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Surface Transportation Board
SECTION OF ENVIRONMENTAL ANALYSIS
SOUTHWEST GULF RAILROAD COMPANY
CONSTRUCTION AND OPERATION EXEMPTION

Medina County, Texas

Public Meeting II

2 December 2004

1 MS. GATES: Good evening. On behalf of
2 the Surface Transportation Board Section of
3 Environmental Analysis I'd like to welcome you to
4 tonight's public meeting.

5 We're here tonight to hear your comments
6 on the Draft Environmental Impact Statement that has
7 been prepared for Southwest Gulf Railroad's proposed
8 rail line here in Medina County, Texas.

9 The goal of our meeting tonight is to
10 provide a safe an open environment in which you can
11 express your ideas and comments to us because we're
12 very eager to hear them.

13 And I'd like to just briefly tell you
14 what our agenda is tonight. We're going to hear a
15 short presentation in which you'll find out a little
16 bit more about the environmental review process that
17 the Surface Transportation Board has used on this
18 project as well as some of the preliminary
19 conclusions in the Draft Environmental Impact
20 Statement.

21 And I'd also like to then to do a few
22 introductions. First of all, we have Victoria Rutson
23 who's the Chief of the Section of Environmental
24 Analysis with the Surface Transportation Board. Next
25 to her is Rini Ghosh, the attorney advisor for this

1 project. And she's also with the Section of
2 Environmental Analysis. And then we have Jaya
3 Zyman-Ponebshek who is with URS Corporation, the
4 company that's working under the direction, control
5 and supervision of the Surface Transportation Board
6 in preparing the Draft Environmental Impact
7 Statement. And she's with URS Corporation. And we
8 also have Phil Ponebshek who has served as a
9 technical adviser Draft EIS. He's also with URS.
10 And I'm Nancy Gates also with URS. And I'll be your
11 moderator tonight.

12 I'd like to acknowledge a few people
13 that we have in our audience. We have Will Carter
14 with the BMA Water District. And we also have Terry
15 Cauley with the Texas Historical Commission. And we
16 say welcome to all of you.

17 So let's go ahead and get started.
18 Vicky.

19 MS. Rutson: Thank you, Nancy.

20 Welcome everyone. We're happy to be
21 here with you and we're looking very forward to
22 hearing your comments tonight.

23 I'd first like to tell you a little bit
24 about the Surface Transportation Board. The Surface
25 Transportation Board is a small agency located in

1 Washington, D.C. There are about 140 employees.
2 Congress created the Surface Transportation Board in
3 1996 for the reason that Congress wanted an agency to
4 conduct economic regulation of freight railroads.
5 The board itself is a bipartisan three member board.
6 It consists of three gentleman, a Republican
7 chairman, a democratic vice chairman and a Republican
8 member. Those three board members of the Surface
9 Transportation Board are the decision makers for this
10 project and for all rail line projects that are
11 brought before the board. The board itself doesn't
12 propose rail line projects. It doesn't engineer or
13 conceive of rail projects. Rather because it
14 conducts economic regulation of freight railroads it
15 looks at projects brought to it by railroad
16 corporations. The Surface Transportation Board is
17 part of the Department of Transportation. We're
18 administratively housed there. Which doesn't mean a
19 lot. We have separate offices and separate decision
20 making authority. Which means that the three board
21 members are the decision makers.

22 Now what kind of decisions does the
23 Surface Transportation Board make? The Board has
24 jurisdiction over new rail line constructions like
25 the one proposed by Southwest Gulf or SGR here. The

1 Board also permits rail line consolidations and
2 mergers and rail line abandonments. Now the Board is
3 neither a proponent nor an opponent of individual
4 proposals. Rather the board looks at the proposal
5 brought before it and then makes one of three
6 decisions: It may decide to approve a rail line
7 project, to deny a rail line project, or to approve a
8 rail line project but only with certain mitigating
9 conditions.

10 Now when these railroad applications are
11 brought before the Board not only must the board use
12 its governing statute, which is the Interstate
13 Commerce Act, the board must also comply with the
14 National Environmental Policy Act or NEPA. NEPA
15 compliances the job of me and my section, the Section
16 of Environmental Analysis or SEA or S-E-A. We use
17 all three terms interchangeably. My section is
18 responsible for making sure that the Board complies
19 with NEPA, the National Environmental Policy Act as
20 well as other environmental laws and statutes. And
21 these include the National Historic Preservation Act,
22 the Endangered Species Act, the Clean Air Act, the
23 Clean Water Act and a number of other Federal
24 environmental statutes.

25 The Board's environmental rules are in

1 the Code of Federal Regulation. And for those of you
2 who are interested they're at 49CFR1105. Now we also
3 must comply with the president's council on
4 environmental quality regulations. And those are at
5 40CFR1500.

6 Now what type of environmental review
7 have we done so far in the Southwest Gulf or SGR rail
8 line construction proposal? Back in June of 2003 my
9 staff, Rini Ghosh as well as Jaya and Nancy were here
10 to hold scoping meetings. She -- They met a number
11 of you at that time and listened to your comments on
12 what the scope of the environmental analysis should
13 be. We also consulted with a number of federal,
14 state and local agencies and also heard further
15 comments from the public. We put all this
16 information as well as other individual -- other
17 information we independently gathered into the Draft
18 Environmental Impact Statement. That's the document
19 that we issued on November 5th for your public review
20 and comment. Comments are due January 10th. We'll
21 be collecting all your oral comments and all your
22 written comments as well as reviewing the transcript
23 that our court reporter prepared this afternoon and
24 will be preparing tonight. We'll review all of those
25 comments and respond to them in a final environmental

1 impact statement.

2 Now, what's the purpose of doing a draft
3 EIS, collecting comments and then doing a final EIS?
4 It's to inform the three decision makers on the
5 environmental implication of Southwest Gulf's
6 proposal.

7 It's only after the three decision
8 makers have reviewed the full environmental record
9 and taken a hard look at the environmental
10 consequences that they can make a truly informed
11 decision. So that's what our job is, to make sure
12 that we're communicating successfully with the three
13 decision makers so that they understand the concerns
14 and comments and our analysis before making a final
15 decision.

16 So with that, I'll be passing the
17 microphone to Rini Ghosh of my staff who'll be
18 talking about the specific analysis that we've
19 conducted to date for Southwest Gulf -- Southwest
20 Gulf's proposal.

21 MS. GHOSH: Thank you, Vicky.

22 Hi, everyone. My name is Rini Ghosh,
23 and I'm attorney advisor in the Section of the
24 Environment Analysis at the Surface Transportation
25 Board. I think I might have met some of you at the

1 open house that we had here last June. And I'm
2 really glad to have the opportunity to be back here
3 again today.

4 As most or all of you know Southwest
5 Gulf Railroad Company has proposed to build an
6 approximately seven-mile rail line that would connect
7 Vulcan Construction Materials new limestone quarry
8 with the Union Pacific Company rail line near Dunlay,
9 Texas. They propose to move four trains per day over
10 this new rail line, two empty trains up to the quarry
11 and two loaded trains back down to the UP rail line.
12 They would also build a loading track on the quarry
13 property that would connect to the new rail line.

14 Based on all of your comments, we
15 realize that this proposal was highly controversial,
16 which is why decided to prepare an environmental
17 impact statement type of document. We decided to
18 prepare this type of document to make sure that we
19 could look at the environmental consequences really
20 hard to make sure that we were giving the Surface
21 Transportation Board sufficient information before
22 they made their decision. We also wanted to make
23 sure that we could give you as much opportunity as
24 possible to participate in the environmental review
25 process. In our Draft Environmental Impact Statement

1 we set forth our preliminary conclusions regarding
2 our preliminary studies. We looked at four potential
3 rail alignments and compared these alternatives.
4 Every single thing in this document is set forth for
5 your review and comment. And we welcome your
6 comments on every aspect of the Draft Environmental
7 Impact Statements.

8 One of the main areas that you raised in
9 your comments to us was concerns regarding cultural
10 resources. Our review of cultural resources is
11 governed by what is known as a Section 106 process of
12 the National Historic Preservation Act. This is the
13 process by which Federal agencies must take certain
14 steps in completing their evaluation of cultural
15 resources before they make a decision on a proposal
16 such as Southwest Gulf Company's new rail line
17 construction. These steps include identifying
18 appropriate consulting parties, identifying cultural
19 resources in the project area, assessing impacts on
20 cultural resources and devising mitigation measures
21 to reduce or mitigate impacts to cultural resources.

22 We began the section 106 process by
23 consulting with the Texas Historical Commission and
24 identifying other appropriate consulting parties. We
25 then prepared a preliminary cultural resources

1 assessment report which we submitted to the Texas
2 Historical Commission and other consulting parties
3 for review and comment. Based on the comments we
4 received, we conducted additional research and
5 studies. And we so far have identified approximately
6 30 above-ground resources in the project area that
7 could be affected by one or more of the potential
8 rail alignments as well as one potential historic
9 district. The entire Quihi, Texas area is within a
10 rural historic landscape because the land has
11 remained unchanged for a great number of years. This
12 means that the entire Quihi, Texas area is
13 potentially eligible for the National Register of
14 Historic Places as a historic district. Based on our
15 studies and in consultation and based on the
16 recommendations of the Texas Historical Commission we
17 developed a document known as a Programmatic
18 Agreement. This Programmatic Agreement sets forth
19 the steps that would be taken to complete the section
20 106 process. Our cultural resources studies as well
21 as a draft version the Programmatic Agreement are
22 included in Appendix I of the draft environmental
23 impact statement for your review and comment.

24 Now I'm going to turn the microphone
25 over to Jaya Zyman-Ponebshek our technical project

1 manager to talk to you a little bit about the other
2 resource areas we studied.

3 MS. ZYMAN-PONEBSHEK: Thank you very
4 much, Rini.

5 Good evening everyone. My name is Jaya
6 Zyman-Ponebshek. I'm with URS Corporation. I'm
7 going to try to speak a little slower tonight.

8 I am going to summarize for you some of
9 the results that we got from our preliminary impact
10 studies. We studied several resource areas,
11 including those on the screen. I can read them for
12 you or I can just give you a few seconds for you to
13 read them.

14 Basically what kind of impacts: The
15 analysis found that the majority of impacts will be
16 due to traffic delays at grade crossings and anything
17 resulting from that. Safety concerns pretty much in
18 general. Noise and vibration. Air and water
19 contaminants. Land use changes, including clearing.
20 Fill placed in flood plains or wetlands. In the
21 interest of time and to allow you, the public, to
22 supply us with comments, because that's why we're
23 here today, I am going to briefly focus on the areas
24 where we have identified impacts and then the rest of
25 the areas you can refer back to the draft EIS.

1 Again, I will reiterate that SEA or S-E-A welcomes
2 your comments on every aspect of the Draft EIS and in
3 all the mitigation measures recommended on a
4 preliminary basis on each resource area.

5 As far as transportation and traffic
6 safety the railing could cause impacts to local
7 transportation and traffic safety when the rail line
8 crosses area roadways using at grade crossings. At
9 these points traffic delays and car train accidents
10 have the potential to occur. For the most part
11 delays could result from three reasons: One, while
12 the crossings are temporarily blocked during
13 construction activities. Two, during normal
14 operation when at-grade crossings are closed for
15 trains to pass, including the time that it takes for
16 the train to pass and to approach and to leave the
17 intersection. And then during the track repair
18 activities. If a -- or if a train malfunctions at a
19 specific at-grade crossing.

20 And again, we welcome your comments on
21 every aspect of this resource area in the Draft EIS.

22 Water resources. As far as water
23 resources we analyze impacts on surface water, ground
24 water and wetlands. Surface water. Impacts to
25 surface water may result basically from rail

1 construction and operation or both. First, flood
2 plains and stream stability impacts. S.E.A.
3 consulted with the Army Corps of Engineers of the
4 Federal Emergency Management Agency and the Medina
5 County Floodplain Administrator regarding potential
6 impacts to flood plains and streams crossed by the
7 proposed rail line. These impacts depending on final
8 crossing design may include localized increases to
9 the width of flood plains and changes to stream
10 hydraulics as some of you are very aware. Cut and
11 fill operations at stream crossings could have
12 adverse impacts to bank stability as well.

13 In addition, contamination.

14 Contaminants could be released during construction
15 and operations that could be adversely -- that could
16 adversely impact surface water. And S.E.A. says a
17 wide range of contaminants, anywhere from silt and
18 debris to fuel spills or diesel fuel or other kinds
19 of fuels. During construction of the rail line and
20 during future repair activities ground clearing and
21 heavy equipment would cause the potential for silt
22 and debris runoff to enter surface waters during a
23 major rainfall event. The release of petroleum
24 products from construction equipment or locomotive
25 fuel spills could also impact water quality.

1 Ground water. The primary concern to
2 the ground water is the possibility of contamination
3 of the aquifers. Many of you have wells so I know
4 that this is a main concern for you. As I just
5 noted, construction and operation could potentially
6 result in runoff of contaminants.

7 Local streams provide recharge for the
8 Leon Gravel -- Gravel Aquifer. And then also the
9 northernmost one-half mile of the proposed rail line
10 here crosses the recharge zone of the Edwards
11 Balcones Fault Zone Aquifer.

12 The contaminants of concern would be
13 very similar to those just described for surface
14 water, including silt and debris from construction or
15 land repair and locomotive fuels. Contaminants from
16 the rail line could end up in the water which
17 recharges the aquifers and therefore resulting in
18 aquifer contamination.

19 And once again, SEA recommended some
20 preliminary mitigation conditions that we would very
21 much welcome your comments on as well as on the
22 actual analysis.

23 Wetlands. There is little potential or
24 natural opportunity for significant wetland resources
25 to form in Medina County. According to the national

1 wetland inventory Elm Creek and portions of Cherry
2 Creek and Quihi Creek form riparian wetlands. And
3 all of the local creeks have small pools classified
4 as Palustrine wetlands. I hope I pronounced that
5 right. These classifications deal with the types of
6 vegetation that these wetlands support. And I'm not
7 going to get into the details of that. But that's
8 pretty much the extent of wetlands in this area.

9 There is a potential for permanent loss
10 of wetland function where the rail line crosses these
11 creeks and places fill or structures within the
12 creek. Where such placement is necessary
13 authorization from the Corps of Engineers would be
14 required under Section 404 of the Clean Water Act.
15 Corps authorization is also needed when there will be
16 temporary impacts to streams from access roads needed
17 to transport the equipment and personnel during
18 construction near these creeks. During rail
19 operations wetland resources could also be affected
20 due to contaminated runoff following an accident that
21 results in a diesel fuel spill.

22 And again, we welcome your comments.

23 As far as biological resources, the rail
24 land will require a construction right-of-way where
25 all vegetation will be temporarily cleared. In

1 addition, it will require clearance of a permanent
2 area a narrower strip where the rail bed would be
3 located. Since this vegetation represents wide life
4 habitat any loss of this habitat would be an impact
5 to biological resources. Now construction,
6 maintenance and operation of the rail line could pose
7 a more direct impact to biological resources as there
8 is a potential for collisions between the train and
9 wildlife. And mechanical mowing and shredding along
10 the right-of-way could potentially harm smaller
11 animals.

12 Land use. As everyone here knows,
13 creation of the permanent rail line right-of-way
14 would require acquisition of land for both the
15 construction and for the permanent right-of-way for
16 the rail bed and it would have temporary -- and it
17 would have impacts to those properties adjacent to
18 the right-of-way or within the right-of-way. Most of
19 the right-of-way for the proposed route would be
20 located along or near fence lines. However, some
21 properties would be severed. Given current land use
22 SEA concluded that the proposed alignment would cause
23 a reduction in the amount of land including prime
24 farm -- farmland available for agriculture. Adverse
25 impacts on land use could not be fully mitigated.

1 Noise. The proposed action would result
2 in both construction and operation related noise
3 impacts. Construction of the rail line would proceed
4 at about 140 to 150 feet per day along the corridor
5 creating temporary noise impacts to nearby residences
6 as the construction moves along the right-of-way.
7 During the operation, noise would result from the
8 operation of the train on the line as well as from
9 the sounding of the horns prior to entering any
10 at-grade crossing.

11 SEA performed an analysis on operational
12 noise caused by engine noise and wheel rail
13 interactions and determined that operations over
14 Alternative I would have greater adverse impacts than
15 any of the other alternatives as far as the number of
16 receptors.

17 As far as horn noise the maximum sound
18 level from the horn would have an adverse effect on
19 residences closest to the grade crossings.

20 Finally, I would like to summarize
21 vibration impacts. Vibration impacts could result
22 both during construction and operation of the rail
23 line as well. Because of the nature of activities,
24 different activities would cause vibrational impacts
25 at different distances from the rail line. This is

1 very important. Depending on the source and the
2 activity the vibration impacts would be different.
3 Of primary concern are vibrational impacts to
4 sensitive structures such as historical structures or
5 wells or any other fragile structure. For example,
6 most construction related vibration impacts will be
7 limited to structures within 25 feet of the activity.
8 But for pile driving activities vibration impacts
9 could occur to extremely fragile historic structures
10 up to 200 feet away that's because pile driving has
11 much greater vibration -- is a much stronger
12 vibration source.

13 In addition SEA preliminarily -- SEA --
14 SEA'S preliminary studies indicate that vibration
15 impacts from the operation phase of the project or of
16 the rail line would not impact sensitive structures
17 more than 45 feet away. So it's 25 feet for
18 construction, 200 for pile driving, and 45 feet for
19 normal operation.

20 And with that, I conclude my summary of
21 the impacts and I turn this back over to Nancy so we
22 can begin the comment session.

23 MS. GATES: Now we're ready to begin the
24 most important part of this meeting which is the
25 comment period. And in order to insure that we have

1 a safe and comfortable environment in which everyone
2 can speak the way they want to, we've set up a few
3 ground rules. And they were listed in some of the --
4 the meeting fact sheet that you received when you
5 walked in today. But I want to just review them
6 briefly.

7 First of all, if you signed up to speak
8 you -- there was a number on your comment card. And
9 we will call you in the number -- according to the
10 order in which you signed up. We will call your
11 name. And then if you'll approach the nearest
12 microphone to speak, that -- that would be the
13 preferred procedure. If you're not able to speak for
14 any reason -- If you're not able to approach the
15 microphone for any reason, just raise your hand and
16 we'll bring the microphone to you. If you're a
17 Spanish speaker and you need help with understanding
18 anything that's being said, please let us know also
19 because Jaya is bilingual in Spanish and English and
20 she can help you with that. Each speaker will have
21 three minutes in which to make your comments. And to
22 help you with your -- with the three-minute
23 guidelines we have this nifty aid here that we will
24 show you when you're got thirty seconds so it's time
25 to start wrapping up your comments. And then when

1 your time is up, we'll -- we'll give you the times up
2 signal. And if you feel that you still have more
3 than you want to say you can wait and if -- if we
4 have a chance for everyone to make -- to speak who
5 wants to, then we'll start again with people who
6 would like to speak again. So if you feel like you
7 can't make it through your comments, don't worry;
8 there's a chance to -- to finish them later. As I
9 said, all speakers will speak once before we allow
10 people to speak twice.

11 And finally, we are recording this
12 meeting. We have a court reporter here and we're
13 audio taping it as well. And we're doing that
14 because we want to be sure and capture everything
15 that everyone says accurately. And for that reason
16 we ask that you not talk or make a lot of noise while
17 someone is speaking because that will hinder our
18 ability to record the comments.

19 So, let's go ahead and get started. And
20 I'm just going to turn off my equipment here. Okay.
21 I'll call your name, and then if you would just
22 approach the closest microphone.

23 Timothy Hildebrand.

24 MR. HILDEBRAND: Good evening. I'm
25 going to read mine in the interest of time. Thank

1 you for allowing this opportunity.

2 My name is Timothy Hildebrand. I'm an
3 elected public official residing in Medina County,
4 Texas serving as director and vice president of the
5 east Medina County Special Utility District. The
6 East Medina County Special Utility District is a
7 water purveyor in the needed area of the proposed
8 railway. I have a Bachelor of Science Degree in
9 geological engineering and am a licensed professional
10 geoscientist in the State of Texas.

11 East Medina County Special Utility
12 District's plant number five lies approximately five
13 and a half miles south of the proposed Vulcan quarry.
14 The proposed rail line would be constructed to
15 service and facilitate the proposed quarry and would
16 run near our plant number five. East Medina's plant
17 number five consists of various elevated storage
18 facilities. But most importantly two minutes for
19 water wells drilled into the Edwards Aquifer. These
20 two wells and aquifer serve approximately 30 percent
21 of our nearly 2,400 local customers on a daily basis
22 and is the sole source of supply water for over 700
23 families. How can the Surface Transportation Board
24 rule on the proposed Southwest Gulf Railroad Company
25 issue without an exhaustive environmental impact

1 study on the affects of the proposed quarry sitting
2 on the Edward Aquifer Recharge Zone?

3 My initial research and study have led
4 me to conclude that the only 100 percent guarantee
5 that I can make to my constituency that the proposed
6 Vulcan quarry will not pollute the aquifer in the
7 vicinity of plant five is for it not to be
8 constructed. The affects of rain and point source
9 pollutants in the Edwards Aquifer are immediate and
10 dramatic. In the last week alone water inside
11 Natural Bridge Caverns located northeast and in the
12 aquifer rose over 70 feet concurrent with the recent
13 rains.

14 My point is that although it has good
15 filtering capacity the Edwards Aquifer has in fact
16 tremendous permeability allowing whatever occurs on
17 the surface of the recharge zone to rapidly find its
18 way into the aquifer. I emphasize this because in
19 the exact science of geology allows for different
20 interpretations. And we all know paid consultants,
21 of which I am not one, will skew the facts toward the
22 side of their client. The undeniable fact is that
23 the Edwards Aquifer transmits fluids and some
24 particulates with the amazing capacity. Why would a
25 governmental agency ever facilitate this type of

1 activity over a recharge zone? Knowing the proximity
2 of this site to our water wells at plant number five
3 why should the only water supply for these 700
4 families be placed at risk? Paid consultants for
5 Vulcan, Southwest Gulf Railroad will argue that the
6 risk is negligible. Even if the risk were
7 negligible, why should these families in East Medina
8 County Special Utility District have to bear it?

9 I have worked in an extractive industry,
10 upstream oil and gas exploration and production for
11 nearly 25 years. I would dearly love to have the
12 right of condemnation as a tool to help us make
13 money. But that is not how the American free
14 enterprise system works. That is how totalitarian
15 governments work.

16 If you allow Vulcan under the guise of
17 Southwest Gulf Railroad to condemn these people's
18 land for the sole benefit of a private industry, I
19 fear not only for their water, I fear for their
20 freedom.

21 Thank you.

22 (Clapping.)

23 MS. GATES: Thank you.

24 Will Carter.

25 MR. CARTER: Thank you. I'm Will

1 Carter. I'm here representing the
2 Bexar/Medina/Atascosa Water Improvement District. We
3 are a political subdivision of the State of Texas.
4 We are the owners of the diversion of Medina dams and
5 also for Medina Lake.

6 One thing I'll need to get qualified, I
7 guess, later from URS is that I never knew till
8 tonight that URS had a conflict; because URS does all
9 the engineering for BMA. And I inquired about a year
10 ago about the impact of the quarry and it's effect of
11 its blasting on the fault system that we are directly
12 on strike with at Medina Dam. And I should have been
13 told then that y'all had a conflict. And I -- If you
14 could relate to someone with URS they need to
15 contact our office tomorrow because we have a real
16 problem with this.

17 But the real issue is not the railroad
18 for BMA. The issue is the quarry. And I also am --
19 my primary business is in oil and gas. And I have
20 seen the affect of blasting on seismic surveys where
21 I've had to go out and negotiate a settlement of
22 collapsed casing and wells up to two miles away.
23 Which is a fraction of the affect that the blasting
24 is going to have on the fault system that -- that
25 Medina Lake is on. Diversion Dam sits on top of an

1 active fault. And I can promise you that fault
2 system is going to run right into the quarry.

3 And what I'm going to need to find out
4 is -- We're having our next board meeting inquiry as
5 to the affect -- and the study that has been done,
6 y'all's study impacts just the railroad. The
7 railroad is not the problem. It's what it services.
8 And what we'd also like if we could get from your
9 agency is an explanation in writing as to where the
10 public purpose is in servicing a private enterprise
11 that -- as -- strictly for profit. You cannot --
12 This is a taking. And how it is a taking it's going
13 to potentially damage our reservoir of not only the
14 Edwards recharge but also our -- our -- the dam at
15 Medina Lake. Medina Lake's Dam has -- has relief
16 wells. If those wells which relieves the hojatatic
17 (sic) pressure in the case of flooding, if those
18 relief wells should get severed because of a movement
19 of a fault even by a fraction of an inch, that whole
20 structure is in jeopardy and thousands of flies (sic)
21 downstream are going to be jeopardized.

22 And so I'd very much appreciate if
23 someone with the agencies could get in touch with us
24 and give us some comfort level that -- where we can
25 answer to -- to our constituents as to the impact of

1 -- of the quarry itself that this rail -- rail line
2 is -- is going to be servicing.

3 Thank you.

4 (Clapping.)

5 MS. GATES: Thank you.

6 Richard Fournier.

7 MR. FOURNIER: Hi. I would like to
8 thank everybody for being here tonight and listening
9 to us. I think Tim and the gentleman from BMA thank
10 you very much.

11 In 1959 my parents moved my two brothers
12 and my sister from San Antonio to the country. Why?
13 Because it was country. It was quiet. There wasn't
14 anything out there. We reveled in the solitude. I
15 just came back from seven years in Colorado. I
16 purchased some of the property that my parents had
17 only to find out that I'm going to have a railroad
18 run through it. This is going to be detrimental to
19 some of the things that I do out there, such as the
20 hunting, the people that I lease some of the land out
21 to, and everything else. I mean what is going to be
22 my compensation for my downgrade? Tell me it doesn't
23 downgrade the price of land to have a railroad run
24 close by. Tell me what my compensation is going to
25 be for having to put up with all these impacts or

1 possible or potential impacts.

2 I have no other recourse. I need to go
3 against this railroad, the quarry also. We've got
4 quarries on 1283, 471, 1604. How many is enough?
5 This is an out of state company. A very wealthy
6 company. Checked out their web site. Some people
7 are squabbling over the scraps from their table.
8 It's thrown the community apart. I don't know what
9 else to do. I voiced my opinion.

10 Thank you very much.

11 MS. GATES: Thank you.

12 Tom Walpole.

13 MR. WALPOLE: My name is Tom Walpole. I
14 live in Quihi on FM 2676 at Elm Creek. The railroad
15 and quarry must be studied as a connected action.
16 Without the quarry the railroad serves no purpose.
17 The Draft EIS did not conduct any flood studies.
18 Only remarks like "best engineering practices in the
19 design of the stream crossings will be made to avoid
20 increasing floodplain width." Which can be anyone's
21 interpretation.

22 On January -- 12 January of 2000 my wife
23 and I along with the Fitzgeralds met with Tom
24 Ramsdale, Darrell Brownlow and Vulcan's lawyer, Chris
25 Schuchart. This happened when we heard rumors about

1 a rock quarry being planned near our homes. I told
2 them that I grew up in Birmingham, Alabama and that I
3 knew Vulcan very well. Mr. Ramsdale's very rapid
4 response was "oh, we don't cause all those pollution
5 problems like that done in the past." Some of the
6 quarry problems have been lessened in the U.S.
7 because people like you in this audience have fought
8 for better environmental laws. It is common
9 knowledge that big business will try to get away with
10 all they can just to increase their profits. We need
11 to continue seeing that all unanswered questions
12 regarding this EIS are properly addressed before STB
13 gives the go ahead for the railroad to begin
14 construction.

15 My relatives in Birmingham are still
16 living with the quarry. Quarry problems have
17 encouraged me to do all we can do to prevent the
18 quarry. If that fails, try to make the project
19 environmentally safe from the beginning. Once
20 they're here, your voice becomes very small.

21 Remember the only reason that Vulcan is
22 doing this Environmental Impact Study is because the
23 MCEAA has fought for Quihi's right to live in a safe
24 and healthy environment. Medina County is it worth
25 it?

1 Thank you.

2 (Clapping.)

3 MS. GATES: Thank you.

4 Joseph Salomon.

5 MR. SALOMON: Hello. My name is Joseph
6 Salomon, and I own property right by the proposed
7 quarry and railroad. I'm actually 4,000 feet from
8 where the quarry is going to be.

9 My main concern is that the quarry and
10 the railroad are not tied as one item. Like many of
11 the other people have stated, if the quarry weren't
12 going to be there, the railroad would never come. I
13 know that in some of these statements that people
14 have made they are saying that the quarry -- or the
15 railroad would be open for other businesses and stuff
16 like that. I don't know of any other business that's
17 going to come out there and build any kind of
18 construction or anything like that without the quarry
19 being there.

20 I'm really worried about the quarry and
21 the railroad in the sense that my water well is an
22 Edwards Aquifer well, and I'm only 4,000 feet from
23 that quarry. They say they'll compensate you and all
24 that other stuff, but I don't want to have to be
25 bringing water in bottles or whatever it may be to be

1 able to drink water and protect my family and my
2 animals.

3 There's going to be a lot of situations
4 where we're all going to come up and have to be
5 mitigating with Vulcan. And there's no way that I
6 could ever stand up to them and have the power or the
7 money or the lobbying efforts that they have to deal
8 with the organizations like yours and others.

9 I'm -- I'm a single owner -- landowner
10 that if my well is damaged, I'll have to fight with
11 them. Well, the only resources that I have are the
12 resources that come out of my wallet that I have to
13 pay for my property and my family and everything else
14 like that. And there's no way I could ever fight
15 Vulcan and the railroad to be able to -- to get water
16 to be able to drink. So my only resource would be --
17 would be to -- to leave my property. And who is
18 going to want to come and buy my property that is
19 4,000 feet from a -- from a quarry and a railroad
20 with the traffic that's going to go down 353? I know
21 that they say, "Well, if you -- if you let us have
22 the railroad, we won't bring trucks through. We're
23 only going to bring 24 trucks." Well, all you have
24 to do is go down 1283 in front of Vulcan's entrance
25 there and see that -- I guarantee you there's more

1 than 24 trucks that run out of that lot in an hour's
2 time, let alone a day. I mean there -- It might be
3 24 of their trucks, but what about all the other base
4 that they're going to sell to all these other, you
5 know, public places that are going to come and say,
6 "Hey, I need, you know, 200 hundred yards" or I need
7 whatever it may be to service my road or my whatever
8 it may be, projects, construction and everything else
9 like that. I mean that traffic -- You know they'll
10 say, "Well we'll pave your road now. We'll pave 353
11 so that way it will be safer." No it will be so that
12 those trucks can go faster. And if anybody has ever
13 been down 353, that road is not very wide, especially
14 right there where the quarry is going to be at.
15 It's -- it's -- If anything, it's 30 feet wide. I
16 mean I've been out there with my tractor and a darn
17 chisel and I have to stop when other trucks are
18 trying to go by.

19 So I just hope that you guys take that
20 into consideration when you're giving these people
21 their right to come and take our land and our
22 property.

23 Thank you.

24 MS. GATES: Thank you.

25 (Clapping.)

1 Dr. Bob Fitzgerald.

2 DR. FITZGERALD. Thank you.

3 I would like to bring up a question to
4 STB. STB has ignored MCAA and others concerning the
5 environmental impact of rail traffic caused by the
6 shipment of 5,000,000 tons of limestone a year from
7 the proposed quarry to the Houston and Gulf Coast
8 area. The question I would like to have answered is:
9 Does STB believe the statement made by Dr. -- by Mr.
10 David Coburn who is STR's attorney that ST -- that
11 MCAA makes weird and unprecedented questions on this
12 issue? Well, it may seem weird and unprecedented to
13 Mr. Coburn, but six Union Pacific train wrecks in the
14 past six months are far too many. And now people in
15 San Antonio about a million strong are very concerned
16 and are asking their government: "What can be done
17 about this?" Something needs to be done to prevent
18 it. Vulcan's solution to this problem is to add
19 additional traffic, one thousand cars a week will go
20 through the same tracks that have been the site of
21 these accidents that I -- derailments that I have
22 just mentioned. UP doesn't need this type of
23 increase when it is coupled with ever increasing rail
24 traffic from west coast, from Mexico and from the new
25 Toyota plant, which will certainly have precedents

1 (sic) over the limestone shipments. It's true that
2 limestone is not a hazardous cargo unless you're
3 crushed by a derailed freight car. Limestone takes
4 up space. There's no denying that. And it worsens
5 the congestion on the rail traffic. This rail
6 traffic has already reached critical limits and past
7 them in some areas, in San Antonio. Why has STB
8 ignored MCAA's scoping comments, which have already
9 been submitted in this matter? I find no information
10 at all in the DEIS.

11 So we again ask that the impact of this
12 5,000,000 tons of limestone that's going to be
13 shipped through overburden system be evaluated for
14 its environmental impact.

15 Thank you very much.

16 MS. GATES: Thank you.

17 (Clapping.)

18 MS. GATES: Jacque Conrad.

19 MS. CONRAD: My name is Jacque Conrad.
20 We have spent the last 12 years preparing our
21 property which is three-quarters of a mile west of
22 the quarry and rail site to become our final dream
23 home. Today our property is a model of pristine
24 Texas as it was 150 years ago, grass covered, dotted
25 with native trees. A little over five years ago we

1 spent several thousand dollars on house plans. Just
2 after they were complete, the announcement was made
3 about the proposed quarry project. Those house plans
4 are now rolled up and stored in the back of a closet.
5 We just do not care to live next to a noisy and
6 polluting quarry and railroad; which I definitely
7 feel is a connected action. One would not be
8 profitable without the other.

9 Also, we don't want to take the chance
10 of losing our water. None of us in this area have
11 access to the rural water system. We also fear water
12 pollution from chemicals, spilled fuels from the
13 quarry site. Should we decide to move out of this
14 beautiful southern escarpment of the Edwards Plateau.
15 I cannot imagine anyone wanting to buy our place.
16 Just ask the local realtors what kind of response
17 they get as soon as the potential buyers of our
18 property in our area find out that their would
19 possibly be a quarry and railroad located close to
20 them. They buy elsewhere. What does this do to our
21 property values? Our good neighbor Vulcan could
22 care less. Vulcan wants us to make major sacrifices
23 so that they and their shareholders can make major
24 profits.

25 Thank you.

1 MS. GATES: Thank you.

2 (Clapping.)

3 MS. GATES: Alyne Fitzgerald.

4 MS. FITZGERALD: Thank you for allowing
5 us to speak to you. Mine is rather long, so I
6 anticipate that I'll have to divide it into two
7 parts. Many of us thought that this study was very
8 poorly done and very unprofessional. It left out
9 many important issues or trivialized them calling the
10 impacts "minimal, not significant or negligible." It
11 looked like Vulcan did the study themselves and
12 rushed it through. It left most of the problems up
13 to Vulcan to solve later at mitigation. Using such
14 terms as "use best management practices, develop a
15 contingency plan, take appropriate measures, comply
16 with reasonable requirements or minimize to the
17 extent practicable." Well, we do not want Vulcan to
18 handle things in their own way later. Let's look at
19 how they handled things in other parts of Texas and
20 the United States.

21 "New York, New York Harbor - The United
22 States sued Vulcan for discharging contaminants into
23 New York Harbor for several years.

24 Texas Burnett County - On Highway 281
25 north of San Antonio people are fed up with all the

1 quarries. Senator Troy Frazier is concerned about
2 the affect of multiple quarries. One report noted
3 that Vulcan quarries in Texas have received seven
4 notices of violations from clear streams inspections.

5 North Carolina, Gilford County - Board
6 of Commissioners denied permits to Vulcan. Neighbors
7 of a quarry cited falling property values, broken
8 windows, cracked walls dried up wells, falling rocks.
9 The National Environmental Journal reported that
10 Vulcan is the seventh worst emitter of toxins in the
11 United States.

12 Illinois, Cook County - Vulcan Materials
13 fined and shut down in April 2003 for air pollution
14 violations starting in 2000. State Attorney Richard
15 Devine said it is victory for Cook County and the
16 environment. Attorney General Lisa Matigan said
17 families who happen to live near a business should
18 not be forced to smell or breath polluted air.

19 Alabama, Marshall County - Strong
20 opposition to proposed Vulcan quarry. County
21 Commissioners concerned about cracking a damn two
22 miles away. Mayor of the town urged Alabama
23 Department of Environmental Management to deny the
24 permit. County tax assessor said the people would
25 take an 18 percent hit on their home -- their home

1 values; which for many represents their life savings.
2 Their state senator said hundreds of people have
3 contacted him. Vulcan will leave us a hole to deal
4 with after they've left with the profits.

5 Illinois western -- in the town of
6 Weston - Vulcan was fined \$10,000 by the U.S.
7 Department of Labor because a man was killed by a
8 flying -- by flying rocks from a quarry blast while
9 he was mowing his lawn some 900 feet away.

10 Illinois - Department of Transportation
11 along with U.S. Congressman Lapinski, State
12 Representative Lyons and State Senator Racogno filed
13 a lawsuit against Vulcan for damages to a ma -- major
14 road."

15 I'll conclude my remarks later.

16 MS. GATES: Okay. Thank you.

17 (Clapping.)

18 MS. GATES: Mary Walpole.

19 MS. WALPOLE: I am Mary Walpole. My
20 husband and I live at -- live on FM 2676 at Elm
21 Creek. We will be very affected by railroads one,
22 two and three. I am asking again before the final
23 EIS draft is completed to study the quarry and
24 railroad as a connected action. This nec -- This
25 information is necessary for a true and complete EIS.

1 The flooding in Quihi has not been
2 addressed. The problem of a railroad through the
3 floodplain cannot be mitigated away.

4 I take daily medication for vertigo, a
5 disorder of the inner ear that can cause severe
6 dizziness. I have suffered with this since a child
7 and my life has centered around doing nothing that
8 could trigger an attack. Vibration is one of the
9 causes. Only someone who has attacks of vertigo can
10 understand the fear I felt when I heard about a
11 railroad coming near my home. Only rumors were
12 available. And I wanted to know how close to my home
13 the track would be.

14 My husband and I along with the
15 Fitzgeralds met with Tom Ramsdale, Darrell Brownlow
16 and Chris Schuchart on January 12th, 2000. They
17 declined to give me any information then. And now
18 almost five years later, I still don't know how close
19 to my mobile home the track will come. Even STB has
20 not been able to make a decision and wishes our
21 comments.

22 Before the EIS I asked questions about
23 vibrations. I do know which comment or questions our
24 mind, but I haven't found the answers in the Draft
25 EIS yet. I did find vibrations studies on the

1 historical homes and that the impact of the track
2 would go out 1,000 feet on each side. I hope that my
3 vertigo understands that I am not in the impact zone
4 -- zone of the track.

5 At the end of the January 2000 meeting
6 with Vulcan, Darrell Brownlow told my husband and me
7 that I could sue them if I became ill. So much for
8 Vulcan's concern for the health problems that the
9 quarry and the railroad could cause the citizens of
10 Quihi.

11 Thank you.

12 MS. GATES: Thank you.

13 (Clapping.)

14 MS. GATES: Craig Heiligman.

15 MR. HEILIGMAN: My name is Craig
16 Heiligman. I'm the son-in-law to Clovis Boehme, one
17 of the landowners of the proposed quarry site. I was
18 born and raised here in Hondo, Texas. Graduated from
19 Hondo High School and now live in Castroville with my
20 family.

21 First of all, I wanted to thank the
22 Surface Transportation Board and it's Section of
23 Environmental Analysis for a very thorough and well
24 written Draft Environmental Impact Statement. The
25 man hours and investigation time must have been

1 tremendous.

2 The opposition has made claims in local
3 papers that Vulcan must have written the report. If
4 I spent all that time and effort on a report of this
5 magnitude, a comment like that would be very
6 upsetting. I feel the Draft EIS addressed all
7 concerns raised by the opposition and proper
8 mitigants were included for those concerns.

9 It is evident that the railway is the
10 best option to transport the aggregate from the site
11 to the connection point. I can't believe the
12 opposition would rather have trucks instead of the
13 railway.

14 This project would be a great economic
15 boost to Medina County and to the Hondo Independent
16 School District in the form of tax dollars, job and
17 increased revenues for small business who will
18 benefit from Vulcan's presence.

19 The opposition has used every scare
20 tactic imaginable plus tried in every way to delay
21 this project.

22 As a person who grew up in Medina
23 County, I am shocked that people I've known all my
24 life can be brainwashed by these scare tactics and
25 allow outsiders who move here to control them. They

1 convinced these people to place restrictive covenants
2 on their land, barn and railways and then screen
3 property rights. However, when it comes to the
4 property rights of landowners like my father-in-law
5 where the quarry will be, they don't think they
6 should have any rights.

7 The opposition would rather see
8 subdivisions and trailer parks which are popping up
9 everywhere rather than a Fortune 500 company like
10 Vulcan who provide a boost to the economy rather than
11 a drain on the county's infrastructure.

12 As mentioned, I graduated from Hondo
13 High School. I can't believe that the school board
14 is not fighting tooth and nail for this project which
15 would bring in thousands of tax dollars, dollars
16 which can be used to pay teachers the kind of pay
17 they deserve, dollars which could be used to increase
18 and expand programs to better educate the students of
19 the school district.

20 There must be school board members who
21 have personal agendas rather than looking out for the
22 best interest of the school district.

23 I'm glad to hear that the Castroville
24 Chamber of Commerce and the Mayor of Castroville have
25 made positive comments in regards to this project.

1 It's time Hondo stepped up to the plate and backed
2 this project which would be a boost to the county's
3 economy.

4 Once again, I want to thank the Surface
5 Transportation Board and it's Section of
6 Environmental Analysis for -- for all their hard
7 work.

8 Thank you.

9 MS. GATES: Thank you.

10 (Clapping.)

11 MS. GATES: Donald Schoch.

12 MR. SCHOCH: My name is Don Schoch. My
13 great, great grandfather landed in Quihi Creek area.
14 And my great grandfather built the home of Henry
15 Schweers there then in 1858. My grandfather was born
16 there. My father and mother reared a family there.
17 And my brother and sister were born in Quihi. Quihi
18 in about 1910 or something like that actually had a
19 railroad track that ran right smack through that
20 area. And I imagine that my great ancestors rejoiced
21 in the chance that they might have gotten some work
22 at Medina Lake and so on. And I don't think there
23 was any objection to a railroad track at that time.

24 I want to commend the SBC and the CEA
25 and URS for the professional work that y'all have

1 done and devised the way that you're going through it
2 and the thoroughness in which you're doing the study.
3 We've studied this thing from "A" to "Z" with all --
4 all that we've studied and the environment --
5 environment and endangered species, the air and water
6 and streams and wetlands, the traffic and on and on
7 and on. This has been studied from "A" to "Z". And
8 I'm sure that when you get back to Washington D.C.
9 and make your reports to the three deciders, they'll
10 make a very wise decision based on real facts from
11 people that know what they're talking about.

12 China is growing at a rate of 10 percent
13 per year with their gross national product. This
14 last year they used 50 -- they produced 50 percent of
15 the concrete in the world. They need high grade
16 limestone to do that concrete work. And America
17 needs their sources of high grade limestone also. We
18 can throw stumbling blocks in the way of our free
19 private enterprise and our very good companies and
20 stifle America to where we can't compete in the
21 world's market.

22 Vulcan Material has -- can help the
23 economy in America, in Texas, in Medina County and in
24 Quihi. They can provide essential materials, jobs
25 and provide tax monies. And I know that they're a

1 community oriented company.

2 I used to be a general contractor for
3 about 45 years. They say that back in those days you
4 could shake a hand and that that was as good as a
5 contract. Shaking a hand was just as good as a
6 contract when I -- when I did general contracting
7 work. Just over a phone people would commit to
8 hundreds of thousands of dollars just on my say so.
9 And that was because they were good companies. We're
10 talking about a very, very good high quality company,
11 the Vulcan Material Company. I know Tom Ramsdale
12 very well, and I know that a handshake from him would
13 be as good as a contract.

14 Thank you.

15 MS. GATES: Thank you.

16 (Clapping.)

17 MS. GATES: Wayne Balzen.

18 MR. BALZEN: First of all, I want
19 everyone here to think one item. If denied -- this
20 issue denied tonight, trucking would be in order.
21 And if it becomes an order, you're looking at a truck
22 every 51 seconds 24 hours a day. That's something to
23 remember. So therefore, I ask the Surface
24 Transportation Board to adopt this Draft EIS for
25 Southwest Gulf Railroad and approve building of such

1 railroad according to the voluntary mitigation
2 measure -- measures BM 1 through BM 5 and SEA's
3 recommended mitigation with cooperation using
4 engineering and design methods with Vulcan Materials
5 and STR concerning transportation and traffic safety,
6 public health and safety, worker health and safety,
7 ground water, surface water, wetlands, biological
8 resources, air quality, land use, noise, vibration,
9 recreational and visual resources, cultural resources
10 and last but not least the karst features.

11 It is my belief that SEA has worked long
12 and hard to address these concerns and will approve
13 building this railroad according to the documentation
14 of facts found in this vag -- investigation as a
15 result of the scope and concerns from the first open
16 house meeting.

17 Quihi area has changed. There are more
18 residences in Quihi today than there were in 1970.

19 Thank you.

20 MS. GATES: Thank you.

21 (Clapping.)

22 MS. GATES: Marian Wernette.

23 MS. WERNETTE: Good evening. I'm Marian
24 Wernette. And I thank you for allowing me to speak
25 at this meeting. My comments are about all the truck

1 alternative.

2 Vulcan is trying to make this all truck
3 proposition sound like it could really work. We who
4 live here know that 850 trucks every day could not
5 make that loop from the quarry to the Union Pacific
6 connection on lots number 10, 11 and 12 of the Dunlay
7 Acre Subdivision. That truck loop would go through
8 14 miles of narrow gravel county roads, County Roads
9 353, 351, 365 and 451. Two cars have difficulty
10 passing along these roads. Every one of these roads
11 flood extensively when we have only just a few inches
12 of rain. We have had six floods already this year on
13 these roads. You have not studied the flooding well
14 at all in this Draft EIS.

15 Also, Farm-to-Market 2676 was not built
16 to handle these 80,000 pound trucks. Roads and parts
17 of the roads will be closed all the time for repairs.
18 Vulcan has told you that they have other quarries
19 serviced entirely by trucks. But the above
20 conditions I've just talked about do not exist at
21 these quarries; 14 miles of narrow unpaved roads,
22 flooding all the time, 850 trucks per day each day.
23 We know the reason Vulcan is telling us that their
24 all truck idea could work is so that people will say
25 "Oh, let's let them have the train. That's better

1 than all of those trucks. We don't want 850 trucks."
2 Well, the truth of the matter is there will be trucks
3 anyway, up to 250 trucks per day and the trains. We
4 resent the deceit you are using to get some people to
5 agree to the idea of trains. They are using this all
6 truck alternative as a club. You can't be serious
7 when you say that that would work.

8 I choose not to make comments on any of
9 the railroad routes that you've studied.

10 Quihi is where my husband and I chose to
11 live. And all the people here are our neighbors. I
12 have no right to say which property should be
13 condemned, taken by eminent domain or ruined by a
14 railroad running near their homes. How easy it's
15 been for people not living here to tell us that the
16 quarry and the railroad are a wonderful asset to our
17 community. I think it would be even better as that's
18 where they live.

19 The railroad and the quarry are
20 dependent on each other and need to be studied as
21 connected actions.

22 Thank you.

23 MS. GATES: Thank you.

24 (Clapping.)

25 MS. GATES: Tom Ramsdale.

1 MR. RAMSDALE: Good evening. I'm Tom
2 Ramsdale, Project Manager for Southwest Gulf Railroad
3 Project and also the proposed quarry that we've been
4 talking about tonight.

5 I'd like to thank the members of the
6 Surface Transportation Board for their investment of
7 time and resources in this project and for the
8 thoroughness of the Draft Environmental Impact
9 Statement prepared by the agency Section of the
10 Environmental Analysis.

11 The Draft EIS identifies a total of 47
12 recommended mitigation measures, including many
13 measures which we had voluntarily incorporated into
14 our own planning for the project. We are encouraged
15 that the draft EIS concludes that the building of the
16 rail line would not result in significant adverse
17 environmental impacts provided that the specified
18 mitigation measures are implemented.

19 We understand that a significant --
20 excuse me -- significant new project like this raises
21 questions and concerns in a community. All those
22 concerns were addressed in the Draft EIS there are
23 several that I would like to address specifically.
24 Regarding traffic and safety in the area I would like
25 to point out that our trains will travel at low

1 speeds of 25 miles per hour or less. The volume of
2 rail traffic we are proposing from the quarry would
3 be light. Trains would pass through road crossings
4 in less than five minutes, not the long traffic
5 delays that some have predicted.

6 Finally, the railroad would operate with
7 the appropriate safety measures required by the Texas
8 Department of Transportation and the Federal Railroad
9 Administration. Many claims have been made about
10 water supplies in the area. The Draft EIS concluded
11 that with mitigation the rail line would not
12 significantly impact area water resources, including
13 aquifers or wetlands in the areas of streams and
14 creeks, nor would it result in flooding.

15 The fact, well engineered rail lines
16 that follow the guidelines of Federal and local water
17 management agencies do not contribute to the flooding
18 concerns. Over the past several years we have
19 consulted with a number of water management agencies,
20 including the Edwards Aquifer Authority to evaluate
21 any potential concerns. The fuel storage will be
22 located off the recharge zone. Likewise the rail
23 route would be primarily south of the recharge zone.

24 Finally, I would like to say a word
25 about the quarry. I would like to point out the very

1 real benefits of the quarry to Medina County and to
2 Texas. The \$30,000,000 that we would invest would
3 provide a significant economic boost to Medina
4 County. Once operating the quarry would be the
5 largest private employer and the largest source of
6 tax revenue in the county generating an estimated
7 seven and a half million in annual, direct and
8 indirect economic benefits. Notably an estimated
9 \$650,000 in annual county taxes will be paid by
10 Vulcan. Four thousand of which will direct --
11 directly benefit local schools. For all these
12 reasons Vulcan Materials is committed to this
13 railroad project and is doing the right thing. I
14 would add that we are serious about our commitment to
15 being a good neighbor, and we take great care to work
16 closely with our neighbors in the communities where
17 we operate. We are convinced. And the results of
18 the Draft Environment Impact Statement support this:
19 That rail is the best option for serving our quarry.
20 And this a project that will work in Medina County.

21 Thank you.

22 MS. GATES: Thank you.

23 (Clapping.)

24 MS. GATES: Lester Landrum.

25 MR. LANDRUM: I just have a few comments

1 that -- and not -- Try not to repeat too many others.

2 My name is Lester Landrum. And my wife
3 and I have been Quihi residents for 14 years and live
4 at the home we built at 776 County Road 354. It
5 includes one Edwards well. Our home is about
6 six-tenths mile east of the proposed railroad --
7 railroad and about 1.1 miles from the proposed
8 quarry. Our home is on registered heritage land.
9 It's been in the family for 124 years.

10 I'd like to comment one or two things,
11 and that's rail traffic. Mr. Ramsdale talked about
12 no -- it wouldn't be more than five minutes on any
13 place. I'll tell you that coming out of our quarry
14 with a -- from a dead stop and a loaded train will
15 take more than five minutes coming across County Road
16 353.

17 How does he talk to Union Pacific? Is a
18 train going to sit on the seven miles waiting for the
19 Union Pacific people to come out? How many hours is
20 that train going to sit on the railroad and wait for
21 Union Pacific to come out? Will Union Pacific have a
22 window to get to -- onto the main line? How long
23 will it take them to get the window on -- on the main
24 line? They know all those answers and questions, but
25 they've been very hesitant to give us any of those.

1 Now then we've got to think about our neighbors in
2 San Antonio. What is the added traffic going to do
3 to San Antonio? Maybe nothing. But I believe it
4 will. And that that should be studied too. That is
5 part of Surface Transportation Board's job to take
6 care and look at the safety of them all. So I tell
7 everybody look at the time for crossing, look at the
8 safety. They talk about the cars but they have never
9 told you how they're going to do the railroad. Are
10 they going to martial cars? How many railroads are
11 going -- How many trains are going to be on the
12 railroad at one time? There's lots of unanswered
13 questions. They know all these answers. Why don't
14 they give them to us?

15 Thank you.

16 MS. GATES: Thank you.

17 (Clapping.).

18 MS. GATES: Ray Schoch.

19 MR. SCHOCH: I'm Ray Schoch. I'm
20 president of the Schweers Historical Foundation. We
21 became interested in the Henry Schweers home several
22 years ago, and trying to find out where we could
23 acquire that to renovate it. Henry Schweers had two
24 brothers come over with him and a sister. And
25 between 1846 and 1873 all four had built homes in

1 that area all on contiguous land. It's on the corner
2 -- or close to 450 and 365.

3 By the time we found out who owned the
4 land Vulcan had just purchased it. We thought our
5 opportunity had gone away. We decided to ask Vulcan
6 if they would just sell us the home plus enough land
7 to include the out buildings. After meeting with
8 them, they said considering what we were trying to do
9 if we would form 501-C3 tax exempt corporation and
10 open it up to the public that they would donate that
11 home to us, plus the Henry -- the William home since
12 they owned both tracks -- or both homes. We were
13 amazed and we were delighted. Since then they've
14 been over just -- they have worked with us
15 tremendously in order to achieve our goal in trying
16 to restore these ancestral homes. They have provided
17 the expertise it took to organize a Texas nonprofit
18 corporation to get it tax exempt. They've donated
19 money to do the fencing, to put in a parking lot.
20 And they have agreed to match \$5,000 for our
21 renovation, matching fund basis. And that still
22 stands. So they have worked very well with us.

23 We began to wonder about Vulcan having
24 never heard of them before. And if you look on the
25 Fortune 500 you'll find that they rank very high in

1 social responsibility and number nine in that
2 category which puts them in the same category as UPS,
3 and Alcoa and McDonald's. Those are very, very big
4 companies. They do very good things for the
5 communities that they live in. Not only do they
6 bring a lot of tax dollars but help their schools and
7 communities, but they also offer help in the projects
8 that the community is interested in such as museums,
9 libraries, et cetera. And their actions with us
10 prove that they will do the same thing here. Also
11 they have the strength -- financial strength.
12 They're rated number five again with UPS, Microsoft
13 and Exxon, big companies that have the where-with-all
14 to back up the promises they've made.

15 And they operate about 200 quarries in
16 the nation. If you contact them, most of them have
17 good things to say. The communities would love to
18 have them. And most of the community if they had the
19 resources or the product they would fight to have
20 them come to their community and increase their tax
21 base and be a good community.

22 Thank you.

23 MS. GATES: Thank you.

24 (Clapping.)

25 MS. GATES: Marilyn Brown.

1 MS. BROWN: First of all, I want to say
2 my name is Marilyn Brown. And I think it's great
3 with our soldiers being over in Iraq that we have the
4 freedoms that we have in America to speak on both
5 oppositional sides and voice our opinion for all our
6 -- all of our freedoms and our choices here in this
7 country. And thank you for allowing me to speak
8 tonight. I had preliminarily prepared a speech
9 because as an educator I talk in front of 140
10 students five days a week. And I thought the best
11 way to lay out the plan was to prepare and organize
12 just like I do my lessons a preparation for what I
13 wanted to say. But as I tossed and turned in the
14 last few days I realized that with so many different
15 issues at hand it was too difficult to cover
16 everything in three minutes. Therefore I want to
17 change my focus tonight on impromptu and say that I
18 speak from the heart.

19 From what I here tonight, so many of my
20 neighbors -- By the way, I reside in Quihi, which is
21 -- if you're not familiar with Quihi -- I could
22 reside in Mico. Which if you're not familiar with
23 it, it butts up against Quihi. And when my husband
24 and I elected to move into the area five years ago we
25 did it from the eighth largest city in the nation.

1 And we did it primarily because of an issue of
2 safety. We owned a home on the north side of town.
3 But what we were seeing and what was happening was
4 not the place we wanted to raise our family in. We
5 have three children of which two are teenagers and
6 one soon to be a teenager. As we approach our
7 retirement years we took everything we had to put
8 into the home that we currently own. Although we
9 will not directly be I guess -- or the a railroad
10 won't run through our land however the quarry is
11 within 1800 feet of our property. Therefore, the
12 home that we moved from in San Antonio, Texas because
13 our kids could not play in a front yard because of
14 traffic control and the things that were going on are
15 now happening in our dream home. We are near
16 retirement age. As our children leave the house we
17 have no other resources. To sell our home, as people
18 have said here tonight, would be an unjust cause.

19 So I'm speaking from my heart. Whether
20 Quihi -- whether the quarry comes, I don't know. Who
21 can stop us -- who can stop them?

22 I'm just asking this board that when you
23 go to bed at night think about the families that you
24 are affecting. And maybe we're only a few, 400, 500,
25 I don't know the numbers but some of us can't start

1 over. And the quarry and the people -- Mr. Ramsdale,
2 I invite you to my home so that you can see that what
3 you bring in will not only affect maybe one family,
4 two families. But it is our home. And I ask you to
5 please think about what we're doing here in a
6 beautiful community.

7 I also want to say that what the quarry
8 has done for school districts. Being in the school
9 district I applaud you. Forty thousand dollars is
10 admirable. However, let's not change the safety of
11 our children bringing in railroads and major trucks
12 into the area at the expense of our next generation.

13 Thank you.

14 (Clapping.)

15 MS. GATES: Thank you.

16 Joe McKay.

17 MR. MCKAY: Hello. I'm Joe McKay. I
18 want to thank you in advance I'm sure of the careful
19 consideration that you will give to this project. As
20 I've been hearing so much in the community I'm one of
21 those outsiders. About 10, 12 years ago I decided
22 that I would sink my entire investment in everything,
23 into land and property for my family to have a safe
24 place to live. Knowing the area of Quihi having been
25 there as a child I knew the extreme pride people had

1 in their land. It had been passed down from
2 generations out there. I figured it was a pretty
3 safe place to be. Well, as an outsider I came in and
4 obviously did some things that they didn't like.
5 Built a nice house and cleaned up the property and
6 take care of it. Took great pride in it.

7 But this study that we've heard it
8 claims to have a minimal impact on this. I question
9 the study in that one of the alternates goes through
10 my living room. And nobody has even asked me if this
11 would have an affect on my livelihood. Well, I think
12 it probably would. The -- You know you say that the
13 -- how do we know -- very minimal impact on the
14 property values and the safety issues. But had I
15 known ten years ago what I know now there's certainly
16 no way I would have invested my -- in the place that
17 I'm at. So obviously it does have an impact.

18 The threats that we've had about this
19 truck traffic having grown up near a gravel quarry I
20 know exactly what will go on. And basically these
21 threats of running 24 hour trucks if this was a
22 viable option -- I understand Mr. Ramsdale he told us
23 at the very first meeting their interest in this was
24 moving a very high volume of rock by rail. And I
25 don't think they have very much interest in this

1 project if it doesn't go through. So basically by
2 threatening us is -- is the issue involved to try to
3 get us to -- to jump on the band wagon that this
4 rails a good idea.

5 I was trained for several years in
6 response to HAZMAT emergencies, such as train
7 derailments. And I'm sure that y'all are well aware
8 of the devastation that's involved with rail
9 accidents. We've seen quite a bit of it lately.
10 We're putting a huge junction right in the middle of
11 a -- one of the more populated areas in Medina
12 County. And I think this would have devastating
13 effects if we roll a very large gravel train into
14 this item, an ammonia or chlorine tank car that would
15 be passing through there. It does pass through there
16 on a daily basis.

17 The -- and also to -- And part of that
18 is all -- everything I'm hearing here today, they
19 will take the best route or the best way or the best
20 alternative. And I just -- I just think that there's
21 some issues involved in that. I'm sure they've done
22 things to minimize their liability already. Which I
23 don't know anything that Vulcan could possibly own or
24 their assets that would be enough to reimburse
25 somebody for the loss of a life, loss of a family

1 member or loss of one of my neighbors.

2 So I would hope that you'd take careful
3 consideration to the ones of us that had planned for
4 a much different life style out here than having a
5 gravel pit and rail run by their -- their property.

6 Thank you.

7 MS. GATES: Thank you.

8 (Clapping.)

9 MS. GATES: Jean Marty.

10 MS. MARTY: My name is Jean Balzen
11 Marty. I am 60 years old. And I've lived on County
12 Road 354 most of my life.

13 I've heard a lot of people talk tonight
14 that they've moved into the area. I just want you to
15 know that when I was growing up there was maybe five
16 cars that went by our house a day. And my mother
17 knew each one of them by the sound. She'd say, "Well
18 there comes Roy Daily. I hear him." Two or three
19 minutes later Roy Daily would drive by. So when you
20 talk about moving into our community we weren't real
21 happy to have all these people move into our
22 community. But this is progress. People move.
23 Things happen. I'm a fourth generation Medina County
24 resident. I'm a pioneer family. I'm very proud of
25 that. I -- I live on County Road 354 close to 353.

1 And the proposed route will be close to my home. I'm
2 not objecting to it. Progress happens. My daughter
3 and her husband and my three grandchildren live on
4 the same property that I've lived on all my life.
5 Many of the people here that are opposing the quarry
6 are not landowners for the amount of years and have
7 the history that we have. I feel like we've had a
8 lot of history here.

9 Subdivisions are popping up all along
10 the roads. I'm not happy with it. But the farm and
11 ranch land hasn't been profitable for small farmers
12 and farm ranchers. My father was one. It isn't
13 profitable anymore. Therefore there's subdivisions
14 coming in. And there's different ways of making the
15 area more profitable. Change is inevitable. We may
16 not like it, but it comes anyway. In fact you need
17 to see that it's done safely.

18 Therefore the rail line I believe would
19 be the best way to go. I believe the board has
20 addressed all the problems that -- They've really
21 done a good job. And Medina County needs the jobs.
22 And I think that we need this quarry and the
23 railroad.

24 Thank you.

25 (Clapping.)

1 MS. GATES: Thank you.

2 Wayne Stansbury.

3 MR. STANSBURY: Good evening. My name
4 is Wayne Stansbury. I'm a landowner close to where
5 the quarry and railroad is going to be. Also, I'm
6 project manager. And I guess as I was listening to
7 the presentation by the project manager here and also
8 their project manager over here, I guess frankly I
9 was real disappointed in the way that you did your
10 research. You made statements like "may have some,
11 may cause little or no impact potential or not
12 significant." I guess as a project manager I would
13 always like to see some sort of quantitative methods
14 applied. I know there is uncertainty in everything,
15 but you can at least quantify the uncertainty by
16 using appropriate assistal (sic) models, using
17 probability analysis, by using competent tables. For
18 example, "I'm 95 percent confident that this is going
19 to be an issue or it won't be an impact." The only
20 place where I really found that you did some
21 statistics or some analysis was in this 4.1.2 listing
22 of accidents. Again, we have here that the DOT --
23 DOT study showed that between 1991 and 1996 there was
24 a one in ninety-two chance of an accident/injury
25 occurring. Again, unfortunately as a project manager

1 no assumptions were listed. No comparisons or no
2 references were made to any other industry.

3 I tried just for the day that I just had
4 here to put it to equal basis, to look at other with
5 other industries. So the way to do that
6 mathematically would be to look at it as parts per
7 million or how many million -- per million
8 opportunities you would have. So if you converted it
9 correctly, as I converted here, it was one in
10 ninety-two chance or for every million opportunities
11 there would be 10,870 accidents. If you compare that
12 with another industry, let's say the airline
13 industry, for every million opportunities or million
14 times they do the baggage claim -- they lose baggage
15 about 6,000 times for every million times they move
16 baggage. So in other words, according to your data
17 here there's a one and three-quarters greater chance
18 to having the -- having an injury than there is
19 having -- losing your baggage in the airline
20 industry. Which is kind of scary.

21 So, I guess the point again I'm trying
22 to make here is that when you're going to do the
23 research, when you're going to do studies use
24 quantitative methods. Don't rely just on your
25 opinion "may cause, may give a problem." But whether

1 you're for or against the quarry or for against the
2 railroad, at least use the appropriate competent
3 intervals, appropriate statistics that can be used.

4 And I guess I'd like to say it's always
5 better to have the data than the opinions. And like
6 I'm fond of saying "in God we trust, all others bring
7 that data.

8 (Clapping.)

9 MS. GATES: Thank you.

10 Robert Reed.

11 MR. REED: My name is Robert Reed. I'm
12 a dentist. I'm retired from Castroville for 33
13 years. I -- We lived in Castroville for 15 years.
14 My brother wanted to go to Houston and live there.
15 And I said, "No, I want to go to a small town and
16 raise my family." So about 15 years of living in
17 Castroville we decided to move to the country. So we
18 moved to Quihi in 1978. And we've been here ever
19 since. For 26 years. We came here so we could live
20 a nice quiet life and enjoy our retirement and such.
21 With the quarry that will never happen and with a
22 railroad. We're about one mile from that quarry.
23 I'm against it. Let's put it that way. I can't see
24 one thing that's good for it. I know it's cut and
25 dry. What we say here will probably mean nothing.

1 but I hope it has an impact. We're real people. And
2 I didn't -- I wasn't raised here. I -- ten years I
3 sweated blood to pay for the land that I now live on,
4 185 acres. And it wasn't easy. And I did this so we
5 could have a descent lifestyle the rest of our life,
6 my wife and I. We've been married 50 years tomorrow.
7 So I'm not -- I just want to say my bits. But I hope
8 it has some -- that you are real people and you'll
9 think that we are real people here. The people
10 living in town talk about this. And the people that
11 have no living circumstances in this community and
12 they're whatever -- The one lady that was here just
13 spoke she's been from here. But we're outsiders. We
14 came here and we chose to live here as our living
15 place.

16 Please think about this when you make up
17 your mind. We're people here. We do have hopefully
18 some say so in this great country of ours.

19 Thank you.

20 MS. GATES: Thank you.

21 (Clapping.)

22 MS. GATES: Is there anybody here who
23 didn't sign in to speak but who has decided they
24 would like to speak right now.

25 MS. ADAMS: I did sign but I signed in

1 the wrong place.

2 MS. GATES: Okay. If you would just
3 state your name and spell your last name. Thank you.

4 MS. ADAMS: My name is Charlotte Adams.
5 I don't think I have to spell it.

6 MS. GATES: You're right.

7 MS. ADAMS: I was one that come from San
8 Antonio to deer hunt out here, my husband and I. In
9 1972 we bought our land. In 1976 we built. My
10 husband is no longer living. We've been -- I've been
11 in this house 29 years. I'm west of the Cherry Creek
12 on 4516 about a quarter of a mile from Quihi. And
13 I'm flooded in on both sides when it rains. And I
14 don't know how much more flooding it will be.

15 What I would like to see is a map
16 showing where our homes are because from the way it
17 looks Alternate II is either coming through my place
18 or right next to it. And is there going to be a
19 possibility of having something like that?

20 MS. Rutson: We will do our best.

21 MS. ADAMS: Okay. Thank you.

22 MS. GATES: Thank you.

23 Is there anybody -- anyone else who
24 would like to --

25 MS. FUCHS: Yes. My name is Sandra

1 Fuchs, F-U-C-H-S. And I inherited my dad's place on
2 the old Kent Place on County Road 450. And I've
3 lived with my dad and I've lived through floods. Of
4 course I wrote my notes, but I won't read them. And
5 I've lived through floods and where we are completely
6 flooded in. And my main concern of course the
7 pollution but also you cannot make me believe that
8 the railroad is not going to cause additional
9 flooding. What was it last week I just saw on the
10 television where a gentleman was concerned because
11 their only evacuation route -- because it had flooded
12 they had shutdown the railroad. And their only
13 evacuation route was -- Of course the railroad had it
14 blocked, and they couldn't get out, and their --
15 their homes flooded. And I'm very concerned about
16 that as well.

17 And I'm not impressed at the thought of
18 trucks either. My mom owned and operated eight rigs.
19 And she expressed her concerns about the winding
20 roads we have out here. And it's very dangerous to
21 the truck drivers. But also we're going to be paying
22 for the roads if they put trucks out as well. And I
23 just don't want to see the quarry, railroad or the
24 trucks.

25 Thank you.

1 MS. GATES: Thank you.

2 (Clapping.)

3 MS. GATES: Is there anyone else who
4 would like to speak?

5 Yes, sir.

6 MR. WARDWELL: My name is Ray Wardwell,
7 W-A-R-D-W-E-L-L. This area is on a edge of a desert.
8 And when they say there's no dust, and we're going to
9 suppress the dust, and we're going to hold it back in
10 the trucks, you need to go investigate on 1283 and
11 471. And there -- there are several quarries. One
12 of them on 471 stays lit up constantly running. When
13 you go to work, traffic -- or in that traffic and
14 that path you better be driving real serious because
15 they will flat run over you. We've got 100 year old
16 damn a little bit to the side. I'm going to listen
17 now to them grind rock. I'm going to listen and hope
18 that they're blasting doesn't screw up the aquifer
19 and do those kind of things. This -- this area is
20 not desolate. Somebody mentioned a map. The last
21 time y'all were here I said "Did you see the houses
22 up around towards the lake? No." There needs to be
23 a wider look at this. This is presented as a
24 desolate area. It's not. And it turns into a
25 desert. Across from Vulcan on 1283 when it's dry the

1 entire hillside -- And there's some nice homes across
2 the road. It turns white. It looks like snow. My
3 wife has a friend who lives out there. Said,
4 "They're driving me crazy." Right now we have
5 another subdivision behind us. And the trucks are
6 going through. And they're going through probably
7 about every 10 minutes. I can't imagine every -- 53
8 seconds if they want to do a truck route. It's good.
9 You need to look at the whole area all around, around
10 the lake and so forth.

11 Thank you.

12 MS. GATES: Thank you.

13 (Clapping.)

14 MS. GATES: Anyone else?

15 MR. FITZGERALD: I want to speak again,
16 but --

17 MS. GATES: Okay. Well, I was going to
18 offer that next. Okay.

19 MR. FITZGERALD: I think she -- I'm
20 going to defer to my wife. Okay?

21 MS. GATES: Go right ahead.

22 MS. FITZGERALD: Well, I'll continue my
23 remarks that I made earlier that concern the fact
24 that this DEIS left most of the problems up to Vulcan
25 to solve later as mitigation. And they end this

1 mitigation, "they would use their best management
2 practices, develop a contingency plan, take
3 appropriate measures," you know the general run of
4 things. That's rather vague. Nothing concrete about
5 what to do. So I was pointing out some of the places
6 where these things were involved. And apparently the
7 plans weren't good enough because disasters happen.

8 I believe I was at the point of talking
9 about the State of Texas, Limestone County, the
10 little town Tawankina (sic). "Vulcan sued the town
11 Tawankina for not letting them blast in their city
12 limits. Also as a -- a prior quarry there had
13 drained the city water supply and now they have to
14 purchase poor quality of water and expensive water
15 from Mejia, which is ten miles away."

16 "Tennessee, Jiles County - Plaintiffs
17 are suing Vulcan for construction of a rock quarry
18 siting loss of property values, loss of ground water,
19 loss of water for fire protection."

20 "Washington, King County - Homeowners
21 have to hall water for their household use. They
22 blame a mining company for the draw down on their
23 water. And they're also holding the landowners who
24 lease the land to the mining company Libel. Internal
25 memos of county agencies indicate that the mining

1 impacted their wells."

2 "Wisconsin, Susiks County - Subdivision
3 residents say local quarries caused three or four
4 wells to go dry each year. In 1997 Vulcan's core --
5 core drilling project -- and this is in quotes -- hit
6 something and 41 wells went dry. End quote. They
7 have to find water from another source. In Wisconsin
8 Vulcan was listed as having a high rate of release of
9 toxins."

10 "Texas, Bexar County - The people of
11 Helotes sued Vulcan and the land owners of a
12 potential quarry site to stop the project."

13 In another action Bexar County judge and
14 commissioners unanimously passed a resolution against
15 quarries.

16 So we don't want you to let Vulcan
17 Railroad do as they wish when problems arise. Vulcan
18 has failed to protect people and property in other
19 places, and all those were smaller projects.

20 Moreover, the quarry is a connected
21 action of the project and should be studied as such.

22 Thank you for letting me speak.

23 MS. GATES: Thank you.

24 (Clapping.)

25 MS. GATES: Is there anyone else who has

1 already spoken once who would like to speak again?

2 UNKNOWN SPEAKER: Hope y'all don't get
3 bored with all this, shall I say, solitary things.
4 But bear with me.

5 I'm fulfilling a promise that I had a
6 conversation with Rini Ghosh. When I read the Draft
7 EIS I was very disappointed that y'all had not
8 considered other alternative routes. I believe that
9 variations of other alternative routes could solve a
10 lot of problems. However, Vulcan doesn't want to
11 consider some of these things, I don't really know
12 the exact reason for it, but I believe probably
13 because quarry owners are involved -- would be
14 involved in the land that would be used for the
15 railroad. That's my opinion. I can't verify it. I
16 can't get it out of my mind however. It would also
17 go through land that one of their attorneys has. It
18 would also go through land that they know are
19 sympathetic to their cause. And this is one reason I
20 have difficulty in understanding why they don't want
21 to do this.

22 But let me tell you: This alternative
23 route could be so designed as it would be much better
24 for Vulcan to run. It would be on level ground
25 essentially. It would not cross as many county

1 roads. It would cross roads, state and county, that
2 at -- at a safer place. And it would also totally
3 almost entirely save the historic and archeological
4 heritage that we have in the Quihi area. Because
5 this railroad route has already been laid out if
6 there has been damage done to archeological or
7 historic things it's already occurred. It only made
8 sense to me. But I guess I just can't see their
9 logic. They certainly don't see mine. Because if
10 they did, we wouldn't be having nearly as many things
11 to talk about in the way of destruction and damage,
12 particularly from the flooding aspect.

13 How much more time have I got? One
14 minute. Okay.

15 I'm going to go on to something else
16 that's going to blow your mind, Tom. Let's
17 reconsider the all truck route. Why don't you buy
18 the land and have your own private road for all the
19 trucks, get them off of the county roads. And of
20 course you would want to put overpasses over 2676 and
21 485 and 16 because 850 trucks as you know -- well
22 know the highway department -- I'm talking to you as
23 well as --

24 MS. GATES: Well, yeah.

25 TOM: Who is he talking to?

1 MS. GATES: Well, you're supposed to be
2 addressing --

3 UNKNOWN SPEAKER: I'm getting to him.
4 I'm sorry. I'll talk to you.

5 If you did have your own private road,
6 just think you wouldn't be competing with our traffic
7 or would you be -- or school buses or anything.
8 Essentially you would have your own road. You would
9 upkeep it. You would not have any problems with
10 people being awakened at night with horn blowing,
11 with that type of thing. And I'm sure the all-truck
12 route as you have said in your -- as Vulcan has said
13 in its correspondence would be profitable. So I
14 think that ought to be considered at great length
15 when you do your final draft -- thank you -- or your
16 final EIS. Thank you.

17 MS. GATES: Thank you.

18 (Clapping.)

19 MS. GATES: Yes, sir.

20 MR. WALPOLE: My name is Tom Walpole.
21 Will Carter earlier brought up a subject tonight that
22 sparked something in me, and I'm going to -- I would
23 like to reiterate and make sure that it gets some
24 attention in that I request that SEA do a full report
25 on the Medina Damn and its active fault before the

1 final EIS. That's all.

2 MS. GATES: Thank you.

3 (Clapping.)

4 MS. GATES: Anyone else?

5 MR. SALOMON: Hello. My name is Joseph
6 Salomon. And I spoke earlier. I didn't get to talk
7 about a lot of things that I want to talk about as
8 far as this quarry and road are concerned. But I
9 want to say something that -- that sparked my memory
10 when one of my neighbors, the Marty's, were talking.
11 And I saw them and it kind of brought something to
12 mind on a conversation that we had at church. And
13 what it was was I know we're talking about the quarry
14 and the blasting and railroad cars and all this other
15 stuff and how much noise that it's going to make or
16 not going to make. Like I said, I'm 4,000 feet from
17 this quarry and the railroad. And I've got a lot of
18 rock out there just like everybody else does. We
19 know that we've got a lot of rock out there. A lot
20 of people probably think I'm crazy because I get on
21 my 4020 out there with chisel and I chisel that rock
22 trying to make some grass out of it. And I was at
23 church one day and the Martys asked me, said, "Hey, I
24 heard you on your tractor out there. What are you
25 trying to do up there on that hill?" And I thought,

1 "Well, maybe they passed by and saw me chiseling that
2 rock because they're about maybe 1500, 2000 feet from
3 my place where I was at." And they said, "No, we
4 heard you." And I thought wow I didn't know that a
5 tractor with a chisel in the ground could be heard
6 that far. So just imagine what blasting and rail
7 cars will do for you when you're out there? And I
8 just wanted to bring that out because I didn't know
9 that people could hear you when you're on a tractor
10 from that far and all you're doing is chiseling the
11 ground. Just imagine when you're blasting it.

12 Thank you very much.

13 (Clapping.)

14 MS. GATES: Thank you.

15 Is there anyone else would like -- And
16 please state your name again when you come up.

17 MR. BALZEN: I'm Joe Balzen. But I -- I
18 really don't have any comments, I just have a little
19 information. The people at the earlier meeting and
20 also at this meeting we were talking -- And I believe
21 Ms. Adams was concerned about where she lived
22 according to -- in relation to the railroad and
23 quarry and so forth. I just wanted to let y'all
24 know, you people and everybody else we have a map
25 right back here with all the homes and everything on

1 it. And you're welcome to look at it.

2 Thank you.

3 MS. GATES: Thank you.

4 Is there anyone else who would like to
5 make another comment who has already spoken?

6 MS. FITZGERALD: I'm Alyne Fitzgerald.
7 This time I want to make a remark about the only --
8 the only argument put forth in favor of quarries, and
9 that is the two things, jobs and taxes. First, let's
10 talk about jobs. Medina County does not have an
11 unemployment problem. If you will read your
12 newspapers carefully you will see that our
13 unemployment is just slightly over four percent.
14 Four percent is considered the normal, acceptable
15 unemployment range due to workers being between jobs,
16 et cetera. You never have 100 percent full
17 employment. Therefore, if Vulcan were to come in and
18 employ 125 people, that means there would be new
19 people coming into the county that would take these
20 jobs. These are not high paying jobs. We were told
21 by Mr. Ramsdale that they would -- that they would
22 average \$25,000 each. Presumably workers coming in
23 to do this sort of work would be at an age where they
24 would have families. They would bring with them
25 children and spouses and their families. So that

1 would mean more children to educate. What does it
2 cost to educate a child in this county? I don't
3 know, but it would range, I imagine, somewhere
4 between \$5,000, 5500 to \$7,000. Okay. If 125
5 workers brought in 100 children and it cost, say,
6 \$5,000 to educate a child, there's \$500,000 of extra
7 school tax money that's going to be needed. Vulcan
8 proposes to pay \$450,000 max on their millions of
9 dollars of investment to the school, to school taxes.
10 Well, that looks like a loss to me.

11 I want to also talk about the purported
12 income, all this income that will be brought into the
13 county. Why do we not see the down side of that?
14 It's always presented as a win-win situation. Now,
15 you know you can't have it that way. You're going to
16 be giving up something when you bring in these
17 quarries. And you can readily see from the examples
18 in other places it will be a draw down on the
19 property values. That looks like that's going to
20 offset some of this income that's purported to be
21 coming in.

22 We need a full study, a full economic
23 study on what will be coming in and what we would be
24 losing out on. That's the only true way to know
25 whether we would ever benefit from tax money coming

1 in.

2 Let's see. Yeah it's true that -- that
3 Vulcan spends money in the community. They give some
4 money to -- and goods to area projects. And that's
5 very admirable. But remember every business does
6 that. And the bigger the business the more they
7 give. It's expected. It's advertising. And so we
8 -- we really appreciate Vulcan a Fortune 500 company
9 giving these things to the community. But as, again,
10 I said, it's advertising. We all do that. All of us
11 who are in business do that to some extent.

12 Also, we don't see any other counties
13 bragging about all this money they're taking in from
14 quarries. Have y'all ever seen anything in the
15 newspapers about that? I haven't. All I've seen is
16 other counties complaining about what a detriment
17 they are to their counties.

18 And I guess that's it. Thank you.

19 MS. GATES: Thank you.

20 (Clapping.)

21 MS. GATES: Is there anyone else who
22 would like to speak? We have two people. Okay.

23 MR. WALSH: My name is Jimmy Walsh from
24 Quihi, Texas. I was born and raised out there. I've
25 been there practically all my life. And I have known

1 these people all my life too. And we're all kind of
2 raised together. But this is my home. I inherited
3 an Alsatian home out there from my parents. And I
4 live in San Antonio, but I'm going to reside in Quihi
5 as soon as I can because I'm going to get out of the
6 big city and move to my home place out at Quihi where
7 I was born and raised.

8 And my main concern is the flood
9 situation. I've endured a number of floods over the
10 years. And I'm afraid this situation might escalate
11 to a worse situation than it is right now. But I
12 wonder if you had the assurances by Vulcan, you know,
13 they going to try to do -- work with the flood
14 situation and -- and -- the best they can with the
15 railroad. And personally I've got nothing against
16 the railroad, but I want first the satisfaction that
17 they're going to take care of the situation before it
18 gets out of hand.

19 And I appreciate your time. Thank you.

20 MS. GATES: Thank you.

21 (Clapping.)

22 MS. WALPOLE: I'm May Walpole. And I
23 just want to ask about this newspaper article
24 headlined in the Medina Valley Times. "Railroad
25 Quarry Gets Environmental Go Ahead." Did you give it

1 already? What are we doing here today? Tom Ramsdale
2 is quoted in it. We are not.

3 MS. GATES: Thank you.

4 (Clapping.)

5 Is there anybody else who would like to
6 make a comment?

7 UNKNOWN PERSON: Ma'am, I apologize.

8 I'd like to comment again, but I'll make it brief.

9 I have sat here really this whole time
10 thinking about URS. It was about a year ago this
11 time that I as a director of BMA contacted them. I
12 don't know if y'all realize the size of the reservoir
13 of Medina Lake, but it's 5,000 acre reservoir. And I
14 contacted URS and specifically expressed concerns
15 about the affect of the quarry. And I understand
16 with -- You cannot separate the two. And I was
17 immediately told the next day by URS that there was
18 -- that there was no problem about any research or
19 question, and it raised a red flag to me. And I
20 realize that -- now that whenever you get in the way
21 of the all mighty dollar you -- you better look out.

22 I -- I would question this entire
23 environmental impact study that's been done because I
24 questioned URS who I'm sure assisted in this study.
25 And if -- They have a conflict of interest because

1 they told a public entity that they had no concerns
2 over the affect of -- of Vulcan. And to -- for a
3 study to say that the impact on a community is -- is
4 minimal raises red flags. Because I was involved in
5 helping a family that lands were taken for Falcon
6 Reservoir, and can -- can see as to what can happen
7 with the Federal Government when they want to see a
8 project get through when -- when things that had been
9 sealed that were released. When they had condemned,
10 they had quoted the area and South Texas as being
11 inhabited by -- by Mexicans; like that had any impact
12 on the value of the land other than to say there is
13 no impact. And at the same time they required land
14 to be purchased to cause the potential of a -- of a
15 return of an osolot (sic). And this is more than
16 osolots (sic) being affected here. There's families.
17 And it's affected this region with Medina Lake. And
18 I think URS had a serious conflict of interest in any
19 work they did on this.

20 And I'm going to be bringing to the
21 attention of the BMA to find out how we couple -- You
22 cannot have one without the other in -- in the quarry
23 with the railroad.

24 Thank you.

25 (Clapping.)

1 MS. GATES: Thank you.

2 Does anyone else have a comment that
3 they would like to make?

4 (No response.)

5 Okay. We thank you very much for coming
6 here tonight and sharing your comments with us. If
7 you would like to present us with a written comment
8 while you're here, please feel free to do so.
9 Otherwise, please submit one in writing. The
10 deadline is January 10th of 2005.

11 Thank you very much.

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19 (Meeting concluded.)

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1 COUNTY OF MEDINA)

2 STATE OF TEXAS)

3 I, PATRICIA A. GADDIS, Certified
4 Shorthand Reporter, in and for the State of Texas, do
5 hereby certify that the foregoing pages represent a
6 true and correct transcription of the Surface
7 Transportation Board, Section of Environmental
8 Analysis, Southwest Gulf Railroad Company,
9 Construction and Operation Exemption, Public Meeting
10 held in Medina County, Hondo, Texas on December 2,
11 2004.

12 WITNESS my hand on this the 20th
13 day of December, 2004.

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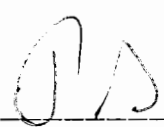
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