

#E1-2817
RJ

received
2/8/07

January 27, 2007

Surface Transportation Board
Attn: Rini Ghosh
Section of Environmental Analysis
1925 K St NW
Washington, DC 20423-0001

Ref: Finance Docket #34284

Dear Ms. Ghosh:

The proposed railroad is only going to be a carrier of one product- limestone gravel. By no stretch of the imagination will it carry other commodities such as cattle, coal, consumer goods, automobiles, military equipment, and petroleum products, to name a few. It will not even carry passengers. Therefore, if this railroad is approved, it will be an illegitimate railroad. If land is condemned to build the railroad, then the courts will have to decide whether it is a common carrier or not. I don't think higher courts will decide in Vulcan's favor.

One item I noticed in the Supplemental Draft was the traffic count performed on FM2676. This count was done in 2003. It needs to be updated as traffic on FM2676 has increased tremendously in the past three years or so. The count should be done at rush hour times such as 0630-0830 and 1600-1800 and again during the afternoon from 1300-1400. This current traffic will be impacted by the quarry, with or without the railroad. The road will be filled with commuters, school busses, service providers, gravel trucks, and often emergency vehicles.

Thank you for your interest regarding this proposed project.

Sincerely,



Morris Baxter
222 CR 363
Hondo, Texas 78861

cc: MCEAA