, Phase I Intensive Cultural Resources Survey of the Mammoth Plains Wind Farm, Dewey and Blaine Counties, Oklahoma (2014). Archaeology Project Director. Conducted an intensive archaeological survey consisting of

pedestrian survey and shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

RES Americas, Phase I Intensive Cultural Resources Survey of the EDF v22 Layout Wind Farm, Briscoe and Floyd Counties, Texas (2013). Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey within the APE. Responsibilities included planning and performing survey within the APE and documenting field activities and disturbances.

Louisiana Department of Wildlife and Fisheries, Phase I Cultural Resources Survey for the Proposed Louisiana Marine Fisheries Enhancement, Research, and Science Center, Calcasieu Parish, Louisiana (2013). Archaeology Project Director. Conducted an intensive archaeological survey consisting of shovel testing within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Coastal Protection and Restoration Authority, Phase I Intensive Cultural Resources Survey of the Proposed Site for the Mid-Barataria Sediment Diversion, Plaquemines Parish, Louisiana (2013). Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey with shovel testing within the APE. Responsibilities included shovel testing and describing soils and cultural materials encountered.

RES Americas, Phase I Intensive Cultural Resources of the RES Americas Origin Wind Farm, Carter and Murray Counties, Texas (2013). Archaeology Project Director. Conducted an intensive archaeological survey consisting of pedestrian survey within the APE. Responsibilities included planning and performing survey within the APE, documenting field activities and disturbances, and co-authoring report presenting results and recommendations.

Southern Star Central Gas Pipeline, Inc., Phase I Intensive Archaeological Survey of the Canadian River Line VP Pipeline Project Area, Cleveland and McClain Counties, Oklahoma (2013). Archaeology Project Director. P Conducted an intensive archaeological survey consisting of pedestrian survey and shovel testing within the 12.7-acre project area. Conducted a pedestrian survey with judgmental shovel testing and co-authored report presenting results and recommendations.

TAMU-CC—Texas A&M Corpus Christi, Phase I Intensive Archaeological Survey for the Proposed TAMU-CC Athletic Field Relocation, Nueces County, Texas (2013). Principal Investigator. Conducted an intensive archaeological survey of a 9-acre parcel in Corpus Christi, Texas. Responsibilities included planning and

performing survey within the APE, documenting field activities and disturbances, and authoring report presenting results and recommendations.

U.S. Customs and Borders Protection, Cultural Resources Inventory of the Willow Creek Land Port of Entry (LPOE), Hill County, Montana (2012). Archaeology Project Director. Conducted and inventory of cultural resources present within the Willow Creek LPOE property. Conducted a pedestrian survey with judgmental shovel testing and co-authored report presenting results and recommendations.

U.S. Customs and Borders Protection, Cultural Resources Inventory of the Sweetgrass Land Port of Entry (LPOE), Toole County, Montana (2012). Archaeology Project Director. Conducted and inventory of cultural resources present within the Sweetgrass LPOE property. Conducted a pedestrian survey with judgmental shovel testing and co-authored report presenting results and recommendations.

U.S. Customs and Borders Protection, Cultural Resources Inventory of the Opheim Land Port of Entry (LPOE), Valley County, Montana (2012). Archaeology Project Director. Conducted and inventory of cultural resources present within the Opheim LPOE property. Conducted a pedestrian survey with judgmental shovel testing and co-authored report presenting results and recommendations.

Sargent-Lundy and the Oklahoma Municipal Power Authority, Phase I Intensive Archaeological Survey of the Proposed Oklahoma Municipal Power Authority Project Site, Kay County, Oklahoma (2012). Archaeology Project Director. Conducted an intensive archaeological survey of a 160-acre parcel as part the proposed site for a single-stage gas power electric generation plant for Oklahoma Municipal Power Authority and authored report presenting results and recommendations.

DOW Chemical, Phase IB Intensive Cultural Resources Survey of the Dow Salt-Berm Staging Area, Brazoria County, Texas (2012). Archaeology Project Director. Conducted an intensive archaeological survey of a 10-acre parcel as part the proposed site for a salt-berm construction staging area along the Brazos River.

Oncor Electric Delivery, Cultural Resources Monitoring on the Clear Crossing to Willow Creek 110-mile 345 kV Transmission Line, Throckmorton and Young Counties, Texas (2012/2013). Archaeology Project Director. Monitored all ground-disturbing activities including brush clearing, equipment staging, and tower support drilling at previously recorded archaeological sites and in areas with high probability to contain deeply buried archaeological deposits. Conducted background research, planned logistics, and

authored interim report.

Oncor Electric Delivery, Phase II Testing at Site 41YN529 on the Clear Crossing-Graham 65-mile 345 kV Transmission Line, Young County, Texas (2012). Archaeology Project Director.

Supervised a crew of four for National Register of Historic Places (NRHP) eligibility testing that included the excavation of three test units at a site to be impacted by tower support drilling. The site was deemed ineligible for inclusion in the NRHP. Conducted background research, planned logistics, supervised fieldwork, and authored report.

HDR Engineering, Inc., Cultural Resources Database Search for the Brazoria County CR 657 Culvert Extension, Brazoria County, Texas (2012). Archaeology Project Director. Conducted a database search within a one-mile radius of the project area to determine if the proposed activity could affect properties listed, or eligible for listing in the NRHP.



Ann Keen

Architectural Historian/Project Manager

EDUCATION

Master of Arts, Art History, Rutgers University, 2007

Bachelor of Science, Art History, Kendall College of Art & Design, 2001

REGISTRATIONS

Federal Railroad Administrations
Roadway Worker Protection, U.S.
National Registration, No. 2394148
Issued: 9/9/2015, Expires: 8/24/2017

MnDOT Precertification
12.4 Architectural History

ND SHPO Permitted

TxDOT Precertification
2.8.1 Surveys, Research &
Documentation 2.11.1 Historical &
Archival Research

INDUSTRY TENURE

15 years

HDR TENURE

5 years

OFFICE LOCATION

Dallas, TX

Ms. Keen brings 15 years of experience in historical studies with a particular emphasis on the built environment. She meets the Secretary of the Interior's Professional Qualification Standards for architectural history. Her experience includes architectural and historic sites surveys, National Register of Historic Places (NRHP) eligibility evaluations and nominations, Historic American Buildings Survey (HABS) documentation, Historic American Engineering Record (HAER) documentation, preservation plans, historic structure reports, conditions assessments, and archival research. Ms. Keen has experience on projects in numerous states for Departments of Transportation, the U.S. Army Corps of Engineers (USACE), and a range of energy providers, as well as other governmental and private entities. She has also completed projects requiring Federal Energy Regulatory Commission (FERC) certification. Ms. Keen has been trained and is experienced as a bridge inspection assistant and is a registered Federal Railroad Administration roadway worker.

HDR EXPERIENCE

Alaska Department of Transportation and Public Facilities, Seward Highway MP 25.5–36 Rehabilitation Project Cultural Resources Survey, Kenai Borough Peninsula, Alaska (2015–2016). Architectural Historian. Ms. Keen conducted a reconnaissance level survey of a 3-mile corridor in advance of proposed roadway and related non-motorized facilities improvements. The survey included researching, photographing, and documenting 28 properties. Ms. Keen co-authored the architectural resources section of the report and completed the associated Alaska State Historic Preservation Office (SHPO) historic resource forms.

Alaska Department of Transportation and Public Facilities, South Tongass Highway Deermount to Saxman Rehabilitation Project Cultural Resources Survey, Ketchikan, Alaska (2015–2016). Architectural Historian. Ms. Keen conducted a reconnaissance level survey of a 10.5-mile corridor in advance of proposed roadway improvements, in compliance with NEPA, Section 106 of the NHPA, and AHPA. The survey included researching, photographing, and documenting 20 properties. Ms. Keen authored the architectural resources section of the report and associated Alaska SHPO historic resource forms.

Ameren Environmental Services, Spoon River Transmission Line, Galesburg to Peoria, Knox and Peoria Counties, Illinois (2016). Architectural Historian. Ms. Keen and a colleague

documented standing structures 45-years or older prior to construction of a 46-mile 345 kV transmission line. In total, 59 parcels with architectural resources were surveyed and evaluated for NRHP eligibility, including 259 buildings, 85 agriculture-related structures, and 4 bridges/culverts. Ms. Keen co-authored the report's architecture-related components, including a geography-based historic context and state inventory forms for the properties, which were primarily late nineteenth and early twentieth-century rural farmsteads.

BNSF, Galveston Subdivision Capacity Expansion, Milano to Chriesman, Milam County, Texas (2016). Architectural Historian.

Ms. Keen identified and evaluated two rail-related structures 50 years or older along the corridor. The single-arch brick culvert and double-arch brick bridge were built in 1898–1903 on the Gulf, Colorado and Santa Fe's Main Line between Galveston and Fort Worth.

Canadian National Railway (CN)/Illinois Central Railway, Bonnet Carré Spillway Bridge NRHP Evaluation, St. Charles Parish, Louisiana (2016). Architectural Historian.

Ms. Keen conducted the NRHP evaluation for the bridge, including survey via airboat. The bridge, built in 1934–1935, is a combination timber trestle, plate girder, and I-beam structure, 11,748 feet long. The survey was undertaken in advance of proposed bridge repairs.

CN, Cultural Resources Survey of Illinois Central Railroad Bridge 866.2, McComb Subdivision, Tangipahoa Parish, Louisiana (2016). Architectural Historian.

Ms. Keen conducted the NRHP evaluation for the timber and steel bridge, built c. 1965, and she authored the relevant portions of the associated report. The survey was undertaken in advance of proposed bridge replacement.

Columbia Gas Transmission, A NiSource Company, Central Virginia Connector Project Cultural Resources Survey, Goochland and Louisa Counties, Virginia (2016). Architectural Historian.

Ms. Keen documented standing structures 50-years or older for a project including modifications at two compressor stations and construction of a new greenfield Point of Delivery. In accordance with FERC requirements, Ms. Keen surveyed and evaluated the NRHP eligibility of eight properties in the proposed project's area of potential effects. She authored the report's architecture-related components, including a geography-based historic context, and completed state historic resource inventory forms for the properties, which ranged from an 1850 Baptist church to 1960s-era utility buildings constructed by the client.

Illinois State Toll Highway Authority, Cultural Resources Investigation for the I-294 Mile-Long Bridge Project, Willow Springs, Illinois (2016). Architectural Historian.

Ms. Keen conducted the architectural resources survey for the project, which included

documentation and NRHP evaluation of the bridge itself, built in 1958. Ms. Keen also completed effects determinations on existing NRHP-listed and NRHP-eligible resources in the vicinity of the project.

Minnesota Power, Great Northern Transmission Line NRHP Evaluation, Multiple Counties, Minnesota (2016). Architectural Historian. Ms. Keen worked with a colleague documenting standing structures 45-years or older for a transmission line project extending 220 miles through four counties in northern Minnesota. In accordance with Department of Energy requirements, they surveyed and evaluated approximately 90 structures in the proposed project's right of way for NRHP eligibility. She co-authored the corresponding reports, including a geography- and industry-based historic context for the project, which required a Presidential Permit.

New York State Thruway Authority and New York State Department of Transportation, Tappan Zee Bridge Mitigation Documents, Tarrytown, New York (2015–2016). Architectural Historian. Ms. Keen co-authored the HAER documentation required by the Memorandum of Agreement between the Federal Highway Administration (FHWA), the Advisory Council on Historic Preservation (ACHP), NYSDOT, NYSTA, and the NY SHPO in advance of bridge demolition. Ms. Keen also coordinated the HAER submittal to the National Park Service, including drawings and large-format photographs. In addition, Ms. Keen authored the Education and Interpretive Materials Planning Study Report, also part of the required mitigation documentation.

Northwest Louisiana Council of Governments, Cultural Resources Survey of the Proposed LA 3132 (Inner Loop) Extension Project, Caddo Parish, Louisiana (2016). Architectural Historian. Ms. Keen conducted the architectural resources survey for the project, which included documentation and NRHP evaluation of five semi-rural properties. One property included a YWCA lodge, built in 1930–1931 by local architect Edward F. Neild, Sr.

San Diego Association of Governments (SANDAG), Cultural Resources Technical Report for SANDAG Downtown Multi-Use and Bus Stopover Facility Project, San Diego, California (2016). Architectural Historian. Ms. Keen completed historic building significance evaluations for structures potentially impacted by construction of a proposed transportation facility in downtown San Diego. The four resources, all associated with the city's auto industry development in the 1920s, were evaluated according to California Environmental Quality Act (CEQA) guidelines, and eligibility recommended according to NRHP, California Register of Historical Resources (CRHR), and San Diego Historical Resources Board (HRB) standards.

South Dakota Department of Transportation (SDDOT)/Rapid City, Pierre and Eastern Railroad (RCP&E), Cultural Resources Survey for the Proposed South Dakota Freight Capacity Expansion Project, Philip Siding, Jackson County, South Dakota (2016). Architectural Historian. Ms. Keen completed the historic resources NRHP evaluation for the project, which included one rail segment and three culverts on what was originally the Chicago and North Western Railway (C&NW) Main Line between Tracy, Minnesota and Pierre, South Dakota.

SDDOT/RCP&E, Cultural Resources Survey for the Proposed South Dakota Freight Capacity Expansion Project, Huron, Beadle County, South Dakota (2016). Architectural Historian. Ms. Keen completed the historic resources NRHP evaluation for the project, which included rail segments and one bridge on what was originally the Pierre, Rapid City and North Western Line of the C&NW between Pierre and Rapid City, South Dakota.

Texas Department of Transportation (TxDOT), Bridge Replacement Architectural Project Coordination, Multiple Counties, Texas (2013–2016). Architectural Historian. Ms. Keen conducted surveys, performed evaluations for NRHP eligibility, and completed required TxDOT Project Coordination documentation for Texas Historical Commission (THC) review. She analyzed bridges as well as standing structures 50 years or older in their proximity in anticipation of bridge replacement projects.

TxDOT, Road Improvement Architectural Project Coordination, Multiple Counties, Texas (2013–2016). Architectural Historian. Ms. Keen conducted surveys, performed evaluations for NRHP eligibility, and completed required TxDOT Project Coordination documentation for THC review. She analyzed areas of potential effects in anticipation of road improvement projects.

Utah Department of Transportation (UDOT), Redwood Road Improvements Mitigation, Riverton, Utah (2016). Architectural Historian. Ms. Keen and a colleague conducted an intensive level survey of 28 properties previously determined eligible for NRHP listing and subject to adverse effect by a proposed roadway widening. Mitigation included photographing the standing structures and completing in-depth research on property owners, including chain of title. Ms. Keen co-authored the associated Utah SHPO historic resource forms.

UDOT, Historic Buildings Assessment Update for the Proposed West Davis Corridor Project, Davis and Weber Counties, Utah (2016). Architectural Historian. Ms. Keen and a colleague conducted a reconnaissance level survey of 33 previously unsurveyed properties associated with two alternatives for a proposed new transportation corridor. The survey included NRHP evaluations for 55

buildings and 10 structures.

Williamson County, Proposed CR 101 Road Improvements, Intensive Cultural Resources Survey, Williamson County, Texas (2016). Architectural Historian. Ms. Keen conducted an architectural survey of 16 resources for the project and authored relevant sections of the cultural resources report.

Air Force Civil Engineer Center (AFCEC) Installation Support Team, Midwest Region, Grand Forks Air Force Base Class III Intensive Architectural Resources Survey, Grand Forks, North Dakota (2015). Architectural Historian. Ms. Keen and a colleague conducted an intensive level survey of 46 buildings and structures. The survey included researching, photographing, and documenting the runway and associated infrastructure and other mid-century resources. Ms. Keen also co-authored the architectural resources report.

BNSF, Ravenna Subdivision Capacity Expansion, Pleasant Dale to Milford, Seward County, Nebraska (2015). Architectural Historian. Ms. Keen identified and evaluated 11 standing structures 50 years or older along the 5.9-mile corridor, including seven resources associated with the early twentieth century rail line. She co-authored the cultural resources report, including the historic context, and completed the associated NE SHPO inventory forms.

Bowman Consulting, La Cima Development Cultural Resources Survey, Phase I, Hays County, Texas (2015). Architectural Historian. Ms. Keen identified and evaluated two agriculture-related properties with resources from the 1940s on parcels totaling 1,250 acres. She co-authored the cultural resources report, including the historic context.

Central Federal Lands Highway Division, Federal Highway Administration, Lefthand Canyon Drive Flood Repairs Cultural Resources Survey, Boulder County, Colorado (2015). Architectural Historian. Ms. Keen and a colleague conducted a survey of buildings, structures, a roadway, and water-diversion resources along a 10-mile stretch of Lefthand Canyon Drive in Boulder County related to flood repairs initiated as part of the Colorado Emergency Relief Fund. She conducted research and helped prepare architectural descriptions, photo documentation, and the cultural resources report.

Federal Highway Administration (FHWA), SH 49 Road Improvements Intensive Cultural Resources Survey, Comanche County, Oklahoma (2015). Architectural Historian. Ms. Keen completed historic structures surveys in support of road improvements for two sections of SH 49 totaling 3.5 miles at the eastern end of the Wichita Mountains Wildlife Refuge near Medicine

Park, Oklahoma. She co-authored the cultural resources reports, including the historic contexts, and completed the associated OK SHPO inventory forms.

Metrolink, Cultural Resources Technical Report for Metrolink Bridges 438.62 and 438.89, Ventura Subdivision, Simi Valley, California (2015). Architectural Historian. Ms. Keen authored an NRHP evaluation for two rail bridges constructed c. 1901, with 1930s modifications, originally built by the Southern Pacific Company for its Southern Pacific Coast Line service. Work was conducted in anticipation of bridge replacement and completed in accordance with CEQA guidelines.

Oncor, Hicks to Elizabeth Creek 15.8-mile 138 kV Transmission Line Intensive Cultural Resources Survey, Tarrant and Denton Counties, Texas (2015). Architectural Historian. Ms. Keen identified and evaluated three standing structures 50 years or older along the 15.8-mile transmission line project. She authored the architectural resources section of the report, including the historic context.

TNMP, Westminster 3.7-mile 138 kV Transmission Line Intensive Cultural Resources Survey, Collin County, Texas (2015). Architectural Historian. Ms. Keen identified and evaluated six standing structures 50 years or older along the 3.7-mile transmission line project. She authored the architectural resources section of the report, including the historic context.

U.S. Bureau of Reclamation, Hammond Irrigation District Class III Cultural Resources Survey, San Juan County, New Mexico (2015). Architectural Historian. Ms. Keen identified and evaluated for NRHP eligibility seven buildings and all infrastructure associated with the 36.2-mile Hammond Irrigation District. She co-authored the historic resources section of the report and completed the associated New Mexico SHPO historic resource (NMCRIIS) forms.

U.S. Customs and Border Protection, Carrizo Springs Traffic Checkpoint Intensive Archaeological Survey, Carrizo Springs, Texas (2015). Architectural Historian. Ms. Keen authored the historic context for the archaeological resources report.

Utah Department of Transportation, Redwood Road Improvements Historic Resources Survey, Riverton, Utah (2015). Architectural Historian. Ms. Keen and a colleague conducted a reconnaissance level survey of a 1.38-mile corridor in advance of proposed roadway widening and other improvements. The survey included researching, photographing, and documenting 205 buildings on 90 parcels. Ms. Keen co-authored the historic resources report and associated Utah SHPO historic resource forms.

BNSF, Rail Communications Towers Background Investigations, Phase 1, Multiple States (2014–2015).

Architectural Historian. Ms. Keen conducted literature and background searches to identify all archaeological and historical resources within areas of potential effects prior to construction of more than 30 railroad communications towers in Arizona, Arkansas, Minnesota, Oregon, and Texas. Research and resultant reports supported submission of Tower Construction Notification System/E-106 filings with the Federal Communications Commission (FCC).

Renewable Energy Systems Americas, Inc., Iron Horse Wind Farm Intensive Cultural Resources Survey, Phase 1B and Supplement, Ford and Gray Counties, Kansas (2014–2015).

Architectural Historian. Ms. Keen evaluated two 1920s farmsteads for NRHP eligibility in support of a proposed 360 MW, 100-turbine wind farm. As part of the project, she also researched and authored the report's historic context.

Columbia Gas Transmission, A NiSource Company, Tri-County Bare Steel Replacement NRHP Evaluation, Multiple Counties, Pennsylvania (2014). Architectural Historian. Ms. Keen documented standing structures 50 years or older for a gas pipeline project extending 31 miles through three counties in southwestern Pennsylvania. In accordance with FERC requirements, Ms. Keen surveyed and evaluated 83 structures in the proposed project's right of way for NRHP eligibility. She authored the corresponding report, including a geography-based historic context, and completed 68 PA SHPO (BHP/PHMC) state historic resource inventory forms.

NAVFAC Southwest, Camp Pendleton Architectural Survey, Oceanside, California (2014). Architectural Historian. Ms. Keen worked on a team that surveyed 195 and resurveyed 653 buildings and structures at Marine Corps Base Camp Pendleton for NRHP eligibility. She also conducted archival research in support of the project.

NextEra Energy Resources, Mammoth Plains 200 MW Wind Farm Intensive Cultural Resources Survey, Dewey and Blaine Counties, Oklahoma (2014). Architectural Historian. Ms. Keen evaluated ten architectural resources for NRHP eligibility in support of a proposed 200 MW, 130-turbine wind farm. She authored the architectural resources section of the report, including the historic context.

Renewable Energy Systems Americas, Inc., Origins 200 MW Wind Farm Intensive Cultural Resources Survey, Phase 1B, Carter and Murray Counties, Oklahoma (2012, 2014). Architectural Historian. Ms. Keen evaluated four agriculture-related resources, one domestic resource, and a cemetery for NRHP eligibility in support of a proposed 200 MW, 75-turbine wind farm. As part of the project, she also researched and authored the report's historic context.

USACE, Able Pump Station Architectural Recordation, Dallas,

Texas (2014). Architectural Historian. As mitigation for the proposed demolition of a 1929/1953 pump station on the Trinity River, Ms. Keen photographed Able Pump Station and documented its design, function, and historical significance to HABS/HAER standards.

North Dakota Department of Transportation (NDDOT), Killdeer Truck Bypass Cultural Resource Inventory, Class III, Dickinson, North Dakota (2013-2014). Architectural Historian. Ms. Keen led a field survey and evaluation of 29 properties with subsidiary structures 50 years or older for NRHP eligibility. She also researched and authored the associated historic context and helped develop an iPad-based field inventory system to facilitate completion of ND SHPO (SHSND) inventory (NDCRS) forms.

Texas Department of Transportation (TxDOT), Fracture-Critical Bridge Inspections, Multiple Locations, Texas (2013–2014). Bridge Inspection Assistant. Ms. Keen assisted in the assessment and documentation of 12 fractural-critical bridges in Dallas, Fort Worth, Houston, Llano and Port Arthur, Texas, and near Logansport, Louisiana. Bridges were primarily truss, tub girder, and plate girder types and required close examination for potential cracks, stress points, and deteriorating conditions.

Coastal Protection and Restoration Authority, Mid-Barataria Sediment Diversion Project Cultural Resources Survey, Phase I, Plaquemines Parish, Louisiana (2013). Architectural Historian. Ms. Keen completed research of primary and secondary source materials and authored the report's historic context, which focused on the eighteenth and nineteenth century ownership of a sugar plantation in Plaquemines Parish. St. Rosalie Plantation is notable for its ownership by Andrew Durnford, a free man of color, beginning in 1828 and continuing until his death in 1859.

Louisiana Department of Wildlife and Fisheries, Marine Fisheries Enhancement, Research, and Science Center Cultural Resources Survey, Phase I, Calcasieu Parish, Louisiana (2013). Architectural Historian. Ms. Keen conducted parcel research and authored the report's historic context in support of a proposed fisheries facility. The context focused on prior land use of the parcel and the development of the neighboring Intracoastal Waterway.

North Dakota Department of Transportation (NDDOT), Dickinson Grade Separation - Option 5 Architectural Survey Addendum, Dickinson, North Dakota (2013). Architectural Historian. Ms. Keen completed a field survey and NRHP eligibility evaluation of a 1950s residential neighborhood (24 properties) necessitated by NDDOT's proposed extension of a two-lane road in support of a rail grade separation project on Dickinson's west side. She also conducted historical research and completed associated ND SHPO inventory forms.

North Dakota Department of Transportation (NDDOT), Dickinson Grade Separation Survey, Dickinson, North Dakota (2013).

Architectural Historian. Ms. Keen completed a field survey and evaluation of commercial structures, single- and multi-family dwellings, and rail lines (15 structures) for NRHP eligibility in support of a proposed rail grade separation project on Dickinson's west side. The project called for elevating State Avenue above existing rail lines to alleviate traffic congestion. She also completed associated ND SHPO inventory forms.

Red River Archaeology for Oklahoma Department of Transportation (ODOT), Cayuga Road Cultural Resources Survey, Phase I, Ottawa County, Oklahoma (2013).

Architectural Historian. Ms. Keen evaluated 30 standing structures for NRHP eligibility in support of a proposed road improvement project southeast of Wyandotte, Oklahoma. Resources included standing structures and a cemetery associated with the Society of Friends' administration of the Seneca Reservation in the 1870s. Ms. Keen also completed associated OK SHPO (OHS) inventory forms.

Red River Archaeology for ODOT, Nixon Road Cultural Resources Survey, Phase I, Coal County, Oklahoma (2013).

Architectural Historian. Ms. Keen evaluated 13 mid-twentieth century resources for NRHP eligibility in support of a proposed road improvement project west of Coalgate, Oklahoma. She also completed associated OK SHPO inventory forms.

Renewable Energy Systems Americas, Inc., Longhorn Wind Farm Project Intensive Cultural Resources Survey, Briscoe and Floyd Counties, Texas (2013).

Architectural Historian. Ms. Keen evaluated ten agriculture-related and domestic resources for NRHP eligibility in support of a proposed 200 MW, 100-turbine wind farm. As part of the project, she also researched and authored the report's historic context.

Southern Star Central Gas Pipeline, Southern Star GMV-4 Compressors NRHP Evaluation, Tonganoxie, Kansas (2013).

Architectural Historian. Ms. Keen documented four GMV-4 Cooper-Bessemer natural gas compressors and evaluated their NRHP eligibility in accordance with FERC requirements. FERC approval of the assessment was required and received prior to abandonment of the compressors in place.

U.S. Customs and Border Protection, U.S. Land Port of Entry Cultural Resources Survey, Multiple Locations, North Dakota (2012-2013).

Architectural Historian. Ms. Keen completed field surveys and NRHP eligibility evaluations of the standing structures at three land ports of entry along the northern border in North Dakota to help satisfy CBP's Section 110 responsibilities. She also researched the properties and their historic contexts, completed associated

SHSND NDCRS forms, and authored the project report.

City of Abilene, Cedar Ridge Reservoir Intensive Survey, Phase 1B, Shackelford County, Texas (2012). Architectural Historian. Ms. Keen evaluated a 1935 dam designed by Hawley, Freese, and Nichols for its NRHP eligibility. She completed extensive archival research in addition to field documentation.

Canadian Pacific Railway, Oslo Swing Bridge Historical Documentation, Marshall County, Minnesota, and Walsh County, North Dakota (2012). Architectural Historian. Ms. Keen performed archival research and authored the report to accompany large-format photographs taken of a 1905 swing bridge over the Red River of the North originally associated with the Soo Line. Reports were submitted to the State Historical Society of North Dakota and the Minnesota Historical Society. She also assisted the photographer on site and approved photograph content. Project was subject to a USACE permit for the bridge rehabilitation.

Natural Resources Conservation Service, Logan Northern Canal EIS, Intensive Level Survey, Logan, Utah (2012). Architectural Historian. Ms. Keen conducted an intensive level survey of a mid-century modern home for the Logan Northern Canal Reconstruction project area. She surveyed and photographed the exterior and interior of the building, collected historical information including original plans, and authored mitigation documentation.

Southern Star Central Gas Pipeline, Southern Star Line V Retirement Historical Documentation, Multiple Counties, Oklahoma (2012). Architectural Historian. Ms. Keen documented the 20-inch pipeline extending more than 110 miles through four counties in northern and central Oklahoma. In accordance with FERC requirements, Ms. Keen surveyed and photographed ten standing structures associated with the pipeline and evaluated the entire line for NRHP eligibility. She authored the corresponding report and completed the OK SHPO inventory forms.

Union Pacific Railway, Rail Bridge Architectural Survey and Preliminary Evaluation, Odessa, Texas (2012). Architectural Historian. Ms. Keen conducted a field survey of a railroad bridge located on the outskirts of Odessa and performed a preliminary evaluation for NRHP eligibility in anticipation of bridge replacement.

U.S. Customs and Border Protection, U.S. Border Patrol Station Architectural Survey, Lordsburg, New Mexico (2012). Architectural Historian. Ms. Keen completed a field survey and NRHP eligibility evaluation of the ten standing structures at the 1960s-era border patrol station in Lordsburg, New Mexico, to help satisfy CBP's Section 110 responsibilities. She also researched the property's historic context, completed the NM SHPO inventory forms, and authored the project report.

State of Alaska, Gravina SEIS Architectural Survey, Ketchikan, Alaska (2011-2012). Architectural Historian. Ms. Keen conducted a field survey and evaluation of 50 buildings potentially affected by proposed alternatives for transportation connections between Gravina Island, site of Ketchikan International Airport, and Ketchikan, located on Revilla Island. She also completed the associated AK SHPO inventory forms.

BNSF, Rail Bridges Architectural Survey and Evaluation, Multiple States (2011-2012). Architectural Historian. Ms. Keen conducted a field survey of five railroad bridges located on the Mississippi and Missouri rivers and evaluated the resources for NRHP eligibility and effects of FEMA-funded security upgrades. She completed state historic resource inventory forms as required for North Dakota, Iowa, and Missouri SHPOs, and reports were submitted to the appropriate federal agency for review.

Oncor, Clear Crossing-Graham 65-mile 345 kV Transmission Line Survey, Phase IB, Young, Throckmorton and Haskell Counties, Texas (2011-2012). Architectural Historian. Ms. Keen identified three standing structures 50 years or older along the 65-mile transmission line project and evaluated resources for NRHP eligibility. In addition, she authored the report's historic context, encompassing county histories, settlement patterns, and local ranching industry.

Oncor, Graham-Willow Creek 45-mile 345 kV Transmission Line Survey, Phase IB, Wise, Jack and Young Counties, Texas (2011-2012). Architectural Historian. Ms. Keen identified ten structures 50 years or older along the 45-mile Graham-Willow Creek transmission line project and evaluated resources for their eligibility for inclusion in the NRHP. She also authored the report's historic context, encompassing county histories, settlement patterns, and local ranching industry.

ENCLOSURE 2

HEI-26126

Ms. Diana Wood
Surface Transportation Board
Office of Environmental Analysis
Washington, DC 20423

25 June 2017

Re: May 30, 2017 Draft Resolution Plan on SGR Right-of-Way
STB Finance Docket No. 34284

We received the draft resolution plan from David H. Coburn, attorney for SGR and first have questions on the letter and attachments.

1. Where is the draft introduction page with names, locations, etc. as was in February 2017 letter? Who did the study and preparation? Are signatures needed?
2. In general, maps are too small and difficult to note the full details. Some map details are hidden with posted small route sketches. Road numbers are very dim and blurry.
3. Programmatic Agreement (Appendix A) is blank. Should it read "see B-4"? as old agreement?
4. On August 12, 2016 Programmatic Agreement, page B-4, it indicates SGR seeks to construct and operate approximately 9 miles of single-track railroad while in project description on page 2 it is planned to extend for approximately 12.04 miles. The May 20, 2015 HDR letter from Clayton Tinsley to STB, page 1, denotes a new rail line of 14.53 miles.
5. The Texas Historical Commission letter of Justin Kockritz, Historian, is printed poorly and is difficult to read.
6. The 81 environmental mitigation measures should be included for quick reference
7. Each archeological site noted or enumerated should include Voluntary Mitigation Measures 2d, 2f, and 2g to insure high water protection. Elevated rail beds can change drainage and/or damming of waters that result in damage to the site..

New circumstances appear daily in UQRHD as SGR now has two quarry neighbors. The first road west, CR 351, has a new quarry, and the first road east, CR 265, is a new quarry under construction and is to be on line by winter 2017. These 3 quarries do directly add to the sum of undesirable effects. Three quarries produce traffic problems (safety, egress, ingress, safety waiting, noise, etc.). Three quarries produce added road repairs, road construction, and drainage, and also added enforcement. Added fencing, gates, wells, water lines for livestock will be needed. We must realize that the planning of a 50-year railroad must reflect the past and the future. The 2003 fifty-year SGR plans have substantially changed and are new and precarious. We are asked to review 20 years of folly with incomplete plans that have major impact. As relayed in the past, local citizens do know that a railroad plus a Martin-Marietta quarry was installed in Medina county, and is now operating in about 5 years with little or no major objections.

Because the proposed project has whole power to effect the UQRHD, so other properties such as egress and ingress to the area should be considered. The trains entering and leaving the SGR loading loop could block a county road 353 twice in about 1 mile with

train lengths 1- 1.25 miles long. Total crossing time of this road could easily be 6 -15 minutes or more with each train, which is up to 24-60 minutes daily. SGR via Sgrr.com tells their local partnership "unit trains are expected to travel at an average speed of 20-25 mph and clear road crossings in approximately 3-4 minutes". The total roads crossed by each train trip is 18 (11 private +7 named roads). The three quarries could easily add over 500 truck trips daily. This sum of traffic does make an impact on this area. Simple landscape will not solve a fraction of the problems.

The planning and implementation of systems of vegetative buffers is very weak, undefined, and a makeshift solution. I would hope we are seeking sound 50+ year solutions and not just a token of greenery. The burden of care and the charge for this concealment would be left to owners while the problems still exist. This will not be effective.

The Resolution of Adverse Effect strategies appear less than sincere when offering to disseminate the problems with project booklets. Will these booklets subjects include pollution, eminent domain, covenants, road safety, etc.? These booklets should tell the real story and record this for time. Any story should be publicized and authenticated..

"Well, we know what ugliness is and the processes that create it. In the haste to gain material welfare we have forgotten, or chosen to forget; and the bill has now come due" by Freeman Tilden in Interpreting Our Heritage. SGR continues to fail to offer exact, sound, and workable solutions to save UQRHD eligibility for the National Register of Historical Places. Avoidance of the historical area by the proposed SGR or abandonment of the proposed SGR to save this Quihi-New Fountain Historic District and the archeological area is paramount to preserve Medina county part of Texas history.

cc: Texas Historical Commission
Justin Kockritz
P. O. Box 12276
Austin, Texas 78711-2276
cc: Advisory Council on Historic Preservation
Charlene Dwin Vaughn, AICP
401 F street Northwest, suite 308
Washington, DC 20001-2637

Lester R. Landrum
Joyce M. Landrum
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HEI-26122

June 13, 2017

Diana Wood
Office of Environmental Analysis
395 E Street
Washington, DC 20423

Re: Draft Resolution Plan/Southwest Gulf Railroad

Ms. Wood:

Being an active member of the Medina County Historical Commission and a member and past officer of the Quihi & New Fountain Historical Society, I find it amazing that so little value is given to historical areas, landmarks and artifacts by developers and industry. If there is a profit to be made by developing property around and over anything historical, they will work out a way to get around the protection afforded the valued historical element. Such is the case with the Quihi-New Fountain and Upper Quihi area of Medina County, Texas. The Southwest Gulf Railroad and their rail spur to transport quarried limestone material from the quarry located in upper Quihi to a junction with the Union Pacific Railroad at Dunlay, Texas, will travel over one of the most valued historical areas in the state of Texas. Most all of Texas has historical value, but this area is as premier as it can get. It is deemed to be eligible for the National Register of Historical Places.

There were several rail routes proposed for the SGR spur and the one chosen by SGR is the second worst route. The only logical route with the least damaging effect on the Upper Quihi area would be the route connecting the quarry site to the Old Medina Lake Dam rail line site to the Dunlay station route.

Overall, all the surveyed routes are damaging, but this route would be the better choice. The noise, dust and sight of a train hauling limestone rock product through this area is appalling, but if it is to be, use the least offensive route.

Thank you for allowing the public in the Quihi & New Fountain area of Medina County to express their concerns and wishes.

Sincerely,



Scott & Jacque Conrad

cc: Medina County Historical Commission
Texas Historical Commission
Advisory Council on Historical Preservation

HEI-26129

617 Broadway Street
Marble Falls, TX 78654

June 27, 2017

Diana Wood
Office of Environmental Analysis
395 E Street SW
Washington, DC 20429

Dear Ms. Wood:

Having been involved in the SGR matter for some years, and having done prehistoric and historic archaeology in and around Quihi during this time, I appreciate the opportunity to offer my comments on "Draft Resolution Plan Comments (DRP), Southwest Gulf Rail Spur, Finance Docket 34284." I want to thank you for emailing me a copy of this document a couple of weeks ago.

Let me offer these following observations and comments:

I assume the THC/SHPO will be the agency to provide on-the-ground approval and verification of the mitigation efforts by SGR, and that THC will send representatives who are knowledgeable archaeologists, architects, and historians -- with an appreciation of the antiquity and history of the region, to carry out such verifications. For a contracted firm to tell the THC that "we've finished the eligibility testing" or "mitigation" without ground-truthing by the SHPO would be a gross dereliction of their duty to protect Texas' cultural resources.

It is an annoyance, and evidence of a lack of concern for credentials or scholarship by persons who contribute to this DRP to remain unnamed, either as authors or as representatives of their firms.

This is a DRP document that will need much more work on behalf of all parties. The present document is repetitive, lacks detail, and makes all sorts of promises (by SGR) which the ACHP/SHPO must verify over the long-run. After SGR uses eminent domain (I presume) to secure property to which access was forbidden, detailed survey data will have to be evaluated at the level found in the present DRP.

It is useful to have Table 1, to list the adverse and potentially adverse effects of building the railroad. It is heartening to see that the SHPO has stated that several properties will be adversely impacted, and it is up to them, the ACHP, and other regulatory agencies to see that these impacts are eliminated.

In reviewing some of the recommendations for the archaeological sites, it is obvious that the significance of some have been substantially understated.

For site 41ME261 (p. 6) it is stated that this is a "Transitional Archaic Period" site. One presumes that such a designation comes from Turner, Hester and McReynolds (2011:51), as other Texas chronologies do not use this terminology. In reviewing the site descriptions and artifacts illustrated for site 41ME261 in the Feb.2017 survey report by Fullerton, et al. The Darl point (Fig. 4-69) supports the Transitional Archaic label. The Early Triangular (?) point in Fig. 4-70 would push potential occupations back to the early Middle Archaic. The "knife" (a term for bifaces not used by Texas archaeologists in serious typology since the 1960s-1970s) is a bifacial perform, badly damaged and without chronological link. The site clearly deserves the recommended testing program.

41ME260: survey must be finished, as at 41ME261. Illustrations for 41ME260 (pp. 92-93) of the report illustrate an Edwards arrow point (Fig. 4-39), and a possible mid-section of a Paleoindian St. Mary Hall point (Figure 4-36). The large biface shown in Fig.4-45 may well be a "trade" blank, but it may also be representative of a cache at this site given the flaking and technology. This site needs further exploration.

41ME264: lack of access to 6 acres must be resolved.

41ME263. Though not recommended for testing, the artifact illustrated in Fig.4-6 of the report is a perform for a Scallorn (maybe even Edwards) point. It is not Early Triangular, and patination is no reliable indicator of age! The point shown in Fig. 4-4 is an unfinished Castroville point/very late stage perform and is not related to the Calf Creek series types noted in the description.

Even "deflated ridges" deserve attention; in the Quihi area, they are a large part of the archaeological landscape. More attention to "ridge top" sites would enhance our knowledge of the Quihi-area archaeological landscape.

41ME266. The cores (mistakenly called "choppers") on p. 58 could relate to any time period? They reflect a lithic procurement or processing site as indicated in the survey report. The "chopper" thought to perhaps be a Late Archaic Kerrville Biface (Turner et al. 2011:235 provide this terminology) is either not illustrated, and neither of the "choppers" shown resemble this tool form. To find a Kerrville Biface in this region would reflect that it is beyond its normal range.

Lithic processing sites have traditionally been ignored by many Texas archaeologists, often described as “quarries”. With few exceptions there have been no reports of merit, particularly in the Quihi area, where the Uvalde gravels are so common. More attention to this type of neglected, but important, site form might well render it “eligible” in the ACHP sense.

41ME262. Survey of the site area needs completion. Yet another “ridge top” site ignored, while the potential for an “open campsite” calls for “presumed NRHP” eligibility.

Other relevant archaeological notes:

The archaeologists and planners need to keep in mind the range of types and time ranges found in the Quihi area. The Mangold collection, which I have documented in detail ranges from Folsom to Perdiz (the entire sequence) and came from a “gravel ridge” (41ME132). It even had a piece of obsidian that came from western Mexico, which I published several years ago.

Additionally, I have had an opportunity to examine a collection from the Vulcan Quarry area, a locality which I believe never received archeological survey. Among the artifacts found across the landscape in the Quarry property were Paleoindian point fragments (including St. Mary’s Hall), and a range of Archaic Types, including Gower, Nolan, Ensor and Frio. Also found were formal tools, such as a unifacial Clear Fork tool typical of the Early Archaic, and an end scraper characteristic of the Late Prehistoric Toyah phase. There were also Archaic performs, as well as a unique smoothed and polished quartzite round disk, grooved all the way around. It is about 11 mm wide.

It puzzles me why the recent survey found so few, if any, formal tools? I have been on parts of the proposed rail lines many times, and find it unusual not to pick up a distinctive Guadalupe tool (Turner et al. 2011:234-235). These date to the Early Archaic and occur across the landscape. Equally distinctive and fairly common are bifacial Clear Fork tools of Paleoindian age (Turner et al. 2011:225-226

Turning to the Historic sites, it is obvious to the informed and concerned citizens that there remains no comparable constellation of buildings of the mid-19th century anywhere in the broad region. The UQRHD receives little respect in the building of this one-purpose commercial railroad (er, “common carrier”). This lack of historical appreciation and significance is further applied to similar buildings that lie near, but outside the Historic District.

Having lived in Medina County for 15 years, and looked at and excavated the dwellings of early settlers in Medina, Uvalde, and Bandera Counties, there is to my mind nothing at all comparable to the UQRHD

I have a few comments on the Historic sites:

HDR-AR06, FM2676

Having seen, and dug, dog-run cabins, I think this was originally a dog-run. Rather than "missing a bay", I think it was modified at that end, as sometimes happens on dog-run structures. The structure needs to be excavated...at least the foundation exposed sufficient to confirm it was a dog-run...or if it wasn't.

Additionally, the building needs much stabilization, which should be, at a minimum the mitigation responsibilities of SGR under supervision of Historic architects.

In dealing with all of the threatened structures, there is this repetitive blather as to the "resolution of adverse effect, most of which is useless in terms of mitigative efforts. SGR should re-engineer those parts of the line which can be moved farther away from structures. "Vegetative buffers" are long-term efforts, especially if the "buffers" are to be regionally-specific trees. This seems like a good, but silly, mitigative effort. The damage from trains will have already been done before an appropriate buffer can grow up!

A "booklet" for the UQHRD is a silly idea as well. I have been involved with much, much larger projects in which the sponsor was obligated to prepare a "booklet". These were usually poorly done and pathetic. Richland Springs may be an exception.

What is more appropriate is the production of a well-printed book in sufficient numbers for large-scale distribution (minimum 3000 copies). It should balance history, prehistory and abundant illustrative material...as well as photos showing the impact of SGR activities. A real, non-revisionist treatment!

I thought the context issue was settled years ago when 2 THC/THC-hired staffers did an excellent record of the threatened structures in the area. It is pure bull to say that such a "context" could be used to "assess remaining Alsatian (and German; East Frisia) properties in the region. This "context" is a pie-in-sky concept that would never be implemented...or circulated except in big 3-ring notebooks. It would provide a great outlet for revisionist history of Alsatian settlement.

The Steinbach House is totally ill-equipped in terms of space and facilities needed to preserve and conserve materials in reasonable fashion. What would be needed is a temperature-controlled, secure facility in which the heritage of the Quihi settlement can be both archived and displayed in planned exhibits. Placing archives and artifacts in

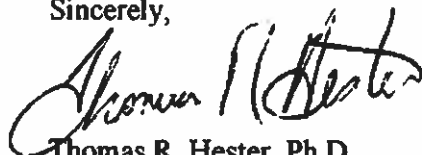
Castroville might be appropriate given better access and the presence of related conservation organizations. Of course, the Steinbach Haus is devoted to Alsatian Culture, while most of the residents of Quihi immigrated from Germany.

The DRP needs incredible additional effort (some of which is in the scholarly realm) and realistic, contracted commitments of funds if there is to be a true "resolution of the (many) adverse effects."

In closing, I basically evaluate the DRP to be a minimal and hastily done document. The final resolution plan must take into account the results of mitigative efforts at sites and structures... and do so in a sound and much more detailed fashion.

Again, thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas R. Hester". The signature is fluid and cursive, with the first name "Thomas" being more prominent and the last name "Hester" following in a similar style.

Thomas R. Hester, Ph.D.
Professor of Anthropology, emeritus
The University of Texas at Austin

HEI-26130

Wood, Diana

From: Alyne Fitzgerald <afitzgerald100@gmail.com>
Sent: Wednesday, June 28, 2017 5:22 PM
To: Wood, Diana
Cc: cvaughn@achp.gov
Subject: Letter to Surface Transportation Board
Attachments: 20170612 letter to STB on Quihi Railroad.pdf; STB SGR Quihi Proposal Strickler.docx

Dear Ms. Wood

Enclosed with this letter of explanation are two individual letters regarding the Draft Resolution Plan for Southwest Gulf Railroad's single-track railroad's impact on the Upper Quihi Rural Historic District (UQRHD) FD 34284. These letters were sent to MCEAA and we, as recognized consultants, are forwarding them to you for consideration in formulating the Final Draft Resolution Plan. These letters illustrate the public's interest and deep concern about the flawed DRP.

Mr. Tom Strickler is a member of MCEAA and Mr. Patrick Connor is a past Board Member of Castroville Conservation Society and is writing on CCS behalf. Both. We believe they should be admitted for consideration as part of MCEAA's recognized status with the STB.

Thank you for your attention to these additional comment.

Respectfully,

Dr. Robert Fitzgerald

Patrick Conner, Past Board Member,
Castroville Conservation Society
811 Washington St., Castroville, TX 78009
June 15, 2017

Ms. Diana Wood,
Office of Environmental Analysis
Surface Transportation Board
395 E. Street SW
Washington, DC 20423

Re: Southwest Gulf Railroad Company Construction and Operation of Proposed Single-Track Railroad, Medina County, Texas
- STB Finance Docket No. 34284 -
Draft Resolution Plan to Resolve Adverse Effects to Historic Properties - May 30, 2017

Dear Ms. Wood,

The Castroville Conservation Society wishes to thank you for the opportunity to express our opposition to the Southwest Gulf Railroad Company's (SGR) Draft Resolution Plan (DRP) to Resolve Adverse Effects to Historic Properties of May 30, 2017.

The Quihi Community is a defining and perpetual part of Castroville's history. As such; The Castroville Conservation Society is dedicated to the preservation of historic buildings, archaeological sites, objects, places and customs relating to the architecture and history of Castroville as well as those in the Quihi Community.

The Castroville Conservation Society stands with the Upper Quihi Rural Historic District (UQRHD) in our mutual commitment to keep Castroville's and Quihi's unique historic buildings and archeological sites intact, in an effort to keep the history of our intertwined communities vibrant.

SGR's current DRP to construct a rail line through the middle of Upper Quihi Rural Historic District (UQRHD) and other historic and archeological sites is totally unacceptable.

All of the current proposed rail line options listed in SGR's DRP create severe adverse effects for a majority of the historic buildings and other historic and archeological sites, identified by the Texas Historical Commission as eligible for placement on the National Register of Historic Places (NRHP).

The construction of any of these currently proposed DRP rail line options create an adverse effect by preventing the registration and placement of these historic buildings and sites on the NRHP.

The UQRHD has been pursuing this designation for a long time. This designation recognizes Quihi as a place of historical importance for future generations.

If we have no knowledge of our past, we have no direction for our future.

These historic buildings and sites greatly improve the quality of life, increase economic stability and help retain the unique history of Quihi, our sister community.

"PROGRAMMATIC AGREEMENT

Among

THE ADVISORY COUNCIL ON HISTORIC PRESERVATION, THE SURFACE TRANSPORTATION BOARD, THE TEXAS STATE HISTORIC PRESERVATION OFFICER, AND SOUTHWEST GULF RAILROAD

Regarding

SOUTHWEST GULF RAILROAD COMPANY CONSTRUCTION AND OPERATION OF THE PROPOSED SINGLE-TRACK RAILROAD IN MEDINA COUNTY, TEXAS

Executed December 18, 2015 And Amended and Executed August 12, 2016

IV. Resolution of Adverse Effects

A. Prior to the initiation of construction of any portion of the rail line that might adversely affect an historic property or archeological resource, SOR will develop, in consultation with the STB and the SHPO, an effects resolution plan (Resolution Plan) developed in accordance with 36 C.P.R. § 800.6 that will include, but not be limited to the following:

1. Strategies proposed to avoid, minimize, or mitigate effects of the undertaking with an emphasis on avoiding, where possible.

The current proposed DRP is in violation of the current 'agreed to items' in this Program Agreement (PA), since no routes are included in this DRP that **avoid** the historic buildings and archeologic sites.

The Environmental Impact Statement (EIS) for this project, shows proposed construction of two (2) rail line options that **avoid** most of the historical buildings and sites in this area. These two EIS lines are located to the east of the lines described in this DRP. These two proposed lines **are possible** as documented in the EIS, however are not included in the current DRP.

Please accept our respectful request for you to enforce the following '*agreed to item*' "Strategies proposed to avoid, minimize, or mitigate effects of the undertaking with an **emphasis on avoiding**, where possible;" of the PA, by including the MCEAA Medina Dam Route, as identified in the EIS, as the option to **avoid** adverse effects of this proposed rail project.

The Castroville Conservation Society respectfully, but emphatically opposes the current DRP which proposes construction of a rail line through the middle of the Upper Quihi Rural Historic District. This rail line will prevent the UQRHD from becoming part of the National Register of Historic Places.

Again thank you for this opportunity to express our concerns. I will be glad to answer any questions and provide further information if requested.

The Mission, Vision and Activity Statements form the foundation of the Castroville Conservation Society and can be found on our webpage <http://castrovilleconservationsociety.weebly.com/>

Sincerely,
Patrick Conner

Digitally signed by Patrick Conner
Date: 2017.06.28 13:53:47 -05'00'

Tom Strickler

1051 CR 367 Hondo, TX 78861

210-379-9426 tom.strickler@sbcglobal.net



June 15, 2017

Diana Wood
Surface Transportation Board
Office of Environmental Analysis
395 E Street SW
Washington DC 20423

Dear Diana Wood,

Southwest Gulf Railroad (SGR) has submitted a Draft Resolution Plan (DRP) to your office requesting approval to build a railroad spur through the Upper Quihi Rural Historic District (UQRHD). I urge you to reject this DRP since a railroad in my opinion would endanger the historical structures in the area as well as jeopardize any future archaeological discoveries. I believe these adverse effects would happen in spite of any mitigating measures proposed by SGR.

Your office has already approved two alternative routes to SGR that would avoid the UQRHD. SGR should take your recommendation and thus preserve the unique history of rural Texas farm life for future generations.

Sincerely,

Tom Strickler

CC: Texas Historical Commission and Advisory Council on Historic Preservation



4E1-26133

June 28, 2017

Office of Environmental Analysis
Surface Transportation Board
395 E Street, SW, Room 1110
Washington, DC 20423-0001

ATTN: MS. DIANA WOOD

EMAIL: DIANA.WOOD@STB.GOV

RE: DRAFT RESOLUTION PLAN FOR SOUTHWEST GULF RAILROAD RIGHT-OF-WAY

DEAR MS. WOOD:

IN REGARD TO THE DRAFT RESOLUTION PLAN FOR SOUTHWEST GULF RAILROAD
RIGHT-OF-WAY REPORT, I DO NOT BELIEVE PLANTING TREES IS THE RIGHT-WAY-
TO-GO TO SAVE THE UPPER QUINCY HISTORICAL DISTRICT.

I REQUEST THAT THE SOUTHWEST GULF RAILROAD BE ABANDONED.

I REQUEST THAT I REMAIN AS A CONSULTING PARTY. THANK YOU!

RESPECTFULLY,



MADELYN SCHOTT
19903 BANDERA RD
HELOTES, TX 78023
MASHELOTES@AOL.COM

CF: TEXAS HISTORICAL COMMISSION, EMAIL: THIC@THC.TEXAS.GOV
ADVISORY COUNCIL ON HISTORIC PRESERVATION, EMAIL: ACHP@ACHP.GOV

HEI-26134

TEXAS HISTORICAL COMMISSION
real places telling real stories

June 29, 2017

Diana Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: *Project Review under Section 106 of the National Historic Preservation Act, Draft Resolution Plan, Southwest Gulf Railroad, Medina County, Texas (STB/106, THC #201707114) (See also THC Track #201704530)*

Ms. Wood:

On May 30, 2017, we received the *Draft Resolution Plan for the Southwest Gulf Railroad Company Construction and Operation of the Proposed Single-Track Railroad*, in accordance with the December 2015 Programmatic Agreement for the project. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

The review staff, led by Casey Hanson, Justin Kockritz and Sara Ludueña, has completed its review of the Draft Resolution Plan which lays out proposed minimization and mitigation efforts for the proposed rail line. As per the Programmatic Agreement for this undertaking, if a finding of adverse effect is made, a resolution plan is to be created in consultation with the signatories and consulting parties. It is our understanding that there are 11 historic or cultural resources that may be adversely impacted by the proposed rail line. (In a letter dated March 21, 2017, we concurred with a finding of adverse effect with regard to these historic resources within the Area of Potential Effect).

The Archeology review staff, led by Casey Hanson, concurs with the proposed resolutions of adverse effects to sites 41ME262, 41ME261, 41ME260, and 41ME264. However, the Draft Resolution Plan contains two typos that need to be corrected. In the comments section in the first row of Table 1 (pg. 2) site 41ME262 is incorrectly identified as site 41ME260. A similar typo is present on page 10 where site 41ME264 is identified as 41ME 260.

The Division of Architecture review staff, led by Sara Ludueña, has noted that the Draft Resolution Plan suggests minor realignment of sections of the proposed rail route to minimize impacts to individual historic resources. The plan also proposes four major strategies to mitigate adverse effects which we have commented on below. The four strategies are:

1. Design and implementation of landscape/vegetative buffers between historic structures and the proposed rail line;
2. Creation and publication of a booklet on the Upper Quihi Rural Historic District;
3. Development of a historic context related specifically to the architecture and landscape of the Alsatian immigrants to this region; and
4. Development of an interpretive display on the area's Alsatian settlers and history.

While we concur that adjusting the path of the rail line to pull it further away from historic resources will help minimize impacts to those individual resources, we have the following comments regarding the proposed mitigation. The use of landscape and vegetative buffers will provide some visual separation, but will not necessarily alleviate concerns about vibration. The natural landscape in this area is fairly low-lying plants and trees and the proposed buffers should be designed to blend in with the natural environment. Consideration should also be given to any efforts that may help dampen vibratory effects. We look forward to reviewing the proposed landscape plans in more detail as they become available.

With regard to the more interpretive and research-based mitigation ideas, these three strategies seem closely interrelated. The proposed context document, for example, will look closely at early Alsatian communities and development, which will relate to New Fountain as well as the Quihi and Upper Quihi Rural Historic Districts.

If information on New Fountain or Quihi is compiled for the context document or the exhibit, it seems logical to include it in the booklet as well. In terms of curation and dissemination of these materials, the Draft Resolution Plan mentions special interest groups. Have specific Alsatian settler organizations been identified as potential partners? If so, please list them in the final resolution plan and provide some indication as to whether they have been consulted about these efforts. Similarly, the Steinbach House in Castroville is identified as a possible repository for the interpretive exhibit. Have they agreed to house this information? We understand that their capabilities to accept additional objects and artifacts may be limited. Perhaps a mobile or traveling exhibit could be created instead. This could be used in area schools and libraries.

We also noted that there is no mention of efforts to document the historic resources in the Area of Potential Effect (APE). Photodocumentation of the structures, particularly those that lie within the APE should be carried out prior to construction. For guidance as to an appropriate level of photodocumentation, we recommend referring to the Historic American Buildings Survey (HABS) Photography Guidelines published by the National Park Service. These photographs may also be incorporated into the interpretive mitigation strategies described above.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our comments on the potential effects of the project on historic properties, please contact Sara Ludueña at 512-463-8952 or sara.ludueña@thc.texas.gov; or, if you have any questions concerning our comments on archeological resources, please contact Casey Hanson at 512 463 5915 or casey.hanson@thc.texas.gov.

Sincerely,



Sara Ludueña, South Texas Project Reviewer
For: Mark Wolfe, State Historic Preservation Officer

cc: David H. Coburn, Steptoe & Johnson, LLP (e-mail)
Robert Hancock, Chair, Medina County Historical Commission
Dr. and Mrs. Fitzgerald, Medina County Environmental Action Association (e-mail)

MW/jk/ch/sl

#E1-26143

June 25.2017

Diana Wood
Office of Environmental Assessment
Surface Transportation Board Washington, D.C

Re: Sec 106 Draft Resolution Plan
FD 34284 Southwest Gulf Railroad

Dear Ms. Wood

As provided by the Programmatic Agreement (PA), I am submitting comments concerning the above mentioned Draft Resolution Plan (DRP). After carefully reviewing the proposed mitigation measures, I am greatly disappointed and concerned. I was hopeful, after reviewing the HDR draft of SGR Construction and Operation, a more realistic draft plan dealing with the adverse effects of the proposed rail line would be created. Instead, mitigation measures dealing not with the preservation of Upper Quihi's Rural Historic District (UQRHD) as a whole, but rather mitigation of individual sites and structures. The idea that vegetative buffers, landscaping, and a brochure will preserve and protect UQRHD is inadequate and unacceptable. The mitigation measures contained in the DRP almost totally ignore and omit what the known adverse effects of the SGR's currently proposed route calls for – avoidance, which is not only possible, but has already been approved and permitted by STB.

While studying the DRP the question arose that needs answering. Information contained in the cover letter of the DRP disseminated by Steptoe and Johnson, SGR's legal firm, noted that "consultants" with SGR prepared the DRP. However, the "consultants" and their credentials were not disclosed. All parties, including commentators, are entitled to the information concerning the consultant's qualifications and previous experience, if any, in order to assure all parties that they are competent and qualified to create the required DRP. In addition, Appendix A concerning historic architecture was left blank. This Appendix could have served to reassure all parties that the consultants met the called-for requirements of the PA and DRP. See Attachment.

An additional requirement of the PA that has not been provided to us in the DRP is noted on the page 5, III B, 1 and 2. For example, consultants have not been provided information on the preliminary engineering designs with details and specifications, for commenters to adequately evaluate the current and future adverse effects on the historic properties. Hence, we are left with no alternative but to comment on how vegetation and landscaping will mitigate and suppress the impact on the aesthetic value of the UQRHD. I am unable to agree that these mitigation measures will suffice to even partially nullify the noise of four mile-long trains daily sounding warning-whistles while crossing CR 353 twice within a one-mile south of the rail loop at the quarry plant site. How can any form of vegetation or landscaping prevent dust and vibration from detracting UQRHD's fragile and historic structures? How can vegetation or landscaping mitigate culverts and bridges in the floodways of the Elm and Polecat Creeks?

How can any form of vegetation hide tall electric poles and light towers of the rail loop, lit all night long, and still not affect the aesthetic value of the UQRHD? The only logical and practical way to deal with these adverse effects is to use the hierarchy of the PA: Avoidance, which is mentioned above. All the adverse effects created by the railroad give further evidence that since its inception, failed to do

adequate research and planning for a railroad. For example, in the beginning, SGR's preferred route was through the Quihi and Elm Creek floodplains, and the old Quihi Rural Historic District south of the UQRHD. This route was laid out without a basic floodplain map, until one was shown to Vulcan (SGR had not yet been created) by MCEAA. It is also MCEAA and other organizations members interested in preserving Upper Quihi's culture such as the Quihi/New Fountain Historical Society and the Medina County Historical Commission's input that moved the currently-proposed rail route eastward, thus sparing some of the cultural heritage of Medina /County.

After eighteen years, SGR is still trying to build a railroad that would needlessly destroy Upper Quihi's eligibility for the National Register, when another route sparing this district has been approved by STB 12 years ago. SGR is placing the responsibility on others for their mistakes by seeking approval for their unreasonable plan that does not resolve – or satisfactorily deal with – the resolution of the adverse effects.

SGR is seeking approval for a plan of mitigation for individual structures, instead of avoiding the UQRHD as a whole.

There is no indication that SGR's Draft Resolution Plan mitigation measures will assure UQRHD eligibility for the National Register. This is striking evidence that SGR is not concerned with the unique and irreplaceable cultural history and heritage of the UQRHD, so long as they get permission to proceed with their building the railroad.

Sincerely,



Alyne Fitzgerald, Secretary

MCEAA, Inc.

Attachment A

Professional Qualifications Standards

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 C.F.R. Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

History

The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archeology

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology, and
3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Architecture

The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture; or a State license to practice architecture.

Historic Architecture

The minimum professional qualifications in historic architecture are a professional degree in architecture or a State license to practice architecture, plus one of the following:

1. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
2. At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

Tribal members who act as experts for their Tribes for the purposes of this project (i.e. as monitors or consultants) are not required to meet the Secretary of the Interior's standards.

H.E. - 25855

The Medina County Environmental Action Association, Inc.

166 PR 4664, Castroville, TX 78009
DR. ROBERT FITZGERALD, PRESIDENT
LESTER LANDRUM, VICE-PRESIDENT
ALYNE FITZGERALD, SECRETARY
MORRIS BAXTER, TREASURER

Phone 830-538-9745
DIRECTORS: MADELYN SCHOTT
DUANE WIEMERS
GREG NINEDORF

March 25, 2017

Diana Wood
Office of Environmental Analysis
United States Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

Subject: Correction of typographical error on previous correspondence-Comments on Draft Cultural Resources Report by HDR on Southwest Gulf Railroad Right-of-Way, STB FD 34284

Dear Ms. Wood:

It has come to my attention that my March 17, 2017 letter commenting on the February 2017 Draft Cultural Resources report by HDR for SGR contains an error. This error is on page 2, third paragraph, line 5: "Then proceeding north crossing FM 2676 one-half mile east of CR 265". It should read: Then proceeding north crossing FM 2676 one and one-half mile east of CR 265. I am embarrassed by this typographical error and apologize for any confusion it may have caused for any reviewers. The corrected distance is obviously necessary to avoid the eastern boundary of the Upper Quihi Rural Historic District, which contains structures such as a historic house, gas station and perhaps other items which contributes to UQRHD being recognized in the National Registry.

Please add this correction to your deliberations in considering avoiding the current proposed Weiblen Modification of the Eastern Bypass Route. What has previously been stated concerning the MCEAA Medina Dam Route is still valid, and unaffected by the typographical error. The MCEAA Medina Dam Route with minor route deviations remains the only STB approved route for the SGRR to avoid the UQRHD. Also see Steptoe and Johnson letter EI-3150. Copy enclosed. I am placing a hard copy with enclosure in the mail to you.

In closing, I wish to thank all of those concerned for their sincere and devoted deliberations in carrying out their mission protecting and preserving Texas history.

Respectfully,

Dr. Robert Fitzgerald, President
Medina County Environmental Action Association, Inc

Encl: Copy of original letter and copy of EI-3150

CC: Texas Historical Commission
Bill Martin SHPO
P O Box 12276, Austin, TX 78711

John M. Fowler
Executive Director ACHP
401 F Street NW Suite 308
Washington DC 20001

TEXAS HISTORICAL COMMISSION
real places telling real stories

August 15, 2017

Diana Wood
Office of Environmental Analysis
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: *Project Review under Section 106 of the National Historic Preservation Act, Proposed Final Resolution Plan, Southwest Gulf Railroad, Medina County, Texas*
STB/106, THC #201709149 (See also THC Track #201707114, #201704530)

Dear Ms. Wood:

On July 2017, we received and commented on the *Draft Resolution Plan for the Southwest Gulf Railroad Company Construction and Operation of the Proposed Single-Track Railroad*. In accordance with the December 2015 Programmatic Agreement for the project, we have now been provided with Final Resolution Plan to Resolve Adverse Effects to Historic Properties. This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission (THC).

The review staff, led by Casey Hanson, Justin Kockritz and Sara Ludueña, has completed its review of the Final Resolution Plan which lays out proposed minimization and mitigation efforts for the proposed rail line. As per the Programmatic Agreement for this undertaking, this Resolution Plan was created in response to a finding of adverse and potentially adverse effect to several of the cultural resources in the Area of Potential Effect (APE) associated with the Upper Quihi Rural Historic District (UQRHD).

The Archeology review staff, led by Casey Hanson, requires more information regarding the demolition activities at 41ME261 reported by the Medina County Environmental Action Association (MCEAA) to the Surface Transportation Board (STB) on August 11, 2017.

The Architecture review staff, led by Sara Ludueña, has completed its review of the Final Resolution Plan and has the following comments. In general, several of the proposed mitigation measures require additional clarification.

1. HABS Photographic Documentation: If HABS level photo-documentation is to be produced, what level of documentation is intended? In order to meet any of the three HABS level requirements, some level of drawing as well as a written component will be required for submittal along with the proposed photographs. Is this intended to be submitted for inclusion in the special collection at the Library of Congress?
2. UQRHD Document: The idea of creating a document to be housed in various repositories in South Texas is appropriate, but clarification as to what this document will actually look like will be useful. The plan states that it will include photographs and research—will there also be a narrative component to help put the UQRHD into context for a layperson who visits one of these archives? What sort of project professional will create this type of document? Will that person/firm meet the Secretary of the Interior's Qualification Standards?
3. Traveling Exhibit: Similarly, the idea of a traveling educational exhibit, which we mentioned in our response to the Draft Resolution Plan, will require some additional planning. We appreciate that several potential interest groups have been identified, but have any of them been contacted to gauge their interest or capacity to assist with such an exhibit? In the list of interest groups, the Quihi and New Fountain Historical Society should also be included. We would like to see a clearer direction in terms of housing such an exhibit. The Hondo Public Library, being located in the Medina County Seat, seems appropriate, but prior to finalization of this plan, they should be contacted to determine whether they are willing to participate. This planning will help avoid potentially foreseeable road blocks and delays down the line to ensure that this measure is carried out.



4. Vegetative Buffer: While a vegetative buffer will help minimize the visual impact of the proposed rail line on these historic properties, we have yet to see what the proposed buffer will look like. It should be compatible with the landscape so as not to call too much attention to itself, but needs to have a certain amount of density and height to perform its intended function.
5. "Mitigation Measure Related to SGR-Owned Architectural Resources" (page 20): The idea of providing "proposed modifications and periodic integrity status reports" to the THC for review is proposed in this section. This requires additional explanation. Would all future changes to these properties require review by our agency? For an indefinite period of time? If so, we should discuss whether to formalize this process in some way. And what is meant by "periodic integrity status reports"? Will a qualified professional perform a visual inspection of these buildings at set intervals? If so, what information will be gleaned and what format will that information take? Will the THC expect to receive a report on each property every six months, for example? While this does appear to be an appropriate potential mitigation measure, we would like to have a better understanding of our possible role.

We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas. If you have any questions concerning our comments on the potential effects of the project on historic properties, please contact Sara Ludueña at 512-463-8952 or sara.luduenia@thc.texas.gov; or, if you have any questions concerning our comments on archeological resources, please contact Casey Hanson at 512-463-5915 or casey.hanson@thc.texas.gov.

Sincerely,



Sara Ludueña, South Texas Project Reviewer
For: Mark Wolfe, State Historic Preservation Officer

cc: David H. Coburn, Steptoe & Johnson, LLP
Robert Hancock, Chair, Medina County Historical Commission
Dr. and Mrs. Fitzgerald, Medina County Environmental Action Association
Charlene Vaughn, Advisory Council on Historic Preservation

MW/ch/sl

Wood, Diana

From: Coburn, David <DCoburn@steptoe.com>
Sent: Tuesday, September 05, 2017 1:03 PM
To: Wood, Diana; Sara Luduena
Cc: Taub, Cynthia
Subject: RE: SGR Revised Final Resolution Plan
Attachments: SGR Cultural Resolution Plan_20170828.pdf

Diana, Sara – In response to the THC's comment, a sentence has been added at the end of item 3(c) on page 31 of the attached stating that the assessment of the Alsatian building's integrity will be completed prior to any construction work that would cause vibration. Regards. David

From: Wood, Diana [mailto:Diana.Wood@stb.gov]
Sent: Tuesday, September 05, 2017 7:23 AM
To: Coburn, David; Taub, Cynthia
Cc: Sara Luduena
Subject: FW: SGR Revised Final Resolution Plan

David:

I'm writing the approval letter but need SGR to revise the Resolution Plan to ensure that THC's comment below will be addressed prior to construction.

Could you instruct SGR to make this change ASAP?

Thanks Diana

From: Sara Luduena [mailto:Sara.Luduena@thc.texas.gov]
Sent: Friday, September 01, 2017 11:30 AM
To: Wood, Diana <Diana.Wood@stb.gov>; Justin Kockritz <Justin.Kockritz@thc.texas.gov>; Casey Hanson <Casey.Hanson@thc.texas.gov>; Bill Martin <Bill.Martin@thc.texas.gov>
Subject: RE: SGR Revised Final Resolution Plan

Good morning Diana,

We have had a chance to review the final plan. It looks like most of our previous comments have been addressed. I just have a question about one of the mitigation measures. For HDR-AR-06, which includes an Alsatian building, item 3.c states that a structural assessment will be completed and a preservation plan will be created. I want to make sure—given the fragile nature of this resource—that this is completed prior to the start of construction. Since vibration from the rail line—and presumably from construction activities—could impact the building, this assessment should be carried out before work gets started. I would like to see that stated in this document.

Thanks for giving us the opportunity to review and comment.

Thanks,
Sara

ENCLOSURE 3

August 11, 2017

To Diana Wood, Office of Environmental Analysis, Surface Transportation Board, Washington, D.C.

Re: FD 34284 Southwest Gulf Railroad

Sec. 106 Draft Resolution Plan dated May 30, 2017

and Programmatic Agreement, Stipulation IV, Resolution of Adverse Effects, C.

Dear Ms. Wood:

As per your email request yesterday, MCEAA wishes to submit the following questions prior to the acceptance of the Final Resolution Plan:

1. Is the Office of Environmental Analysis aware of the destructive activity of 41ME261, which occurred on or about July, 31, 2017. Now, all ten structures of HDR's AR01 location have been demolished, leveled by bulldozers and the debris removed in dumpsters. These structures were on the perimeter of Upper Quihi Rural District, located in the APE of the Railroad loop. We would like to know if archeological studies and investigations at this location have been completed by this time, as required by the Sec 106 process. Question: if the above studies were not completed, wasn't this destructive action a violation of the Programmatic Agreement of December 18, 2015, which states no construction of the railroad could be done prior to the completion of the final resolution plan? An additional question – if there was a violation, what action would the Surface Transportation Board take?
2. According to postings on the STB website, comments from consultants were unanimous in stating disapproval of the Draft Resolution Plan, stating that it was inadequate, hastily done, needed much more investigation work, and was therefore unacceptable. Will these comments be honored? If not, why not?
3. The solutions being considered up to this point are completely unworkable. It is hard to imagine how vegetation and landscaping will disguise or hide the visual impact of this rail spur project and serve to preserve the aesthetics of the Upper Quihi Rural Historic District (UQRHD), and no drawings are offered. In addition, to have SGR write books on the history of this area is laughable. For over a hundred years, qualified and dedicated historians have been writing and continue to write about the Henri Castro Colonies in Medina County. Families still collect their histories to share with others. The survey of the historic districts of Quihi, Upper Quihi, and New Fountain by Preservation Central, Inc., in 2006 is an in-depth study on the districts. Moreover, the proposal to create a mobile exhibit depicting the history of the UQRHD to traverse the area is inadequate and unworkable for the long term. Question: Are these solutions seriously being considered?
4. The draft resolution plan was prepared by unnamed sources with no statement of their qualifications and experience. Inquiries to the TSHO concerning these unnamed sources referred us to you for this information. Please give us the name, background, education and experience of these individuals as required in the December 18, 2015 Programmatic Agreement, Attachment A, pages 50 & 51. This information is necessary to quiet the doubts concerning the identity and qualifications of the author(s) who wrote the resolutions offered to the adverse effects. More importantly, this information would fulfill the disclosure of qualifications and adherence to the professional requirements stated in Attachment A of the current (2015) Programmatic Agreement in force now. It was noted that this qualification page was omitted in SGR's Draft Resolution Plan, pgs. B-1 and B-2 submitted by SGR's David Coburn dated May 30, 2017.

5.The correspondence from the THC to STB dated June 29, 2017, was the deadline date for comments. (This correspondence essentially duplicated SGR's draft resolution plan dated May 30, 2017). Therefore, it precluded the possibility of adequate time for review of comments by all commenters (particularly by the ACHP, MCEAA, knowledgeable professionals such as Dr. Tom Hester, and historical groups such as the Quihi& New Fountain Historical Society, and the Castroville Conservation Society). We all reached the conclusion that consultants comments were not being duly considered. The archeological information regarding this project supplied over the past 18 years by renowned archeologist Dr. Tom Hester has been largely ignored. Dr. Hester, Professor Emeritus of the University of Texas Austin, is very familiar with the Quihi area, having performed digs here numerous times over the past decades. He states that the Quihi area, with its evidence of human occupation for over 10,000 years, is a prime region for archeological discoveries. His latest letter – EI 12629, should be carefully reviewed. Please comment on this complaint.

6.The Corp of Engineers approved the Sec. 404 permit on June 29, 2017. COE rules have notification requirements. We would like to know if SGR's pre-construction notification to the COE noted that this permit would have to consider the possible adverse effects to the UQRHD by the rail crossing of the Quihi Creek? Were any mitigation measures required to preserve and protect archeologic and historic structures from flooding caused by the rail crossing? Also, were any of the Indian tribes notified as required by the COE?

7.The Resolution Plan provides for consultants' comments. We see no mention in the correspondence of OEA, Texas Historical Commission and Southwest Gulf Railroad with each other that our comments are being used or considered. We hope that the Final Resolution Plan will use our knowledge of the District to preserve its eligibility for the National Register. If the landscaping, vegetation, and brochure solution is adopted as contained in the correspondence noted above, will the UQRHD remain eligible for the National Registry?

8.An alternative STB-approved route that avoids the UQRHD exists since 2006. Using this alternative route would allow the UQRHD to maintain its eligibility for the National Register. Has STB ever questioned why SGR does not want to use this route? We would like an answer to this question.

9.Another question remains unanswered: Aside from the flooding issues mentioned in Coburn's email dated July 5 concerning new shippers, we previously asked: Wouldn't the ACHP and THC need to determine the *aesthetic* effects and visual impacts of a new shipper locating in the UQRHD? Wouldn't factors such as the type of new shipper, its location and appearance of the facilities need to be evaluated for possible adverse effects on the UQRHD eligibility for the National Register? Shouldn't provisions for this be included in the Final Resolution Plan?

10.What plans are being made for obtaining archeological and architectural data from affected properties having no right of entry as of this date? Shouldn't provisions for this be made in the Final Resolution Plan?

This rail spur has been stalled since its inception in year 1999, and with good reason. Although changes were made over the years, the numerous serious flaws in its planning still exist in other forms. We thank you in advance for your attention in this matter.

Dr. Robert Fitzgerald, President, Medina County Environmental Action Association

CC: Advisory Council on Historic Preservation, State Historic Preservation Officer (SHPO) - Texas Historical Commission, Medina County Historical Commission, Quihi & New Fountain Historical Society, Castroville Conservation Society, Dr. Tom Hester, U.S. Representative Will Hurd