

April 2, 2007

Diana Wood
Surface Transportation Board
395 E Street, SW
Washington, D.C. 20423-0001

Received
4/9/07

#E1-2884
FD-34284
DTW

RE: Southwest Gulf Railroad Co.-Construction & Operation Exemption-Medina Co., TX(alternate rail routes for Vulcan Construction Materials, LP proposed quarry to Union Pacific RR Co. rail line near Dunlay, TX)

Dear Ms. Wood and Board Members,

We plead that you do not consider the old Medina Dam railway route as a possible route. The land where we live has been in our family for at least five generations. For well over 100 years the Balzen/Martin family has nurtured this historical land. We have cultivated this land starting with the horse drawn plow to now more modernized farm machinery. We only hunt and fish to feed our family. We keep pasture land for the native wildlife. We do not divert water from its natural flow on this land. We do not have machinery running continuously so we can hear the wind blow and the wildlife communicate. My family met many hardships to be able to keep this land for generations to come. Please save our historical land and our historical way of life. DO NOT LET US BECOME EXTINCT which has happened to too many of the smaller farms and ranches.

My brother, Jerry Martin is the caregiver of the collection of artifacts that consist of arrowheads and tomahawk heads which were found on this piece of property over generations which provide evidence that Native Americans were very much a part of this historical land. Grandpa Martin would show the grandchildren where there was evidence of a Native American campground where there was an enormous amount of flint rock chips and burnt rocks near a natural alkaline salt lick. This site is still as it has been on the family property for generations. The natural wear of this area is the ongoing instinctive attraction it brings to the cattle and wildlife to add nutrients to their diet by licking the alkaline high sodium soil.

As my sister, Ronda McNew has stated in her letter, we have started the process to complete the application for recognition under the Texas Department of Agriculture Family Land Heritage Program for our property which is involved in the proposed railway route. We have previously received this award for family land in Quihi, Texas. So as you can see, we have inherited historical land from both our paternal and maternal lineage and we are still the stewards of these two priceless historical plots.

Having a railway run through this area would cause the natural water runoff to be altered to down stream stock ponds needed for livestock and wildlife. The old dam railway did not affect any stock ponds because these ponds were constructed after the completion of the dam when the railway had already been discontinued and dismantled. Property was still in the hands of the first and/or second generation and the settlers who were still living in their original homestead homes during that period.

At the time the dam railway was put in, the land affected was ranchland and not the farmland which it has become. The construction of the dam railway required an enormous amount of fill to raise the tracks above the boggy ground during rainy periods. The fill used from the old dam railway still can be found on our property scarring the landscape and damaging farm equipment while working near and among the remaining residue.

Early farming by my grandfather was difficult especially during rainy seasons. Water would back up across the open field drowning the crop due to abandon track bed damming rainfall. As landowners, we had to bear the burden of expense to remove old fill. This had to be removed to allow water drainage across the field (from east to west). The track crossed our property from southwest to northeast. Returning the railway will cause water backup and the elimination of our farming operation.

We would also like to include a statement from *Supplemental Draft Environmental Impact Statement, Finance Docket No. 34284 Southwest Gulf Railroad Company, Construction and Operation Exemption, Medina County, Texas*, Volume II, prepared by: Surface Transportation Board dated 12-8-2006, Appendix F-1, section 4.3, page 23.

Higher spots on the alluvial soils along the floodplain and adjacent stream terraces are likely to contain buried prehistoric sites. In addition, level landforms adjacent to the vase of the valley side slopes may have colluvial soil deposits where archaeological sites have been buried by slope wash. Additional high-probability areas for prehistoric sites would include the margins of upland areas located near springs and the heads of creeks (Figure 19)

Figure 19. View from the SGR's Modified Medina Dam Route crossing of CR366 looking south across the head of creek drainage. 2006 Photo by URS

The picture includes our family land and our neighbor's (Doris Elaine Jungman) land.

We are not opposed to Vulcan or the construction of the railway to Vulcan. Please consider one of the other routes which would not affect valuable historical land.

Sincerely,



Nelson and Paulette Martin