



**TEXAS
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The State Agency for Historic Preservation

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#E1-2853
D7W

March 15, 2007

Ms. Diana Wood
Surface Transportation Board
395 E Street, SW
Washington DC 20423-0001
STB Finance Docket No. 34284

Re: Project review under Section 106 of the National Historic Preservation Act of 1966, Follow up to Supplemental Draft Environmental Impact Statement, Southwest Gulf Railroad, STB Finance Docket No. 34284, Construction and Operation Exemption, Medina County, Texas (STB)

Dear Ms Wood:

This letter serves as comment on the proposed undertaking from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission.

We wish to reiterate our comments offered in response to the Supplemental Draft Environmental Impact Statement (SDEIS). We strongly support the utilization of either of the environmentally preferred eastern routes. Both the Eastern Bypass Route and the MCEAA Medina Dam Alternative significantly lessen the impact of this project on critical historic resources. Both alternatives appear to meet the requirements of the National Historic Preservation Act to avoid or minimize adverse effects to historic properties.

A large component of historic and cultural significance of the area is its rural and agricultural character. Our agency's role throughout this process has been to protect this important rural landscape from the immediate and future impacts of the proposed railroad. All of the proposed routes impact agricultural lands both inside and outside the eligible historic district boundaries. These agricultural lands and operations are critical to the preservation of the regions rural character.

We have been in consultation with members of the Weiblen family, who operate approximately 1500 acres of irrigated agricultural lands along with additional ranchland acreage that will be directly impacted by any of the eastern alignments. While it is critical to avoid the historic resources to the west, we believe it is also imperative to minimize the impacts on agricultural operations of this and other families. Please refer to our initial, January response to the SDEIS in which we urged the avoidance of major agricultural lands.

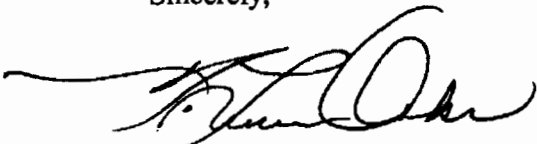
Based on our consultations with the Weiblen family members and the information found in the SDEIS, it is our understanding that they have offered to work with STB and the railroad to negotiate the use of some of the family's land along their western property boundary. This offer would avoid the railroad bisecting their irrigated land, rendering their irrigation equipment useless, and literally destroying their home and farmstead. Our earlier statement of January 19th

was offered with precisely this kind of situation in mind and we endorse their proposal for this unique property.

Given the magnitude of their operations along with their investment in land and equipment, we urge the Surface Transportation Board to condition the use of eastern alignments upon routing tracks along property boundaries and the avoidance of irrigated lands and equipment. We do not believe that the exact routes requested by the railroad are necessarily the only feasible options. We are not suggesting exploration of further alternatives, only the close examination of details and routing within the environmentally preferred alternatives that would lessen the impact on agricultural lands while still protecting the historic and cultural resources.

Considering the size of their landholdings and operations along with the potential direct impacts of the environmentally preferred routes to their property, we would support STB including the Weiblen family as a consulting party. We appreciate your agency's diligence in this matter and look forward to discussing this issue further during our March 26th meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'F. Lawrence Oaks', with a long horizontal flourish extending to the left.

F. Lawrence Oaks, State Historic Preservation Officer

cc: John Nau, III, Chair, Texas Historical Commission
John Fowler, Advisory Council on Historic Preservation
Albert Hausser, Texas Historical Commission
David H. Coburn, Steptoe & Johnson, LLP.
Michael Weiblen