

Alamo, Austin, and Lone Star chapters of
the Sierra Club
Aquifer Guardians in Urban Areas
Bexar Audubon Society
Bexar Green Party
Boerne Together
Cibolo Nature Center
Citizens Allied for Smart Expansion
Citizens for the Protection of Cibolo Creek
Environment Texas
First Universalist Unitarian Church of
San Antonio
Friends of Canyon Lake
Friends of Dry Comal Creek
Friends of Government Canyon
Fuerza Unida
Green Party of Austin
Headwaters at Incarnate Word
Hays Community Action Network
Helotes Heritage Association
Helotes Nature Center
Hill Country Planning Association
Green Society of UTSA
Guadalupe River Road Alliance
Guardians of Lick Creek
Kendall County Well Owners Association
Kinney County Ground Zero
Leon Springs Business Association
Medina County Environmental Action
Association
Native Plant Society of Texas – SA
Northwest Interstate Coalition of
Neighborhoods
Preserve Castroville
Preserve Lake Dunlop Association
San Antonio Audubon Society
San Antonio Conservation Society
San Geronimo Nature Center
San Geronimo Valley Alliance
San Marcos Greenbelt Alliance
San Marcos River Foundation
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment
SEED Coalition
Solar San Antonio
Sisters of the Divine Providence
Travis County Green Party
West Texas Springs Alliance
Water Aid – Texas State University
Wildlife Rescue & Rehabilitation
Wimberley Valley Watershed Association

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May 4, 2017

Sent Via e-mail to 38th Judicial District Judge Camille Dubose

Honorable Judge Dubose,

I am submitting these comments on behalf of the Greater Edwards Aquifer Alliance, a coalition of fifty-two member groups from throughout the Edwards Aquifer Region in support of the Amicus Brief submitted by the Medina Environmental Action Association.

The Surface Transportation Board (STB) has recognized the Southwestern Gulf Railroad Company (SGR) as a “common carrier” and has thus accorded rights of condemnation through eminent domain for construction of the seven-mile rail line to connect the Vulcan Materials Company (Vulcan) quarry project with an existing Union Pacific Railroad Company line. The draft Environmental Impact Statement (EIS) compiled by the Section of Environmental Analysis (SEA) does not include a cumulative impact study of uses other than those proposed to serve the Vulcan Materials Company. The draft EIS states in section ES1.1 that “SGR would also hold itself out as a common carrier and provide service to other industries that might locate in the area in the future.” Yet, no impacts of such “other industries” are addressed in this document.

Section ES 2.0 “Description of Proposed Action” confines itself to a description of the proposed SGR that only includes use of this line by Vulcan. All studies contained in the draft EIS pertain exclusively to the impacts from activities serving Vulcan. Should the STB maintain the fiction that the SGR is a “common carrier”, the cumulative impacts of rail traffic through the proposed routes should include projections of uses by “other industries”.

GEAA objects to the fiction that SGR is a “common carrier” and most strenuously objects to STB granting governmental powers of condemnation to a project that is clearly designed to serve one industry for one purpose. If other industries will be served by this line, a cumulative impact study should be required as part of this draft EIS that will address the impacts from these additional uses. In that the SGR project would have serious environmental, cultural, and economic impacts to the private property traversed by the proposed routes, as well as to the community of Quihi as a whole, GEAA recommends that powers of eminent domain to take land for the project be denied.

Sincerely,



Annalisa Peace
Executive Director