



Quihi & New Fountain Historical Society

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November 14, 2007

Victoria Rutson, Chief
Section on Environmental Analysis
Surface Transportation Board
395 E Street, S.W.
Washington, D.C. 20423

Re: FD 34284, Section 106 Programmatic Agreement
Southwest Gulf Railroad Proposed Track in Medina County

Dear Ms Rutson:

We appreciate having this opportunity to comment on the Programmatic Agreement currently being drafted for the above referenced proposed project. We thank you for the tremendous work and research you have accomplished thus far and would like to offer these additional comments.

In the course of our Society's investigative work uncovering the very interesting story of the Quihi/New Fountain Area, we find much more needs to be studied. More sites should be listed as contributing sites in the Historic Resources Survey of the area. For just one example, there is an old limestone structure which was in fact used as a relay station for the old stagecoach route from San Antonio to Bandera. It is located on FM 2676 at the area of the crossing of the Eastern Bypass Route (Resource # 202 in the SDEIS).

We realize, as was stated in the SDEIS studies, that in many cases access to the property, (such as site #200, which is a limestone Alsatian settler's home from the mid-1800's) was not obtainable during the course of the study. These sites and other such sites should be followed up with further study.

Historic District boundaries need to be studied. All of the routes will go through a historic district. We do not know at this time exactly where these district boundaries may lie pending further discovery. It would seem that the studies that were requested by the Keeper of the National Register of Historic Places in his Determination of Eligibility Comment Sheet dated 7-24-07 (EI-3030) should be made, and then the impacts should be determined. According to EI-3030, it is possible that the district could actually be expanded to cover other areas. District boundaries should be established first, in order to determine the impact of the placement of a rail line.

We agree with the Keepers opinion that what has been proposed by the STB as the Upper Quihi and Quihi Rural Historic Districts (two separate districts) actually represent a single rural historic district. (EI-3030) The families of the settlers were very closely connected throughout the area, and in fact, with the New Fountain area as well. It is generally held that the boundary of the Quihi and New Fountain areas met at CR452, which is the western boundary of the James Allison Survey 23 (Quihi) and the eastern boundary of the William Bryan survey (New Fountain). The members of both these Colonies of Henri Castro were very closely related by virtue of their church and community activities, social lives, and overall dependence on each other to survive. An example of this interaction is the old Sturm Hill School, (Site #199) which was originally located to the south, at CR 365, between Site # 235 and #231, on the Quihi Creek. It was sometimes known as the Quihi Ranch School. The original school building was built in 1875. In 1910, possibly because of the frequent flooding of the Quihi Creek, it was moved north to its present location on

Sturm Hill in Upper Quihi. Many of our friends in the area actually attended the Sturm Hill School before its use was discontinued in 1954. It would be very appropriate for the area to be one district: The Quihi and New Fountain Rural Historic District. The boundaries do need to be re-assessed in light of further information to be obtained, as suggested by the Keeper, and the impacts – including visual - of a rail line through it.

There is much history being uncovered relating to the Native American culture, referred to as the Pre-history of the area. Documentation was presented by the Tap Pilam Tribal members in their comments of January 2007 in response to the SDEIS. They presented some of the following information:

In 1776 (at the time The American Revolution was taking place in the 13 original colonies of the United States), the King of Spain granted to the Indians of the Mission San Jose (in San Antonio) 11 sitios (11 leagues – about 50,000 acres) of land. It was named Rancho San Lucas. This grant is roughly 'kite-shaped' and extended from San Antonio westward to Quihi. This land, encompassing the Medina River and its rich farmlands, several creeks and many springs, was used by the mission Indians for hunting, grazing and other agricultural purposes. So it would seem quite likely that there are many undiscovered archeological sites in this area. Its' westernmost tip is located on the JB Halbardier Survey #13, now owned by Rusty Mangold. It is just east of the mysterious rock wall located on the Glen Lindsey property. This westernmost tip is the site of a remarkable archeological dig in the 1980's which produced many Native American artifacts, and is located at the western edge of the eastern routes under consideration.

But there is more to the story of Rancho San Lucas. Rancho San Lucas played an important part in the European settlement of Texas in the 1840's and 1850's. Fifty-six years after receiving the grant, on January 16, 1832, the heirs of these original Indians sold this grant to the priest, Refugio de la Garza. He, in turn, sold this grant to J.T. McMullen, a colonizer of Texas, on July 24, 1834. (Note: After Texas won her independence in 1836 some questions arose about the legality of these transactions, because of racial restrictions. This famous case went through the courts of Texas, and the Supreme Court of the United States after statehood. Ownership questions were finally resolved by the Texas Legislature in 1913.) This grant became known as the Mc Mullen Grant. Its boundaries remained the same. In 1844 Henri Castro was unable to bring his first settlers to his land grant at Quihi because it was in hostile territory, 35 miles west of San Antonio. Thus Castro arranged with J.T. McMullen to colonize parts of the McMullen Grant which was closer to San Antonio. Henri Castro established his first colony in the McMullen Grant on the Medina River (Castroville), 9 miles east of his intended first colony at Quihi. We discovered Quihi's link to its Native American past by way of Rancho San Lucas from the information submitted to the STB in January 2007 by the decedents of the San Jose Missions, the Tap Pilam Tribe, (Payaya) and by research in the archives of the Medina County Courthouse.

It is not surprising that these discoveries are just now coming to light. Preservation Central observed in the conclusion of their study for the SDEIS that the relative isolation of this area and its people in the past have helped to preserve and maintain its' rural character to the present time. This is an area reluctant to have the spotlight cast upon it. So, it will take time and effort to complete the studies of its historic and archeological resources. The Southern Texas Archeological Association (STAA) has expressed interest in conducting more digs in this area. Texas A&M University archeological department could also be interested. Indeed, as the renowned archeologist Dr. Tom Hester wrote in November 2002 to the STB, Vulcan couldn't have picked a worse place in Texas for this project from a historical and archeological standpoint.

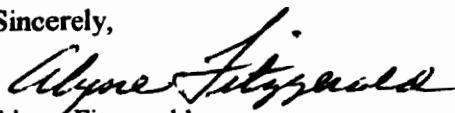
We feel that cutting the Keeper out of the process of preserving the historic sites by quickly assigning an eastern route would be thwarting the basic purpose of the PA. This project should not be rushed through at this point. This would prevent discovering more resource sites, and prevent establishing the importance of the Quihi area. We do not think the process of documenting the historic and archeological resources in the area should be short-circuited at the risk of destroying all this history, just because of commercial interests to get a rail line. These studies should have been done years ago. It is impossible to document the centuries of history and archaeology in the area in a few months. Please review the information requested by the Keeper in his letter of July 24, 2007. We feel that some of his requests should be part of the PA, as preliminary studies to route selection and construction. There will be no point in attempting to complete the studies for a

district later, as there will be no historic value when the rail line is built. Any rail line through this historic area will destroy the look of the historical cultural rural landscape.

The historic and archeological resources of the area are susceptible to possible flooding impacts resulting from railroad placement. The hydrology and water flows around the rail loop should be closely studied. There has been no information at all presented about the cuts, fills, and other data in the area of the rail loop. All studies to date have ended at CR 353, just south of the rail loop. We do know that the location of the rail loop has an elevation of 950-960 feet, and that SGR proposes to cross CR 353 just south of the loop at grade level, which is 931 feet. We are mystified at how SGR proposes to raise or drop the rail line 20-30 feet in such a short distance. We do know that when we have periods of heavy rainfall, such as in this year, literally a wall of water comes down through that point (the Elm Creek) and progresses southward through Quihi. The historic sites in Quihi are in jeopardy if there are any changes in the area of the rail loop that would exacerbate the flooding damage. We strongly request that these studies be done before any thing else, as part of the Programmatic Agreement, to preserve the historic sites of Quihi.

In conclusion, given the fact that this rail would destroy the visual sense of place of this historic area, ~~STB~~ would be justified on the basis of the historical value of this area alone, to deny this rail permit. Although you have received some of these items at other times previously, I am enclosing some related materials for your convenience. We deeply appreciate the care, patience, and courtesy you and your staff have extended to the participants of this process.

Sincerely,



Alyne Fitzgerald

Materials Enclosed:

- Map of Rancho San Lucas
- Map of the J. T. McMullen Grant
- Survey of 1869 of McMullen Grant
- Survey map of area
- Photos of Native American Artifacts found on JB Halbardier Survey #13.

CC: Charlene Dwin-Vaughn, Advisory Council of Historic Places
Lawrence Oaks, Executive Director, Texas Historical Commission

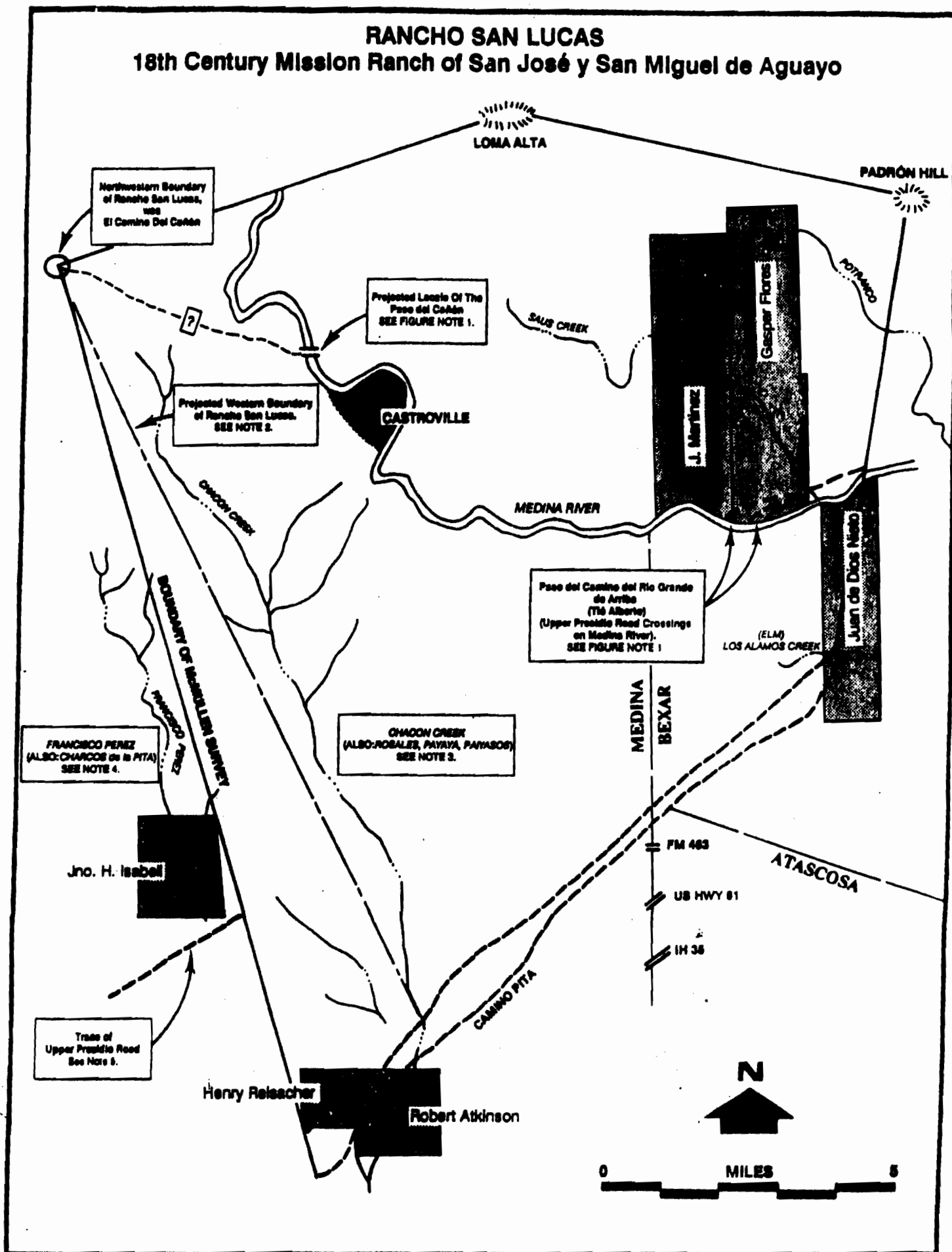
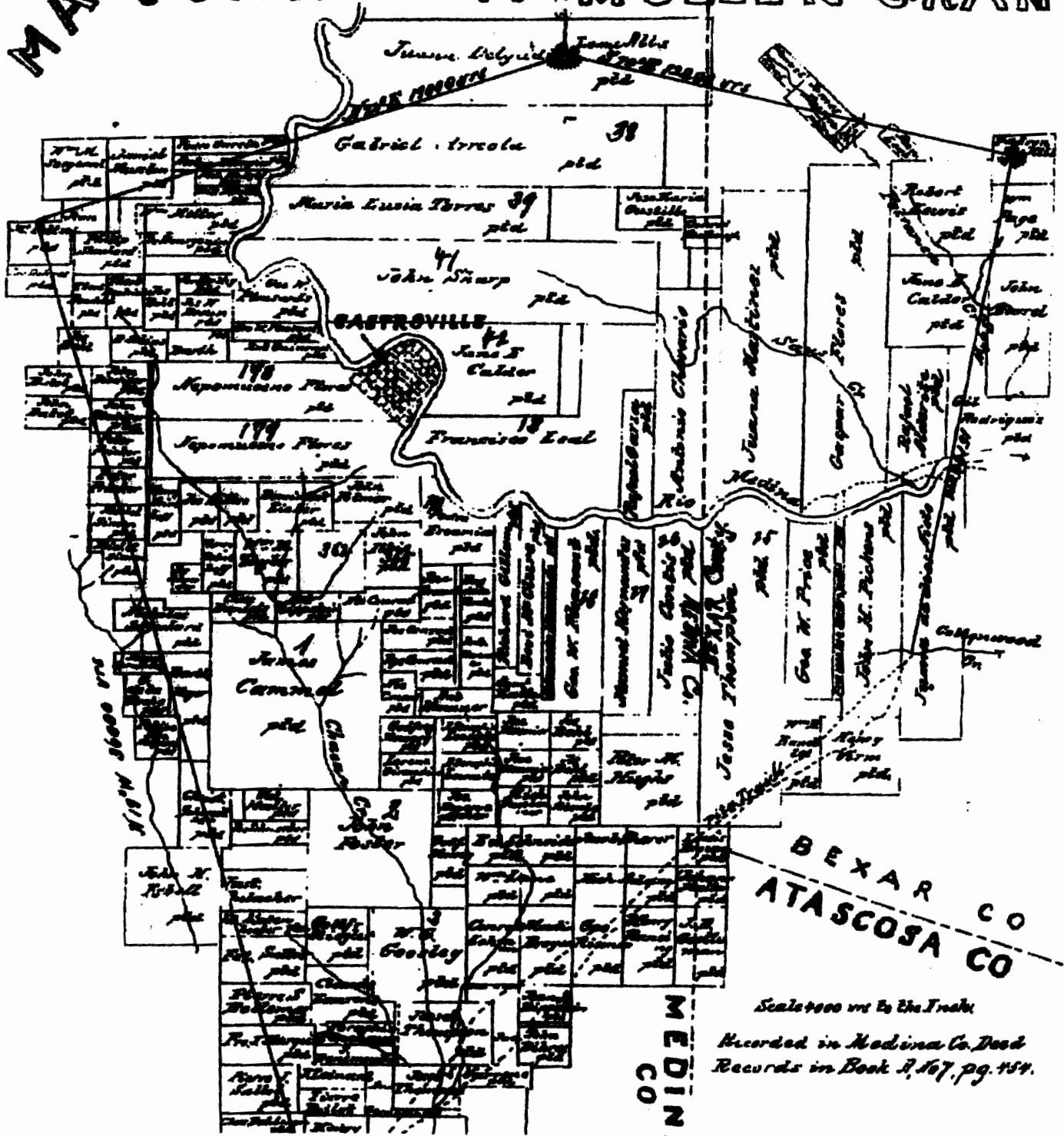
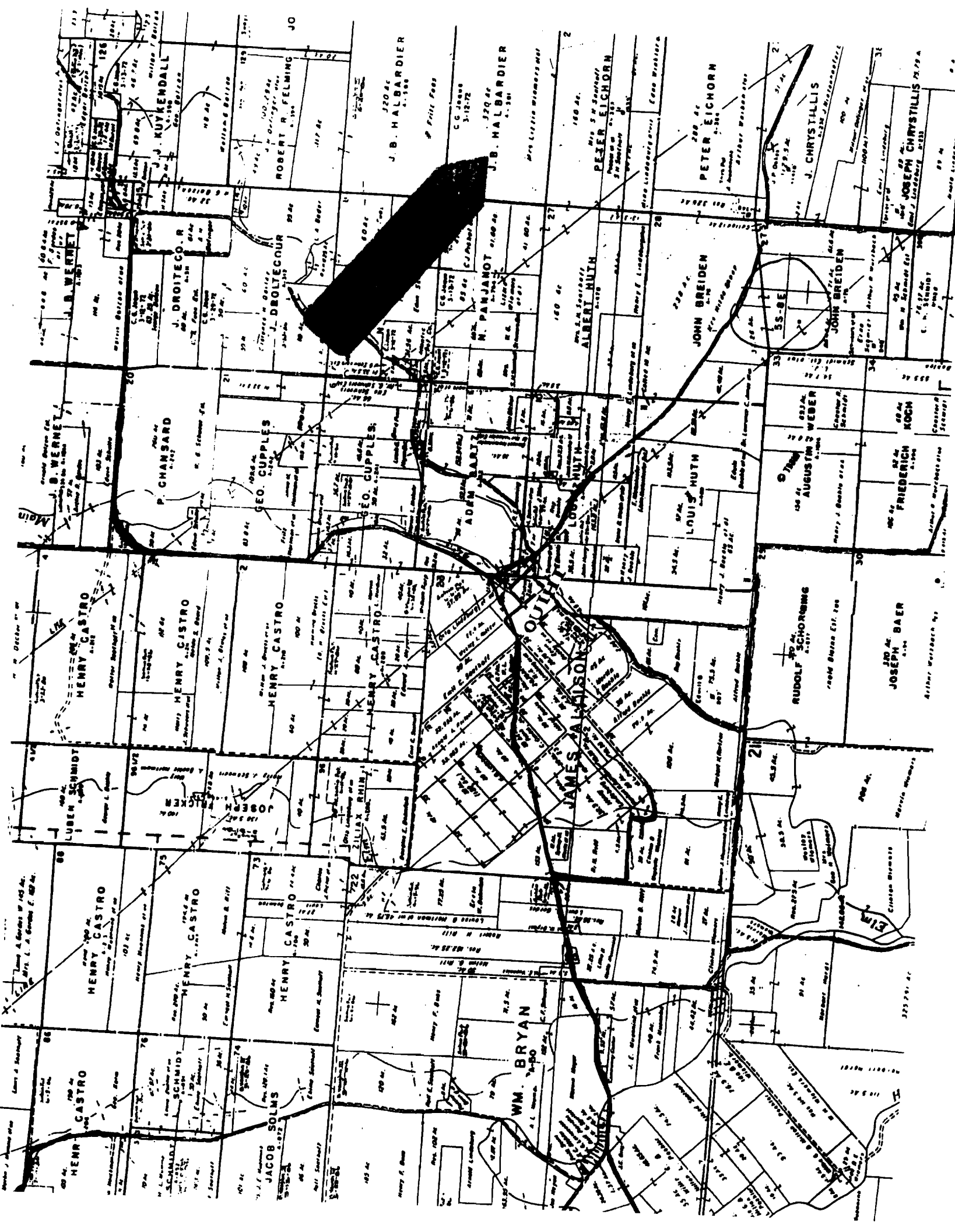
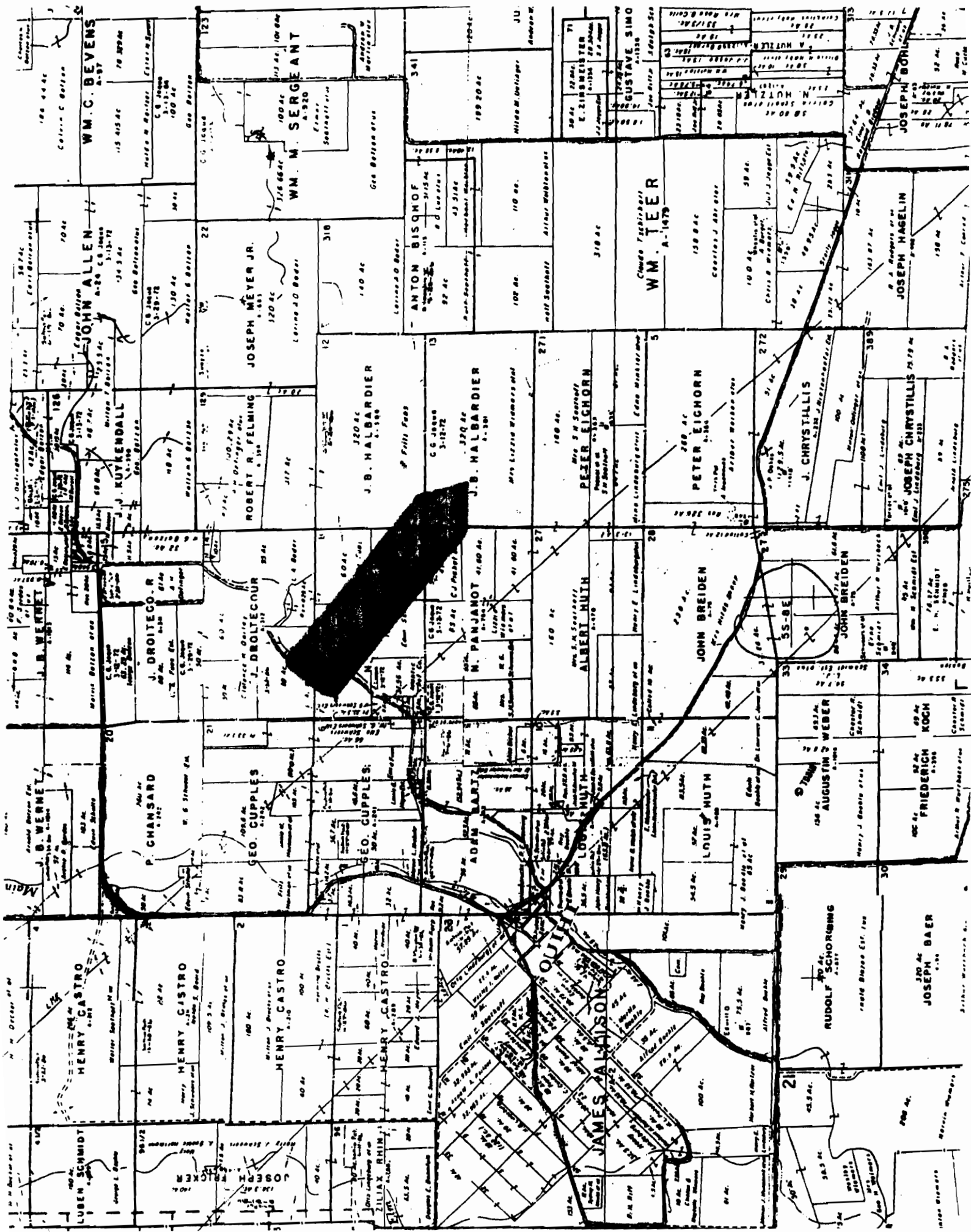


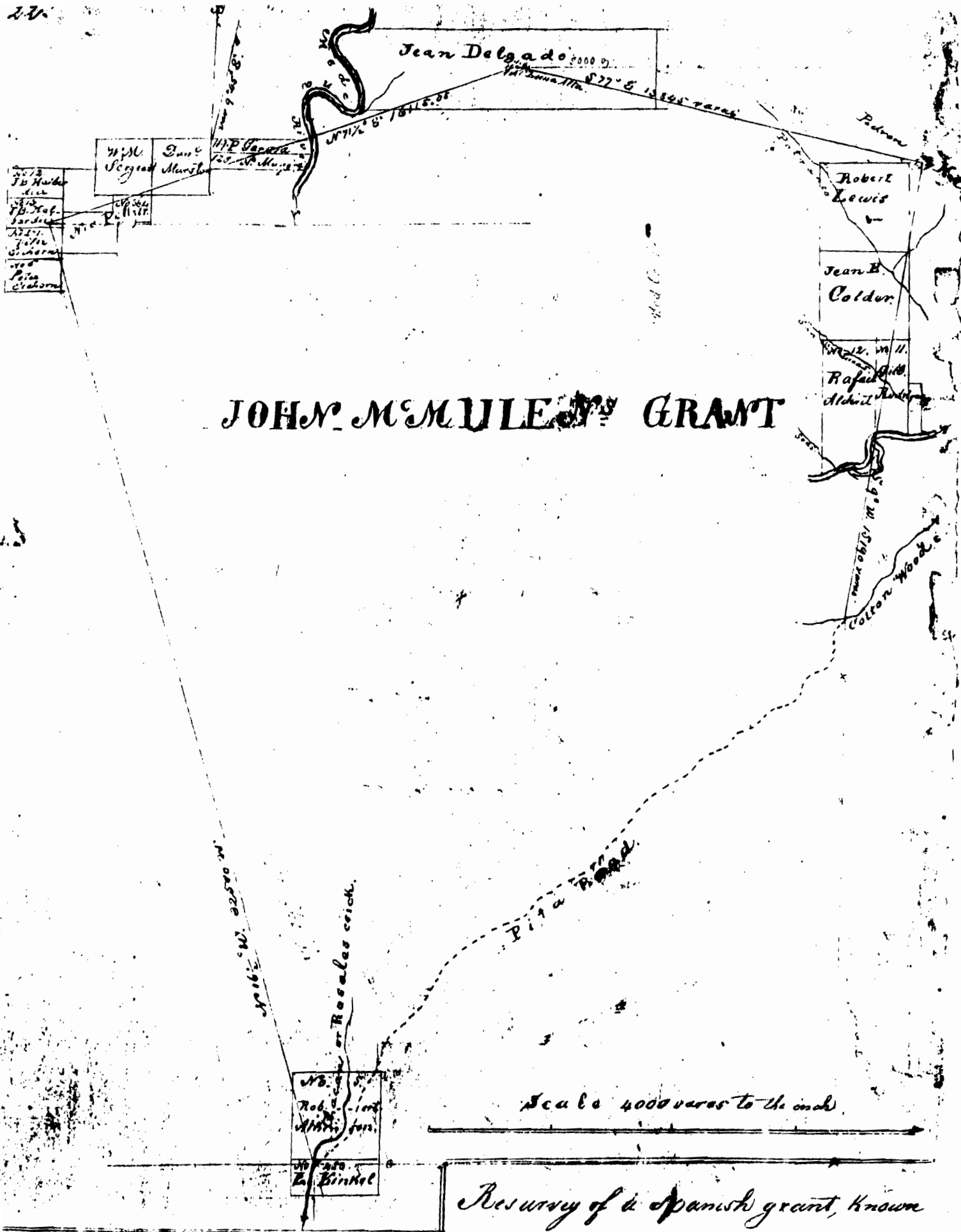
Figure 20. Projected boundary of Rancho San Lucas, land belonging to Misión San José y San Miguel de Aguayo in the 18th century.

MAP JOHN McMULLEN GRANT









Resurvey of a Spanish grant, known as the Mcullen grant, situated in the County of Bexar and Medina, granted November the 19th 1776 by the Gov

Rafael
Attilio



Robt. - 1878
Alfredson.
E. Binkel

Scale 4000 vases to the inch

Resurvey of a Spanish grant, known
as the Mc Mullen grant, situated in

the County of Bexar and Medina granted November the 19th 1876 by the Government of Spain, to the people of the Mexican State.

This Survey was made for the heirs of Baconbridge J. Howard dec'd. according a Survey made by John James Deputy Surveyor of Newar Distr. in the month of August A.D. 1844, by Order of the hon^{ble} Distr. Court, date March 1844.

Beginning at a pile of rocks on the top of Patron Hill in Bexar Co.

Thence $S 9^{\circ} W$ 2970 varas to a spring branch 4030 varas to the Potranco 7350 to the San Lucas creek, 9220 (9020) varas to the Medina river, 15190 varas to the crossing or ford of Cottonwood creek of the Pita road, called for in the old grant, crossing Medina 12 varas East of the S.W. Corner of Survey No. 11. in the name of Gill Rodriguez.

Thence with the remainder of the Pita road $S 32^{\circ} W$ 680 varas, $S 5^{\circ} W$ 720 varas, $S 26^{\circ} W$ 590 varas, $S 83^{\circ} W$ 420 varas, $S 43^{\circ} W$ 400 varas, $S 300$ varas, $S 50^{\circ} W$ 170 varas, $S 69^{\circ} W$ 300 varas, $S 52^{\circ} W$ 880 varas, $S 72^{\circ} W$ 470 varas, $S 19^{\circ} W$ 350 varas, $S 68^{\circ} W$ 930 varas, $S 48^{\circ} W$ 1140 varas, $S 79^{\circ} W$ 235 varas, $S 54^{\circ} W$ 930 varas, $S 40^{\circ} W$ 3320 varas, $S 61^{\circ} W$ 1048 varas, $S 42^{\circ} W$ 860 varas, $S 27^{\circ} W$ 620 varas, $S 82^{\circ} W$ 500 ~~varas~~, $S 58^{\circ} W$ 415 varas, $S 45^{\circ} W$ 452 varas, $S 53^{\circ} W$ 935 varas, $S 27^{\circ} W$ 1450 varas, $S 42^{\circ} W$ 575 varas, $S 55^{\circ} W$ 645 varas, $S 35^{\circ} W$ 420 varas, $S 20^{\circ} W$ 2150 varas, $S 9^{\circ} W$ 1210 varas, $S 49^{\circ} W$ 1186 varas, $S 39^{\circ} W$ 380 varas, to the crossing or Pita ford of the Rio, sales or Chacan creek, an Elmo mark X and a blaze from which an Elmo mark I , bears $N 54^{\circ} W$ 5 varas, and the S.W. Corner of Survey No. 5. of $\frac{1}{2}$ of a league in the name of Robt Atkinson, bears $N 75^{\circ} W$ 300 varas. Thence $N 16\frac{1}{2}^{\circ} W$ 32500 varas to a pile of rock for the West corner, a three pronged Pin oak 18" diam: mark X bears $S 30^{\circ} E$ 36 varas, another 13" diam: mark X bears $N 65^{\circ} E$ 45 $\frac{1}{2}$ varas, a pile of rocks bears $N 2\frac{1}{2}^{\circ} W$ 630 varas, and the S.W. Corner of Survey No. 36 in Distr. 1 Canton El Hoyo - Medina County, in the name of ^{San} Nicolas Pelzer bears $S 26\frac{1}{2}^{\circ} E$ 1000 varas.

Thence $N 71\frac{1}{2}^{\circ} E$ to the Medina river, 25 varas North of the S.E. Corner of Survey No. 1. in the name of Wm Steel, 16115 varas to a pile of rock on top of Loma alta. Thence $S 77^{\circ} E$ 9400 varas to Potranco creek 13845 varas to the place of beginning.

In Witness
Whereof
Charles de Montiel }
County Surveyor

Surveyed from the 10th to 25th of July 1869.

I Charles de Montiel jr, County Surveyor of Medina County, do hereby certify that the foregoing Survey was made according to Law, and that the limits, boundaries and Corners, natural and artificial, together with the marks truly and correctly established on the ground, as described in the foregoing plot and field notes and that there are no other claims to the same.

... of the said road 032° W 600 varas, S 5° W 720 varas, S 26° 59' W 420 varas, S 83° W 420 varas, S 43° W 400 varas, S 300 varas, S 50° W 170 varas, S 69° W 300 varas, S 52° W 380 varas, S 72° W 470 varas, S 19° W 350 varas, S 68° W 930 varas, S 48° W 1140 varas, S 79° 235 varas, S 54° W 930 varas, S 40° W 3320 varas, S 61° W 1048 varas, S 42° W 860 varas, S 37° W 1450 varas, S 82° W 500 varas, S 58° W 415 varas, S 45° W 450 varas, S 50° W 935 varas, S 27° 1450 varas, S 42° W 575 varas, S 55° W 645 varas, S 35° W 420 varas, S 30° W 2150 varas, S 9° W 1210 varas, S 49° W 1186 varas, S 39° W 380 varas, to the crossing or Pitarford of the 2^d vale or Chacan creek, an Elm mark $\frac{I}{I}$ and a blaze from which an Elm mark $\frac{I}{I}$ bears N 54° W 5 varas, and the S. W. Corner of Survey No 5. of 1/3 of a league in the name of Rob^t Atkinson, bears N 75° W 300 varas, Thence N 16 1/2° W 32500 varas to a pile of rock, for the West corner, a three pronged Pin oak 18" diam: mark $\frac{I}{I}$ bears S 30° 36 varas, another 12" diam: mark $\frac{I}{I}$ bears N 65° E 44 1/2 varas, a pile of rocks to N 2 1/2° W 630 varas, and the S. W. Corner of Survey No. 36 in Distr. 1 Carter's Bluff, Medina County, in the name of ^{San} Nicolas Polzer bears S 26 1/2° E 1000 varas.

Thence N 71 1/2° E. to the Medina river, 25 varas North of the S. E. Corner of Survey No 1. in the name of W^m Heil, 16115 varas to a pile of rock on top of some alta. Thence S 77° E 9000 varas to Potranco creek 13865 varas to the place of beginning.

Surveyed from the 10th to 25th of July 1869. The Navigators }
Edm. de Montal } Charles Warner

I Charles de Montal jr, County Surveyor of Medina County, do hereby certify that the foregoing Survey was made according to Law, and that I find the corners, boundaries and Corners, natural and artificial, together with the marks truly and correctly established on the ground, as described in the foregoing plot and field notes, and that they are recorded in my office at Castrovilla in Book No 1. pages No 22 and 23. this 10th day of August 1869.

Charles de Montal jr.
Co. Surveyor Medina County

