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April 5, 2007

Diana Wood
Surface Transportation Board
Case Control Unit
Washington, DC 20423

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ROBERT L. COOK
EXECUTIVE DIRECTOR

RE: Southwest Gulf Railroad Company rail construction and operation,
Medina County, Texas

Dear Ms. Wood:

I was contacted by Thomas Ransdell, Vulcan Materials Company, on March 06, 2007 regarding the Surface Transportation Board's Section of Environmental Analysis' (SEA) recommended mitigation based on preliminary comments Texas Parks and Wildlife Department (TPWD) provided to URS Corporation in a letter dated May 28, 2003. The letter provided by TPWD included recommendations that graded embankments should not exceed a slope of 4:1. While the recommended slope is preferred to minimize erosion problems in many situations, it is not applicable in all situations and is provided as a general guideline in preliminary correspondence such as the May 28, 2003 letter from TPWD.

While a 4:1 slope for graded embankments is preferred in many situations, numerous variables (e.g., substrate type, depth of cut or height of fill) must be considered before it can be concluded to be the appropriate slope for all sites within the proposed railroad track corridor. Based on information provided by Mr. Ransdell, in the current project, requiring a 4:1 slope for some cuts and fills could increase the footprint of the project beyond the limits of the proposed right-of-way (ROW), thus significantly increasing the area of disturbance.

TPWD has agreed that 4:1 slopes for graded embankments will most likely be appropriate in some areas along the proposed railroad track; however, TPWD recommends SEA be flexible in administering the recommendation requiring all slopes be 4:1 or flatter. Furthermore, TPWD will continue to coordinate with Southwest Gulf Railroad regarding the final slope of embankments, including cut and fill areas, and will work to achieve a solution that avoids or minimizes erosion in the project area while also minimizing the footprint of the project.

Since a final preferred route has not been selected, it is not possible to provide site specific recommendations regarding slopes. However, in addition to incorporating moderate (4:1) slopes in project corridors, other alternatives exist to minimize potential erosion resulting from both temporary (construction) and permanent (operation) impacts. Where applicable, utilizing deep rooted, erosion



Take a kid
hunting or fishing

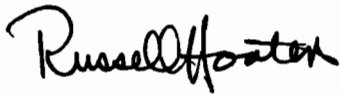
Visit a state park
or historic site

Ms. Wood
Page 2
April 5, 2007

tolerant, native vegetation or other bioengineered embankment slope protection methods to stabilize topsoil in addition to standard best management practices could be as effective as requiring 4:1 slopes.

I appreciate your coordination on this project. If you have any questions regarding our comments, please contact me at (361) 825-3240.

Sincerely,

A handwritten signature in black ink that reads "Russell Hooten". The signature is written in a cursive style with a large, stylized "R" and "H".

Russell Hooten
Wildlife Habitat Assessment Program
Wildlife Division

/rh

cc: Thomas Ransdell, Vulcan Materials Company