

The Medina County Environmental Action Association, Inc.

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November 8, 2007

Diana Woods
Surface Transportation Board
395 E Street SW
Washington, DC 20423

Re: Finance Docket 34284
Southwest Gulf Railroad Programmatic Agreement

Dear Ms. Woods:

Please accept the following comments on the Programmatic Agreement (PA) from the members of the Medina County Environmental Action Association, Inc. (MCEAA). Before doing so, we would like to take this opportunity to express our thanks and appreciation to the Section on Environmental Analysis (SEA). We fully realize and appreciate the tremendous amount of time and effort that SEA has put forth on this complex project. From the beginning MCEAA has tried to assist SEA by submitting comments and questions that have been requested by SEA in order for them to evaluate the Southwest Gulf Railroad's (SGR) permit application.

Currently, comments on the Draft EA have been requested and we are pleased to respond as one of many recognized consultants. It is MCEAA's sincere desire to help SEA in preserving and protecting Quihi's historic heritage. In general the PA in its current form meets with our approval.

We would like to make additional comments which we believe will help it achieve its intended purposes. We believe that the SEA should not permit the PA to be altered or amended in any way that would interfere or lessen its intended purpose to protect Quihi's historic value.

It has been obvious to MCEAA that SGR has failed to do proper research concerning this project. They have failed to recognize or appreciate Quihi's historic value. To date, much more of Early Native American culture remains to be discovered, documented and appreciated. This brings us to the following comment.

We are concerned with the wording in Section II A of the PA. This concerns surveys within the Area of Potential Effect (APE) of the two eastern routes "as necessary to supplement the surveys undertaken in connection with and appended as part of the SDEIS". This wording could be

interpreted to allow SGR to claim no further evaluation or surveys need to be done on either of the Eastern Routes. MCEAA strongly urges SEA to require thorough on-the-ground surveys of all routes under consideration and any modifications to be done by trained archeologists before construction is begun.

The results of these surveys can then be evaluated to determine if one route would be less harmful. All signatories and consultants would then have access to these surveys and would then be better informed to make their decision and comments concerning the Eastern Routes.

At this time, MCEAA, without knowing more facts about the Native American cultural remains (particularly on land owned by the SGR on the five hundred acres at the southern terminus, and the northern area of the railroad loop), cannot comment other than to say that these areas have great potential to contain remnants of Native American culture. These areas must be included in the archaeological surveys of the APE of both railways.

It is important to remember that SGR applied for this permit and therefore must be willing to do what is necessary and required by law in order that Quihi's historic heritage be preserved. Only in this way can a rail line be built and have a lesser impact on the historic heritage of the Quihi area. To allow a railroad to be constructed without further surveys by trained archaeologists in this region which has already been recognized as possession vast amounts of Native American culture, must not be allowed.

In closing, we want to once again thank the SEA for allowing MCEAA to comment on the PA. We look forward to reviewing and commenting on the final draft of the PA.

Sincerely,

A handwritten signature in cursive script that reads "Robert Fitzgerald".

Robert Fitzgerald, President
Medina County Environmental Action Assn., Inc.

MCEAA, Inc., for your Home, Health, and Heritage