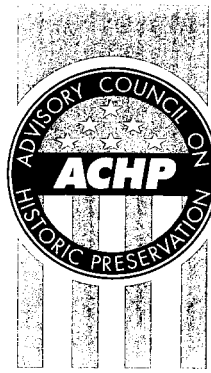


John L. Nau, III
Chairman

Bernadette Castro
Vice Chairman

John M. Fowler
Executive Director



Preserving America's Heritage

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February 11, 2005

The Honorable Roger Nober
Chairman
Surface Transportation Board
1925 K Street NW
Washington, DC 20423-0001

REF: STB Finance Docket No. 34284, Southwest Gulf Railroad Company – Construction and Operation Exemption, Medina County, Texas.

Dear Chairman Nober:

On January 7, 2005, we received the Surface Transportation Board's notification that it is developing a Programmatic Agreement for the referenced undertaking. The purpose of this letter is to inform you that the ACHP has chosen to participate in the consultation to develop this Programmatic Agreement.

Our decision to participate in this consultation is made pursuant to Section 106 of the National Historic Preservation Act and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800). Section 106 requires Federal agencies to take historic properties into account as they plan and carry out their projects, programs, and undertakings and to provide the ACHP an opportunity to comment on those undertakings. We believe that the criteria in Appendix A of the ACHP regulations are met because of the considerable public interest regarding effects of this undertaking on historic properties. We are providing this notice as is required by 36 CFR Section 800.6(a)(1)(iii).

We look forward to working with the Surface Transportation Board and other parties to address the adverse effect of this undertaking. If you have any questions or wish to discuss this matter further, please contact Ms. Margie Nowick of the ACHP's Denver office at (303) 969-5110 or via email at mnowick@achp.gov.

Sincerely,

for John M. Fowler
Executive Director

Enclosure

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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