

#E1-1261
R21

The Medina County Environmental Action Association, Inc.

202 CR 450, HONDO, TX 78861
www.dontmesswithquihi.com

Phone 830-741-5040
Fax 830-426-2060

December 8, 2004

Victoria Rutson
Surface Transportation Board
1925 K Street, NW
Washington, D.C. 20423-0001

received
12/9/04

Re: Vulcan Materials/Southwest Gulf Railroad
Medina County Project
Finance Docket 34284

Dear Ms. Rutson:

MCEAA, Inc. members wish to thank the SEA section of STB for your recent visit to Hondo. We appreciate the sincere attention you and your staff as well as members of the URS environmental team displayed.

On December 3, 2004, members of the MCEAA, Inc. discussed at length the content of the recent meeting. We wish to relate to you the following requests and questions. We would appreciate answers as soon as possible to these questions.

1. MCEAA wishes to re-emphasize our demand for a connected action EIS between the railroad and the quarry. Seven hundred sixty-six people signed a request that STB study both the quarry and the rail line because they are connected actions. These two projects are inseparable. As repeatedly stated (beginning with our initial contact with STB in our Petition to Revoke) without the rail line the quarry would not exist. Conversely, without the quarry, the Southwest Gulf Railroad rail line would not exist. As proof, who would build a rail line to nowhere? STB has properly ordered an EIS on the rail line. It must order an EIS on the quarry, which we all know is a connected action to the rail line, and not a cumulative effect of the rail line. STB must not shirk its' lawful responsibility. The environment in Medina County must not be jeopardized by default. There is no other agency, state or federal, that is authorized to study the environmental impact of the quarry, which is connected to the rail line.

When will the decision concerning reconsideration of the connected action between the proposed quarry and SGR be made?

2. When will MCEAA, Inc. be notified?

3. Who will make this decision, the SEA section or some other section or division of the STB or another government agency?

4. As you undoubtedly learned, there was unanimous agreement from those commentators critical of the railroad routes concerning the lack of information on how problems in many areas would be handled, as well as what the impact would be on the respective part of the environment. Specifically, we are amazed that STB would not determine the environmental damage from flooding and traffic to water sources, and cultural and historic areas, caused by the railroad.

We are also greatly dismayed that STB would *even consider* issuing a permit to SGR and then allow SGR to do as they pleased in dealing with these problems. We do not believe the poorly stated and ill-defined mitigation clauses in the DEIS will in any way prevent irreparable environmental damage. Because the DEIS is grossly inadequate and leaves so many of our scoping questions unanswered, we ask, Why is this? Why did the URS Corporation, (a reportedly respectable firm), limit it's research and findings in the very areas we had pointed out? Was it due to a lack of funding? Or time restrictions illegally imposed by Vulcan and allowed by STB? Certainly these questions deserve answers, just as we had faith that our scoping comments and questions would be answered.

We wish to point out that the validity of the entire URS report has been questioned by the fact that there may be biased findings due to a conflict of interest by URS. As you learned, this firm also studied the integrity of the Medina Lake Dam, as noted by Will Carter, director of BMA Corporation, which owns the Medina Lake Dam. The impact of the quarry being on the same fault lines as the Medina Lake Dam and the dam's associated relief wells, needs careful and detailed studies.

We also are requesting that you please send a copy of the sign-in list of those attending both meetings, as well as the list of those speaking at both meetings, on December 2, 2004.

Sincerely,



Dr. Bob Fitzgerald, President
MCEAA, Inc.

CC: Senator John Cornyn
Representative Henry Bonilla
State Senator Frank Madla
State Representative Tracy King
Will Carter, BMA

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

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December 8, 2004

Congressman Henry Bonilla
11120 Wurzbach, Suite 300
San Antonio, Texas 78230
Fax: 210-697-9185

Re: Proposed Quarry and Rail Line – Medina County
Vulcan Materials Co/Southwest Gulf Railroad
Surface Transportation Board Finance Docket 34284

Dear Congressman Bonilla:

We respectfully request your assistance in obtaining a 60 or 90 day extension to the comment period on the DEIS presented by the STB to the people of Medina County. This comment period is presently scheduled to expire on January 10, 2005.

We have stated the reasons for this request in the accompanying letter to the STB.

Please submit our letter for the extension to the Surface Transportation Board on our behalf. Again, we want to thank you for the hard work you do for the people in Medina County.

Sincerely,

Dr. Bob Fitzgerald

Dr. Bob Fitzgerald, President
MCEAA, Inc.

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

+ *The Medina County Environmental Action Association, Inc.*

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Dear Ms. Rutson:

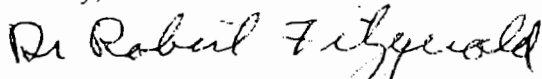
We are requesting a 60 or 90 day extension of the comment period on the DEIS of the above project. This comment period is presently scheduled to expire January 10, 2005.

We know you realize that everyone is busy with holiday plans, travel, entertaining, shopping, guests, etc., at this time. This is the busiest time of the year for everyone. Holiday activities alone exclude almost any other endeavor. Therefore, it is much more difficult for many people to respond before January 10. It is a great injustice to require all those concerned to respond during the limited time they have between now and January 10 on a proposed project that will impact Medina County for generations.

Prior to the meeting on December 2, 2004, we requested to not have that public meeting and 30-day comment period during the busy holiday season, but our request was acknowledged. In view of the above and STB's refusal to hold workshops for the public, we request the comment period be extended for 60 or 90 days.

We are seeking the assistance of Senator John Cornyn and Congressman Henry Bonilla in securing this extension. We anticipate that they will contact you in this regard.

Sincerely,



Dr. Robert T. Fitzgerald, President
MCEAA, Inc.

CC: Senator John Cornyn
Representative Henry Bonilla
State Senator Frank Madla
State Representative Tracy King
Will Carter, BMA

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Re: Proposed Quarry and Rail Line - Medina County
Vulcan Materials Co/Southwest Gulf Railroad
Surface Transportation Board Finance Docket 34284

Dear Congressman Bonilla:

We respectfully request your awareness and assistance in obtaining answers to the questions and comments in the enclosed letter from MCEAA to the Surface Transportation Board. We believe these questions and comments are justified following the public meeting held December 2, 2004, which was attended by approximately 200 citizens, in Hondo, Texas.

We are requesting that you please submit the enclosed letter to the Surface Transportation Board on our behalf.

We wish to thank you for allowing Gabe Lozano to represent you at this very important meeting concerning a proposed project that will greatly affect the future of Medina County. We truly appreciate your support of the people in the Quihi area.

Sincerely,

Bob Fitzgerald

Dr. Bob Fitzgerald, President
MCEAA, Inc.

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