



SURFACE TRANSPORTATION BOARD
Washington, DC 20423

Office of Economics, Environmental Analysis and Administration

September 25, 2007

Russell Mangold
807 33rd Street
Hondo, TX 78861

Re: STB Finance Docket No. 34284, Southwest Gulf Company - Construction and Operation Exemption - Medina County, TX; Request to be a Consulting Party under Section 106 of the National Historic Preservation Act

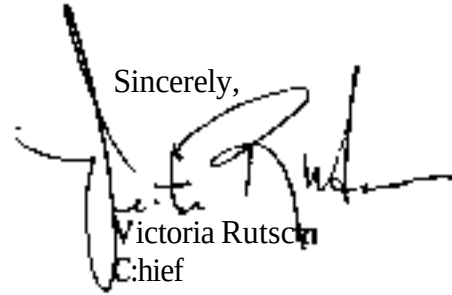
Dear Mr. Mangold:

The Surface Transportation Board's (Board) Section of Environmental Analysis (SEA) is in receipt of your September 23, 2007 written request to act as a consulting party for the above referenced project pursuant to Section 36 CFR 800.2(c)(5) of the regulations implementing Section 106 of the National Historic Preservation Act (NHPA), which states: "Certain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties due to the nature of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties interest." As you know, SEA is conducting an environmental review, as required by the National Environmental Policy Act (NEPA) and NHPA, of the Southwest Gulf Railroad Company's proposed rail line construction and operation in Medina County, Texas. Section 106 of NHPA requires that the Board consult with Federal, tribal, state and local agencies, and additional consulting parties with an interest in the project area, to identify, assess and resolve any adverse effects to significant historic properties that may be caused by the proposed undertaking.

We believe your involvement as a Section 106 consulting party is appropriate given your close connections to the area. We are therefore pleased to include your organization as a Section 106 consulting party for this proceeding and will ensure that you receive all relevant information to assist you in your reviews.

We appreciate your interests in this project and look forward to working with you as we complete the Section 106 and NEPA processes. If you have any questions, please do not hesitate to contact Diana Wood, SEA Project Manager at 202-245-0302.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria Rutsch", written over the printed name.

Victoria Rutsch

Chief

Section of Environmental Analysis

cc: F. Lawrence Oaks, Texas Historical Commission
Brad Patterson, Texas Historical Commission

#E1-3177
DHW
FD 34284

1-5

Mr. Victoria Ruston

Chief

Section «A» Environmental Analysis

Surface Transportation Board.

395 E Street, S.W.

Washington, D.C. 20423

Dear Mr. Ruston.

Please Consider my Request to be made Co»'fv // > 'L>8
Part of The Programmatic Agreement For
Southwest Gulf Railroad, Finance Docket # 34284

We are descendants from The Original Settlers of
The Quilt Area. Our Ranch has been in the Family
over 100 years.

Also Be Advised That For The Past 10 years it
has been an interest to Early Archaeological Studies
By Thomas R Hester PhD, Professor of Anthropology,
Emeritus University of Texas at Austin.

I Have Taken The liberty to Copy a Portion
of a letter sent to you on Nov 6, 2003 from
Prof. Hester. After Reviewing, Please Note
That The Proposed S.G.R. Eastern Byline will come
very close to, State of Texas Right # 41 ME 132 and
that The Revised Weiblen's Road Wood Pres. bly 90
over this Right.

Russell Mangold
807-3222 ST
Honolulu, TX 75861

Respectfully:
Russell Mangold
807-3222 ST
Honolulu TX 75861

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

mailing address:
PO Box 625
Utopia, TX 78884

email: secocreek@ricc.net

b) Personal scientific research in the prehistory of the area

Over the past year or so, I have been a personal study of archaeological collections and sites on the Mangold Ranch near Quihi. My interest in these lies in the fact - which further subject project studies must area-that this area is largely unknown in terms of Texas prehistory.

One of the sites; 41ME132 [official State of Texas site number], the Gap Site, is directly beneath or at least closely adjacent to Alternative 3 of the proposed railroad route southeast of Quihi. This site has just been barely studied. However, a test pit dug by the

late Buddy Mangold, found a zone of Frio points just below the surface. Further exploration could (1) expand our knowledge of the Late (Transistional) Archaic by better denning this Frio-age campsite or (2) could find earlier, stratified deposit below Frio. This she is on a terrace of Quihi creek, and while no geoarchaeological studies have yet been done at the site, it appears that Quihi creek has shifted its channel repeatedly in this zone (cf. 41ME34). This site alone points out the errors of the statements re: site occurrence found in the subject report.

However, h is site 41 ME 133 (the Buddy Mangold site) that points out the incredible deficiencies in the treatment of prehistory in the subject report. This site was partially excavated by the late Buddy Mangold in the 1990s. Much of the site remains intact. The artifacts from the site are incredibly extensive, as I am sure will be the case at many sites yet to be found in the Quihi area.

Although my analysis of the collection is far from complete, I have already identified a Folsom end-scraper (10,800 years ago), and even more importantly, a substantial number of Wilson points. The stemmed Wilson type is a poorly known, but well-dated, Paleoindian time marker hi the 10,500 year old time frame. The key she for this type is Wilson-Leonard near Austin, published by Michael B. Collins in a 5-vohime report in 1998. Collins tells me that aside from the Wilson-Leonard site, the Buddy Mangold site contains more of these points than any other she in Texas. There are also Plainview, Golondrina, and Angostura points at the she (10,200-8,800 years ago).

Moreover, the Archaic and Late Prehistoric artifacts are in great abundance, representing the broad time frame from 8,000 years ago up to about the time of Spanish contact. Indeed, there are some points that appear to be of the Guerrero type, associated with Indians of the Spanish Mission period in the 18th century. There is also a piece of obsidian-volcanic glass that does not occur in Texas. I have led the study of Texas obsidians since 1970, working with nuclear chemists at the Lawrence Berkeley National Laboratory in Berkeley, CA. Obsidian is very rare in this part of the state, yet our precise geochemical sourcing places some of h as coming from geologic outcrops as far away as southern Idaho (the Malad source) and from sources in northern New Mexico (several sources in the Jemez mountains). We have not yet had this obsidian fragment sourced, but h is reflective of the widespread trade networks that ran along the margin of the Edwards Plateau, and is part of a pattern that extends westward into Uvalde County.

As best as I can tell with limited data, 41MB 133 lies outside (perhaps 1.5 mi E) of any of the proposed railroad routes. However, its importance goes farther than immediate impact. It is reflective of the long time depth of Native American prehistory to be expected along Quihi creek and any ofhs (now) small drainages. It is reflective of intensive prehistoric populations, of trade contacts, and of continuity into the Spanish Colonial period. These sorts of patterns should be expected at other Quihi/project area sites, as ancient "hunters and gatherers" were highly mobile and didn't just occupy single sites Kke 41ME133!

2) Implications for Surveys and Excavations Related to the Subject Project

While archaeologists know very little about the archaeology of the project area (that in itself is cause for intensive investigation), what we do know provides hard evidence that it lies in an area of extreme archaeological significance. It is surrounded by important sites, many of which I have listed and some of which are in similar if not identical environmental contexts. We know from 41ME132 and 41ME133, in the midst of the project area, that extensive prehistoric remains are predictable, and will likely extend back almost 11,000 years at some sites. However, the whole chronological range of human prehistory in the area is likely to be found in various forms at any number of sites (e.g., 41ME34, and even closer, 41MES3). Because of the nature of the formation processes in the local geology, any archaeological survey that is worth its salt will have to employ an experienced geoarchaeologist or geomorphologist to identify likely site areas, changes that are more recent in time etc., and there will be a pressing need for an extensive program of backhoe trenching to reconstruct the Holocene geology and to develop a model of site location. It can be predicted that any number of sites will lie in the path of the subject railroad or its alternatives. In order for NEPA, Sec. 106, or any number of other permitting processes to go forward, hundreds of thousands of dollars will have to be spent on archaeological survey and geomorphology. The mitigation of only two or three sites would likely cost into the millions of dollars based on modern archaeological standards at the Federal and State level.

3) Implications for Historic Archaeology

While STB Finance Docket 34248 report on cultural resources does a more useful job of treating the numerous historic sites in the project area, it falls far short of what is to be expected, the significance of these sites, and the great amount of work (and money) that will go into their investigation. The stone (and other structures) of 1850s Quihi represent one of the most remarkable, surviving constellations of early architecture in southcentral Texas. In my own experience, it is unique. To date, the Quihi and New Fountain Historical Society has already filed with the Texas Historical Commission more than 30 Endangered Historic Property Identification Forms as part of the THC's new HELP program. These forms contain details on the structures, their ages, and are accompanied by photographs. However, there are at least 60 known structures of this vintage. Many of these are in the path or will be impacted by any of the 3 alternative subject railroad routes. This means that formal assessments will have to be done - the use of professional preservation architects, measured drawings, high quality photographic documentation, oral histories, and archaeological investigations all being part of such studies

This is a highly time consuming and very expensive endeavor, but these sites are part of the history of the development of Texas and cannot be given short shrift. Neither can they, or their archaeological deposits, be "preserved" by having them "moved" to a "protected" location! There are stories, not yet confirmed by me, of a special cemetery set aside for Native American remnant populations in the area. This will require extensive Native American consultation, probably with the Mescalero Apache (who represent the Lipan Apache on a Federal level), the Kickapoo, and the Lipan Apache Tribe of Texas, a very active (or activist) group in San Antonio.

It is also apparent that the preliminary cultural resource assessment did not identify a property registered in the Texas Family Land Heritage Program, slated to have the main route or an alternate rail route go right through the middle of it. This program has been around since the 1970s, and is a favorite of the State government, particularly the Secretary of Agriculture. This will be a highly sensitive issue, to say the very least, and should the routes continue to be slated for the property, a great deal of very expensive historical archaeology will have to be carried out.

4) Closing Observations

It is likely that no worse area in southcentral Texas could have been chosen for a quarry and railroad facilities than the Quilhi region. This is one of the richest areas for the historical development of Texas, and is incredibly important in terms of the preservation in place of many of the buildings and related aspects of this historical record. In addition, this is an area where no substantial archaeological work had ever been done before, but which even the most minimal research has demonstrated the high probability for the discovery of numerous, and important, archaeological sites. These will have to be fully assessed and perhaps in some cases, fully excavated (mitigated). This issue has already been brought to the attention of the Texas Historical Commission and the Advisory Council on Historic Preservation. The subject applicant should have funded historical and archaeological research well prior to land purchases and planning if the applicant hoped to avoid the destruction of important pieces of Texas history and prehistory - which can now be done only at a very high cost in time and money. This is an issue that we as professional archaeologists, the Texas Historical Commission, and other agencies have been trying to make clear to developers at all levels for decades.

Now, we are left facing a potential disaster in terms of the historical and archaeological record. It is therefore incumbent on the STB to require extensive and well planned historical and archaeological studies in the area prior to permitting any rail construction. If the STB does not follow its mandate, there are other Federal and State regulatory agencies waiting in the wings to make sure that this process is done properly.

Thank you for the opportunity to provide these data and these comments.

Sincerely yours,

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

mailing address:
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Utopia, TX 78884

email: secocreek@ricc.net