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April 13, 2007

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Re: STB Finance Docket 34284 Medina County TX
Proposed Rail Line

Dear Ms. Rutson, Mr. Oaks, Ms. Dwin-Vaughn, and Ms. Harris:

I would like to begin this letter with some background information for the benefit of all the consulting parties. MCEAA was founded in January 2000, approximately 6 weeks after rumors of Vulcan's proposed quarry and railroad were disclosed to me by County Commissioner Royce Hartmann. MCEAA was formed so that the area's citizens could become educated and aware of the impacts these projects would have on our environment. We had meetings with Vulcan and with the local public. We were overwhelmed when we learned of the enormity of this project, and we were fearful that the railroad and the truck traffic the quarry would spawn would change our lives forever.

We were especially concerned about the railroad's location, because Vulcan declined to tell us where it was to be located. We have lived in the Quihi Valley for over three decades, and we have seen many flooding events. MCEAA members were justly fearful that flooding potential would be greatly increased by the trestle-type bridges, berms, and culverts that would be needed if the railroad coursed through the Quihi Valley. We knew that our homes as well as the areas' treasured historical homes and other historical features would be in jeopardy.

It was some three and one-half years later that we learned, not from Vulcan, but through the Freedom Of Information Act requests we submitted to the Surface Transportation Board, of the location of Vulcan's Proposed route.

Our worst fears were realized because this Proposed route threatened not only the people in this valley but its' priceless irreplaceable heritage. We were encouraged by the SEA Division of the Surface Transportation Board to make comments and ask questions. These were subsequently initiated in June 2003 at a public meeting sponsored by the Surface Transportation Board. As a result of the meeting, even though Vulcan/SGR fought furiously to prevent it, Vulcan /SGR was required by STB to conduct an EIS. After reviewing the Draft EIS, MCEAA considered it inadequate, and put forth more questions and comments to the Surface Transportation Board including the question why SGR would want to come through the historic Quihi Valley, through three floodplains, cross more county roads, jeopardizing Quihi's rural landscape when a slightly longer route, varying somewhat from the route used to build the Medina Dam, existed on a safer, level location, and could be utilized. Hence the name MCEAA's Medina Dam Alternative Route came into being.

STB agreed with our requests for more information, with our questions and comments, and thus, without litigation, our request for a Supplemental Draft EIS was granted. The results of this much more detailed study, concluded that either MCEAA's MDA route, or another eastern bypass route were less environmentally disruptive. It also noted that MCEAA's MDA route would almost entirely avoid the Quihi Rural Landscape, thus preserving it from destruction by flooding and loss of its aesthetic value.

Vulcan/SGR, for whatever reasons, have continued to press STB to reconsider the Proposed route with re-re-revisions that have included mitigation measures, financial incentives and minimization in an attempt to resurrect the Proposed route and make it palatable. The undeniable fact remains the proposed route, which would divide the rural landscape in half, cannot compete with a route that avoids the area.

During the Section 106 consulting parties meeting on March 26, 2007, I stated that a bridge necessary to cross the Quihi Creek and its 1200 foot wide floodplain, and CR 365 which is located only a few yards west of the Quihi Creek, would have to be elevated at least 15 feet above the roadway to allow large farm equipment and county road maintenance machines to pass underneath. I also stated that electric power lines would likely be placed on poles along the railroad right-of-way. I was challenged by Vulcan/SGR's representative, who stated my statements were exaggerated. However, they had no data to support their claim. This discussion, which THC deemed to be very important because it reflected on the aesthetic value of the Quihi Rural landscape, was settled when Vulcan's Tom Ransdell was requested to furnish data on the bridge crossings specifications within a 10 day period. This information could be presented and discussed at a subsequent meeting of the Section 106 parties.

On April 5, 2007, a letter from SGR's counsel was submitted to STB for distribution. What it contained was not what was requested. Instead, an artists conceptual drawing, not done to scale, of a bridge crossing only the Quihi Creek and a small portion of the adjacent flood plain to the East. County Road 365 (Coburn's CR 353) was relocated some distance to the west and appears to be ascending a berm in the flood plain as it is crossed the Proposed route. This sort of response is typical of Vulcan/SGR. It is done to mislead, not only STB, but also THC and ACHP. It contains no data. It admits no hydrologic data is considered. It satisfies nothing, yet it is submitted with the hope and expectation that some way, somehow, it will gain favor for the Proposed route. What SGR has done with this picture is to show its utter disregard for part of the Quihi Rural Landscape as well as FEMA regulation forbidding placement of fill in a flood plain without proof that it will not cause more than a 12 inch rise in that flood plain.

Also, by relocating CR 365, Vulcan/SGR either did not care to appreciate, or chose to ignore, a fact that, in preserving historic landscapes, it is important to maintain not only the original location of homes but also roads, fences, wells, cemeteries, barns, and other out-buildings in their original locations, as noted by Terri Myers of Preservation Central, Inc.

CR 365, for everyone's benefit, is the historical road laid out in the late 1850's or early 1860's. This road connected the main portion of Quihi to Upper Quihi as it expanded. It is an integral part of Quihi's development, (just as is General Wall's Road -CR 4516- where the SGR's Proposed route would cross at the Cherry Creek and its' flood plain). Perhaps the consultants can also be enlightened by Vulcan/SGR on how this crossing will be achieved when it finally discloses the specifications needed for the CR 365 crossing.

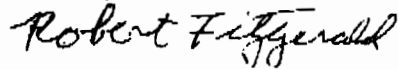
SGR counsel's letter of April 5, 2007 is a last-ditch effort to gain support for the Proposed route. SGR submits more mitigation measures, measures that address impacts on the future development, but do not address the present impacts of the Proposed route. Future impacts are not subject to mitigation. Mitigating future developments is not an adequate resolution to the adverse effects of the Proposed route.

MCEAA was actually flattered when Mr. Coburn stated that in the thousands of cases he had handled, he had never been asked to supply so much information. This is information that should have been supplied from the outset, and would never have been gathered if MCEAA had not insisted on getting it. With the information gathered through this process, this project will be much safer if the recommendations are followed. This is the reason for gathering information, not to just torment Mr. Coburn.

We also agree with Mr. Coburn's assertion that no matter what mitigation measures and incentives are tacked on to the Proposed route, MCEAA will not accept this route. It should be obvious to Mr. Coburn that it does not make sense to support the Proposed route when another route such as the MCEAA MDA route is less environmentally disruptive from many standpoints.

In closing, We look forward to the teleconference meeting on April 20th to further discuss these issues.

Sincerely,



Robert Fitzgerald

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