

#EL-25838

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To: Diana Wood
Surface Transportation Board
Office of Environmental Analysis
395 E. St. Room 1110
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Date: 03/15/2017

From: Raymond Hernandez
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Subject: Comments and Objections to the Programmatic Agreement
Finance Docket No. 34284

Dear Ms. Wood,

The Tāp Pīlam (People of this Land) Coahuiltecan Nation and its Tribal members submit these comments, pursuant to Stipulation X "for objections by the public and Consulting Parties" to wit:

(1). In prior correspondence to the STB, we have submitted our objections as to the intended route of the path of this train through Medina county towards the Quihi mine. We renew this same objection as to the path of this new railroad spur, because it will be too destructive to our Ancestral Indian ceremonial and burial sites.

(2). The Tāp Pīlam Coahuiltecan Nation invokes the protections of National Historic Preservation Act, citing, 83 Stat. 852 (1969). Our Ancestral (Spiritual ceremonial burial sites), that we call "Cenotes" (sinkholes) are located all over the path to this stone mine, and within the rock quarry itself. This new "Draft Cultural Resources

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Report", does not even mention the potential for injury to our Tribal Community and Historical significance. Placing this large mine near Quihi, Texas is the worst place to locate this mine. Ref: R. Garay's map of Medina Co., attached as Exhibit "A", the red flags point out the locations of just some of the "cenotes" all of them will yield habitation sites and Indian burials.

(3) We again site (NHPA): a historic property is any property that is included in, or is eligible for placement on the National Register of Historic Places. Our ancestral "sites", are locations of significant events, prehistoric or historic habitations, occupations, cultural and spiritual activities, including, ceremonial and burial sites, archaeological remains of habitation sites, and natural features having cultural significance to our Tribal Communities. It is our position that we remain open and receptive towards any dialogue with representatives from the Advisory Council on Historic Preservation, STB, and the THC.

(4). The Area of Potential Effect (APE) also included portions of an 11 league Spanish Mission ranch known as "Rancho San Lucas." Five of the eleven leagues of mission ranch land from San Lucas are in present-day Medina County, and within the area of potential "adverse effect." This 11-league ranch belonged to the Franciscan Mission de San José y San Miguel de Aguayo—part of the five Franciscan Missions recently inscribed as a UNESCO World Heritage Site—and its Indian *vaqueros* (cowboys), shepherds, and pastoralists. It is an accident of history and erosion that it was not also part of the UNESCO World Heritage Site insofar as Rancho las Cabras—from the San Francisco de Espada Mission—is included as a constituent part of the San Antonio Missions. That means that the first cowboys in this area were Native Americans indigenous to Texas. The mission Indians who worked the fields and herds at Rancho San Lucas located in Medina county fought many battles against the Apaches [Tinde/Nde]. The locations of "battlefields" are also protected by NHPA, and other state and federal laws. The Tāp Pīlam Coahuiltecan Nation asks the STB to honor this added provision in protecting battlefields.

Sincerely yours,



Raymond Hernandez
Cultural Preservationist
Tribal Council Member
Tāp Pīlam Coahuiltecan Nation.

List of Exhibits

- (1). USGS map by Richard C. Garay, member of the Tāp Pīlam Coahuiltecan Nation, showing many of the known sinkholes. We call them "Cenotes". Color map.
- (2). Turpin, S.A. (November 1988). *Seminole Sink: Escavation of a Vertical Shaft Tomb Val Verde County, Texas*. Plains Anthropologist: Journal of the Plains Anthropological Society. Memoir 22, 33-122 Part 2.
- (3). One of the many "Cenotes", near lower Quihi, Tx., Photo by R.C. Garay 03-15-2017



Memoir 22

1988
33-122
Part 2

SEMINOLE SINK:
Excavation of a Vertical Shaft Tomb
Val Verde County, Texas

Compiled by
Solveig A. Turpin
November 1988

plains
ANTHROPOLOGIST
Journal of the Plains Anthropological Society

Chapter 1

THE SITE AND ITS SETTING

by

Solveig A. Turpin and Leland C. Bement

Seminole Sink is a subterranean solution cavity maximally 62 meters long on its east-west axis and 11 meters wide (Fig. 2). The sole modern entrance is an 80-cm.-diameter chimney, opening to the surface 7 m. above the cave floor. A natural bridge 1.8 m. below the surface

divides the shaft into two channels. Beneath this shaft, a conical accumulation of rock and trapped sediments, 50 cm. tall and 3.5 m. in diameter, contained the skeletal remains of at least 22 individuals.

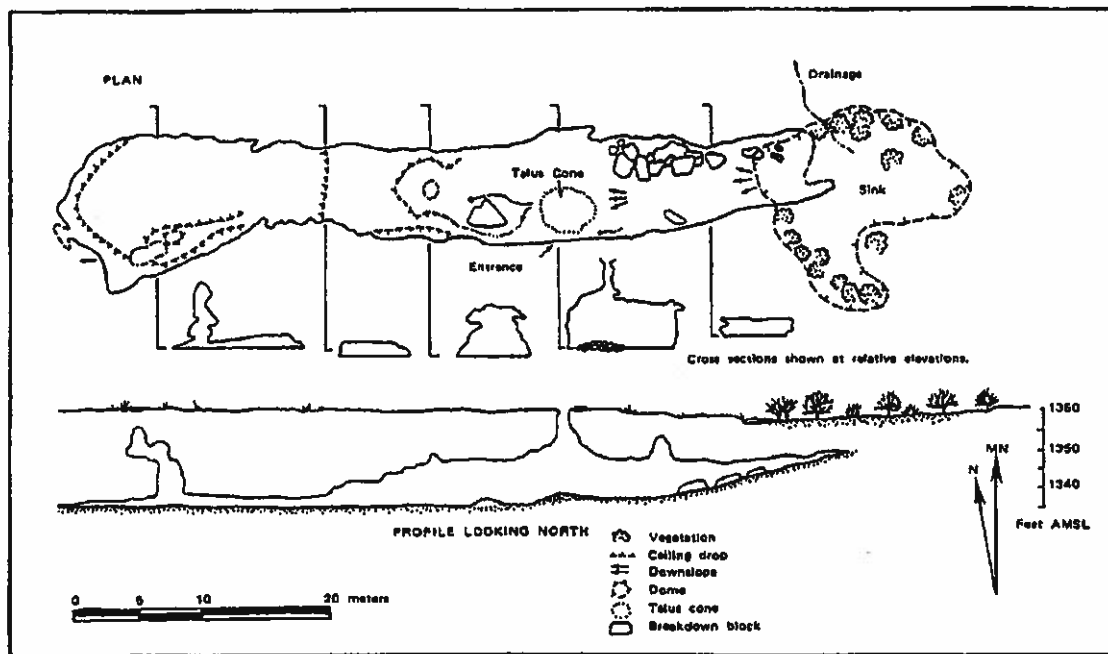


Fig. 2. Seminole Sink, plan and profile.

Turpin and Bement

At the eastern end of the cave, an ancient talus extrudes from a now-sealed entrance beneath a sediment-filled sink at the head of a small gully, tributary to Seminole Canyon. This rock and sediment slide first suggested the site may have paleontological importance if the cavern was open at this end during the Pleistocene.

The larger chamber is 35x7 meters in horizontal dimensions and averages about 3 m. in height (Fig. 3). This room recedes into a crawl space at its western end. Here an incipient domed shaft, not yet reached by the eroding surface, bears the scratch marks of ringtail cats imprisoned in the sinkhole. A complete description of the cave sediments is given in Chapter 3, this report.

ENVIRONMENTAL SETTING

Seminole Sink (41VV620) lies within a limestone bench southeast of Seminole Canyon

proper, five km. (3 mi.) north of the confluence of Seminole Canyon with the Rio Grande and five km. (3 mi.) east of the confluence of the Pecos River with the Rio Grande. Seminole Canyon is one of many deeply entrenched canyon systems characteristic of the Lower Pecos River Region, a natural and cultural area surrounding the confluences of the Devils and Pecos rivers with the Rio Grande (Fig. 1). In terms of modern political units, the region is all of Val Verde County, the southern portions of Crockett and Sutton counties, the western edge of Terrell County and perhaps the southwestern corner of Edwards County. The southern boundary, as yet not delineated, is presumed to be in northern Coahuila, Mexico. Seminole Canyon lies in the heart of the region, crossed by U.S. 90 8 miles west of the town of Comstock and 22 miles east of the historically famous hamlet of Langtry, Texas (Fig. 1).

Topographically, the region consists of undifferentiated flat scrublands fringed by rolling hills and dissected by steeply entrenched

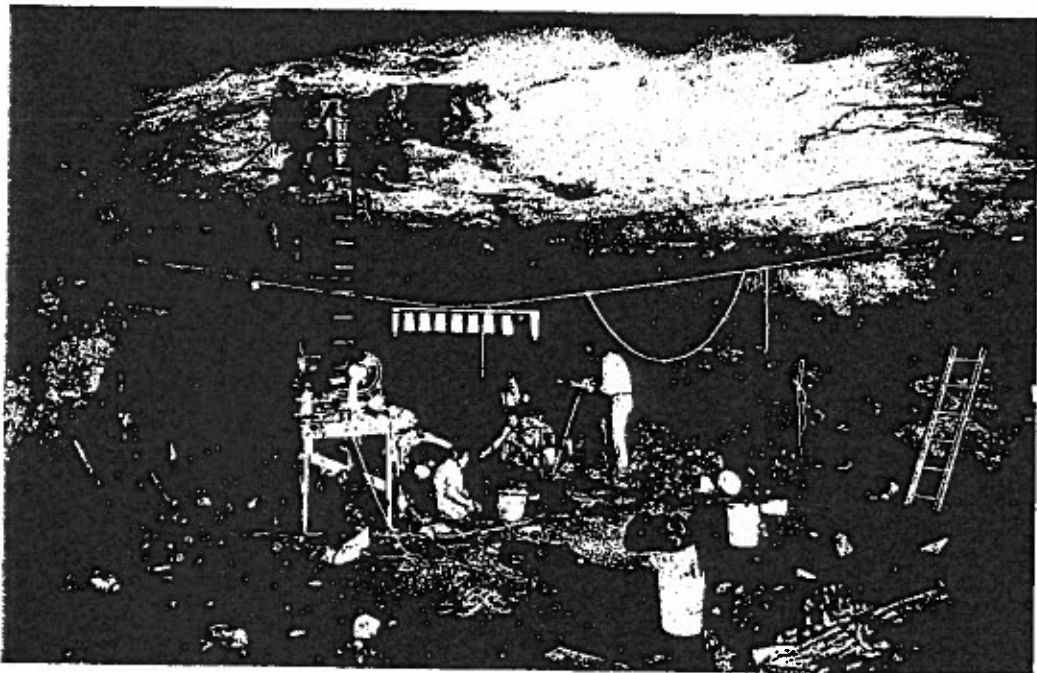


Fig. 3. Interior of cavern looking west from ancient talus toward modern entrance (marked by cable ladder); platform stands above cone; rock pile behind workers is dismantled cone.

Bement and Turpin

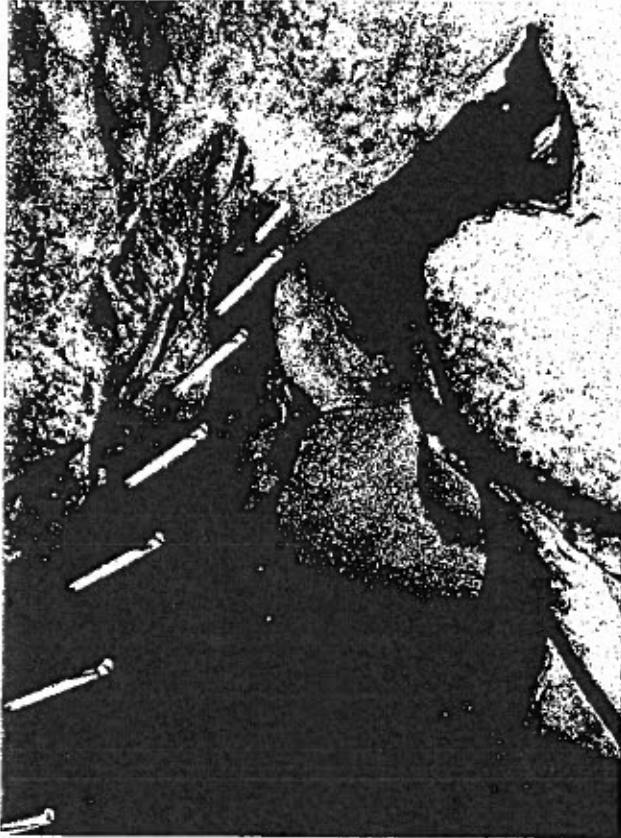


Fig. 7a. Narrow opening to the vertical shaft at mid-cavern; ladder passes through one-half of the figure eight-shaped hole, electrical cord through the other.



Fig. 7b. Excavation of the talus cone in progress, and exposed drainway leaving the cone (arrow).

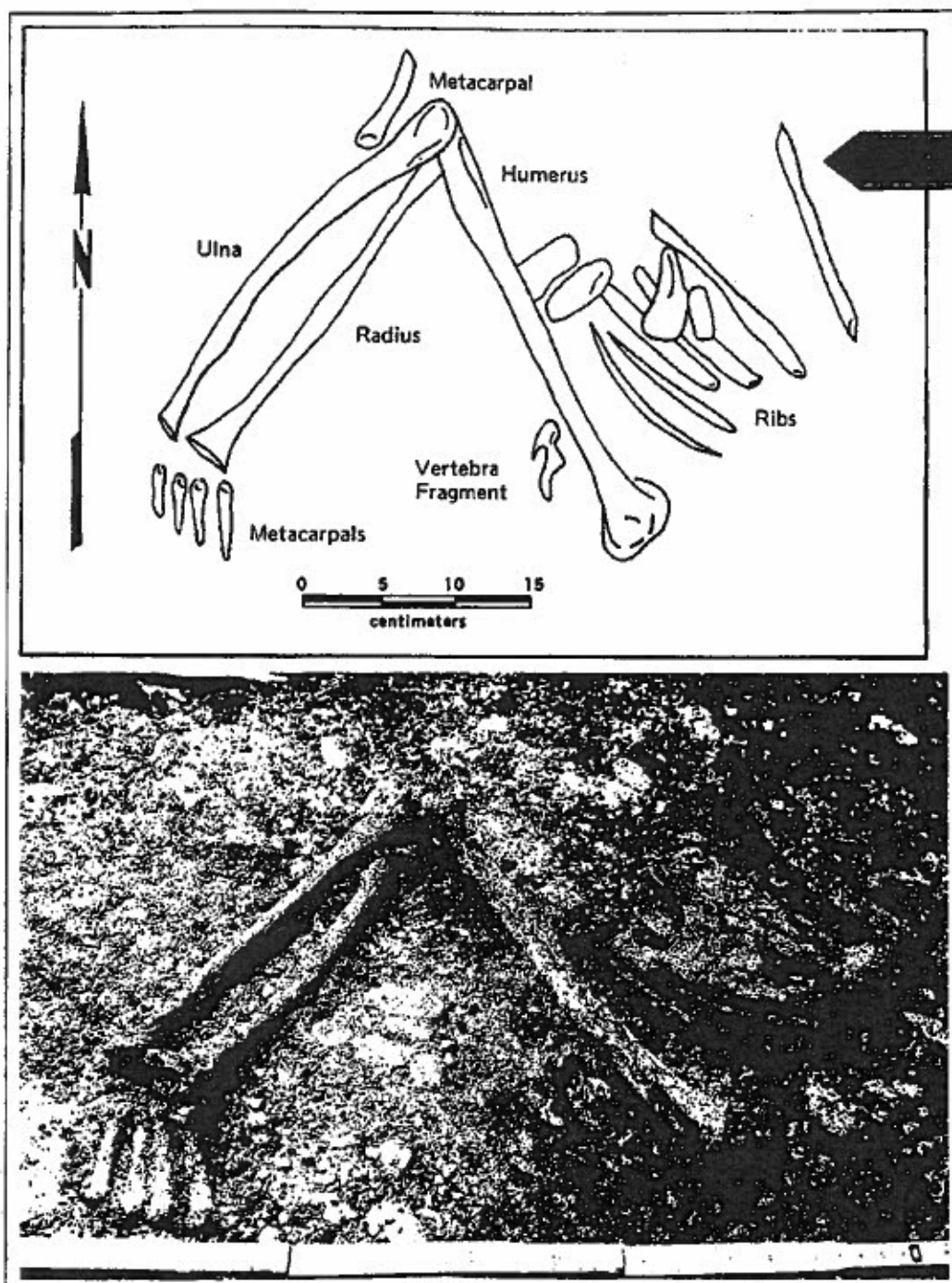


Fig. 9. Scale drawing and photograph of articulated left arm found at base of talus cone.