

PORTENIER

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#E1-3229
FD 34284
Received 11/19/07

November 9, 2007

Surface Transportation Board
Case Control Unit
395 E. Street, SW
Washington, DC 20423
Attn: Diana Wood, Section of Environmental Analysis

REF: STB Finance Docket No. 34284
Southwest Gulf Company Construction and Operation Exemption – Medina County, TX
Notice of Availability and Request for Public Review and Comment on a
Draft Programmatic Agreement

Dear Ms. Wood,

Our family of four live on a 50 acre tract located within 1000 ft of Vulcan Material's proposed quarry railroad loop. Therefore, we are within the "Area of Potential Effects (APE)" as outlined in the stipulations portion of the Programmatic Agreement.

We would like to stress the importance of keeping the integrity of the Quihi area as it currently is. Growth is abounding in the metropolitan areas. We ALL need to take proper measures to preserve historically significant areas such as the Qhihi area. In prior years, we protected the raw beauty of America by creating National Forests. Now, we are in an era that we need to protect the small town that our country was founded by. Qhihi is the perfect example of such a town to protect. It has many of the original buildings from the first settlers including a school house, church and cemetery. Native American tribes such as the Lipan, Kiowa, Kickapoo and Comache lived in the Qhiha area. Their burial sites and remains should also be protected and preserved.

We personally have found Indian artifacts on our property. I have attached pictures of four (out of hundreds) of artifacts for your review (and to enjoy!). A neighbor identified two burial mounds on the property that Vulcan Materials is proposing to blast. We feel these mounds need to be investigated to preserve the ancestral rights of the Native American people in accordance with the Identification and Evaluating Historical Properties section of the Programmatic Agreement. In addition, the entire railroad loop needs to be surveyed by qualified archaeologists. We would welcome any such person to survey our property.

The Pole Cat Creek runs through the north side of our property then passes over CR 252 to the Elm Creek on the property Vulcan Materials is proposing to blast and build the rail loop. We have witnessed the flash flooding and debris that is swept through this creek during the flooding season. There is certain to be harmful and lasting impacts to the areas that will affect homes and burial mounds.

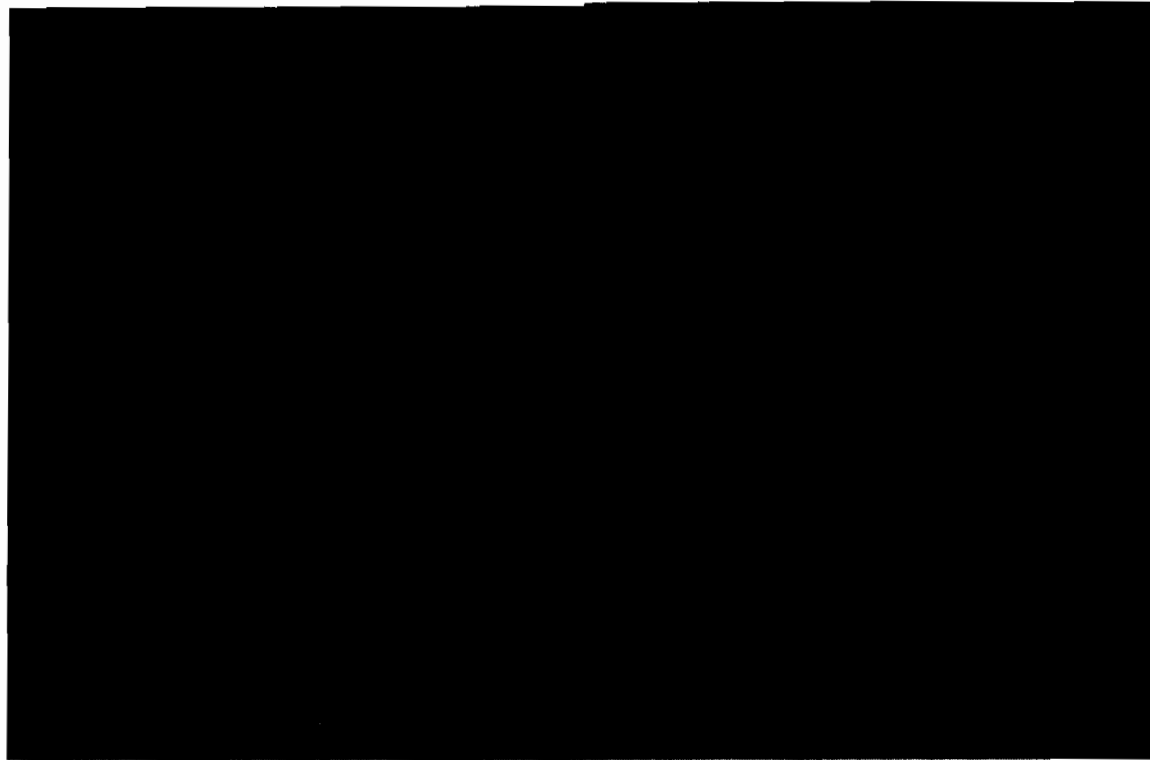
Lastly, we are requesting to be added to the Consulting Parties list in order that we may be notified of your responses to comments.

Thank you for your attention to this important matter.

Kind Regards,

Mr. & Mrs. Ted & Robin Portenier

Ted and Robin Portenier



- cc: Advisory Council on Historic Preservation
Ms. Charlene Dwin-Vaughn
1100 Pennsylvania Ave.
Washington, DC 20004
- cc: Texas Historical Commission
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