

#E1-26143

June 25.2017

Diana Wood
Office of Environmental Assessment
Surface Transportation Board Washington, D.C

Re: Sec 106 Draft Resolution Plan
FD 34284 Southwest Gulf Railroad

Dear Ms. Wood

As provided by the Programmatic Agreement (PA), I am submitting comments concerning the above mentioned Draft Resolution Plan (DRP). After carefully reviewing the proposed mitigation measures, I am greatly disappointed and concerned. I was hopeful, after reviewing the HDR draft of SGR Construction and Operation, a more realistic draft plan dealing with the adverse effects of the proposed rail line would be created. Instead, mitigation measures dealing not with the preservation of Upper Quihi's Rural Historic District (UQRHD) as a whole, but rather mitigation of individual sites and structures. The idea that vegetative buffers, landscaping, and a brochure will preserve and protect UQRHD is inadequate and unacceptable. The mitigation measures contained in the DRP almost totally ignore and omit what the known adverse effects of the SGR's currently proposed route calls for – avoidance, which is not only possible, but has already been approved and permitted by STB.

While studying the DRP the question arose that needs answering. Information contained in the cover letter of the DRP disseminated by Steptoe and Johnson, SGR's legal firm, noted that "consultants" with SGR prepared the DRP. However, the "consultants" and their credentials were not disclosed. All parties, including commentators, are entitled to the information concerning the consultant's qualifications and previous experience, if any, in order to assure all parties that they are competent and qualified to create the required DRP. In addition, Appendix A concerning historic architecture was left blank. This Appendix could have served to reassure all parties that the consultants met the called-for requirements of the PA and DRP. See Attachment.

An additional requirement of the PA that has not been provided to us in the DRP is noted on the page 5, III B, 1 and 2. For example, consultants have not been provided information on the preliminary engineering designs with details and specifications, for commenters to adequately evaluate the current and future adverse effects on the historic properties. Hence, we are left with no alternative but to comment on how vegetation and landscaping will mitigate and suppress the impact on the aesthetic value of the UQRHD. I am unable to agree that these mitigation measures will suffice to even partially nullify the noise of four mile-long trains daily sounding warning-whistles while crossing CR 353 twice within a one-mile south of the rail loop at the quarry plant site. How can any form of vegetation or landscaping prevent dust and vibration from detracting UQRHD's fragile and historic structures? How can vegetation or landscaping mitigate culverts and bridges in the floodways of the Elm and Polecat Creeks?

How can any form of vegetation hide tall electric poles and light towers of the rail loop, lit all night long, and still not affect the aesthetic value of the UQRHD? The only logical and practical way to deal with these adverse effects is to use the hierarchy of the PA: Avoidance, which is mentioned above. All the adverse effects created by the railroad give further evidence that since its inception, failed to do

adequate research and planning for a railroad. For example, in the beginning, SGR's preferred route was through the Quihi and Elm Creek floodplains, and the old Quihi Rural Historic District south of the UQRHD. This route was laid out without a basic floodplain map, until one was shown to Vulcan (SGR had not yet been created) by MCEAA. It is also MCEAA and other organizations members interested in preserving Upper Quihi's culture such as the Quihi/New Fountain Historical Society and the Medina County Historical Commission's input that moved the currently-proposed rail route eastward, thus sparing some of the cultural heritage of Medina /County.

After eighteen years, SGR is still trying to build a railroad that would needlessly destroy Upper Quihi's eligibility for the National Register, when another route sparing this district has been approved by STB 12 years ago. SGR is placing the responsibility on others for their mistakes by seeking approval for their unreasonable plan that does not resolve – or satisfactorily deal with – the resolution of the adverse effects.

SGR is seeking approval for a plan of mitigation for individual structures, instead of avoiding the UQRHD as a whole.

There is no indication that SGR's Draft Resolution Plan mitigation measures will assure UQRHD eligibility for the National Register. This is striking evidence that SGR is not concerned with the unique and irreplaceable cultural history and heritage of the UQRHD, so long as they get permission to proceed with their building the railroad.

Sincerely,



Alyne Fitzgerald, Secretary

MCEAA, Inc.

Attachment A

Professional Qualifications Standards

The following requirements are those used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 C.F.R. Part 61. The qualifications define minimum education and experience required to perform identification, evaluation, registration, and treatment activities. In some cases, additional areas or levels of expertise may be needed, depending on the complexity of the task and the nature of the historic properties involved. In the following definitions, a year of full-time professional experience need not consist of a continuous year of full-time work but may be made up of discontinuous periods of full-time or part-time work adding up to the equivalent of a year of full-time experience.

History

The minimum professional qualifications in history are a graduate degree in history or closely related field; or a bachelor's degree in history or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, teaching, interpretation, or other demonstrable professional activity with an academic institution, historic organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of history.

Archeology

The minimum professional qualifications in archeology are a graduate degree in archeology, anthropology, or closely related field plus:

1. At least one year of full-time professional experience or equivalent specialized training in archeological research, administration or management;
2. At least four months of supervised field and analytic experience in general North American archeology, and
3. Demonstrated ability to carry research to completion.

In addition to these minimum qualifications, a professional in prehistoric archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the prehistoric period. A professional in historic archeology shall have at least one year of full-time professional experience at a supervisory level in the study of archeological resources of the historic period.

Architectural History

The minimum professional qualifications in architectural history are a graduate degree in architectural history, art history, historic preservation, or closely related field, with coursework in American architectural history, or a bachelor's degree in architectural history, art history, historic preservation or closely related field plus one of the following:

1. At least two years of full-time experience in research, writing, or teaching in American architectural history or restoration architecture with an academic institution, historical organization or agency, museum, or other professional institution; or
2. Substantial contribution through research and publication to the body of scholarly knowledge in the field of American architectural history.

Architecture

The minimum professional qualifications in architecture are a professional degree in architecture plus at least two years of full-time experience in architecture; or a State license to practice architecture.

Historic Architecture

The minimum professional qualifications in historic architecture are a professional degree in architecture or a State license to practice architecture, plus one of the following:

1. At least one year of graduate study in architectural preservation, American architectural history, preservation planning, or closely related field; or
2. At least one year of full-time professional experience on historic preservation projects.

Such graduate study or experience shall include detailed investigations of historic structures, preparation of historic structures research reports, and preparation of plans and specifications for preservation projects.

Tribal members who act as experts for their Tribes for the purposes of this project (i.e. as monitors or consultants) are not required to meet the Secretary of the Interior's standards.