

Appendix E

Conference Call Notes

Appendix E
Third-Party Conference Call
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FD 34284, Third-Party Contracting Conference Call

Date: March 15, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Ms. Sara Beth Watson (Steptoe & Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA began by transitioning from Rini Ghosh to Diana Wood as the new SEA's project Manager for this case.
- SEA discussed the agenda and logistics for the meeting with the Section 106 parties that will be held on March 26 p.m. in San Antonio, TX.
- SEA and URS provided a status report on the progress of the Supplemental Draft Environmental Impact Statement comment scanning and processing effort.
- SEA is in the process of reevaluating and consolidating the recommended mitigation measures based on new information received to date.
- SEA and URS are drafting the Work Plan for the FEIS.
- SGR stated that it will be providing a call in number for 106 consulting party members that may not be able to attend the meeting in person.
- The next conference call was scheduled for March 29, 2006 at 3 pm Eastern StandardTime/2 pm Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: March 29, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Ms. Sara Beth Watson (Steptoe & Johnson)
Mr. Clay Upchurch (SGR)

Ms. Diana Wood (SEA)
Ms. Victoria Rutson (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SGR provided an overview of the Section 106 consultation meeting held in San Antonio on March 26, 2007.
- SGR committed to provide SEA, no later than April 9th, with a revised mitigation proposal for the Proposed Route addressing the issues raised at the consultation meeting.
- SEA proposed a tentative date for the next Section 106 consultation conference call to discuss SGR's revised mitigation for the week of April 16th. SEA will check with THC and with ACHP for their availability and will set a definite time.
- The revised mitigation proposal will be mailed to all official 106 consultation party members the week before the conference call.
- The final minutes of the Section 106 consultation meeting will be posted on the STB's website soon.
- The next conference call was scheduled for April 12, 2007 at 3 pm Eastern Standard Time/2 pm Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: April 12, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Mr. Clay Upchurch (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it has received 17 more letters in support of the Proposed Route
- SEA stated that the final minutes of the Section 106 consultation meeting had been posted on the STB's website.
- SEA and ACHP are scheduled to have a conference call on April 17, 2007 to discuss logistics for the upcoming Section 106 consultation party conference call to be held on April 20, 2007.
- SEA indicated that it had both received and left phone messages with Medina County Electric Company in an attempt to clarify the power requirements for the quarry.
- The next conference call was scheduled for April 26, 2007 at 3 pm Eastern Standard Time/2 pm Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: April 26, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Mr. Clay Upchurch (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA provided an update on the preparation of the minutes of the Section 106 consultation party conference call held on April 20, 2007. The final minutes of that call will be posted on the STB's website within the upcoming week.
- SEA stated that it is now in a position to determine an environmentally preferable route(s), from a section 106 perspective, and will prepare a letter to that effect. The letter will include a summary of the entire 106-consultation process and all the studies that have been done for this proceeding to date.
- SEA informed the group that it continues to receive comment letters, some of which have not been posted on STB's website. Most of those letters pertain to the Section 106 consultation process.
- SEA informed SGR that the Work Plan to complete the FEIS will be ready soon.
- SGR informed SEA that on April 25, 2007, it met with the ACHP to discuss the merits of requesting that a formal determination of eligibility be conducted by the keeper of the National Register of Historic Places for the Quihi Rural Historic Landscape.
- The next conference call has been scheduled for May 10, 2007 at 3 pm Eastern Standard Time/2 pm Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: May 10, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Mr. Clay Upchurch (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA indicated that, in response to his request, Mr. Richard Garay of Coahuiltecan Research Associates was recently granted Section 106 consulting party status.
- SEA stated that it is in the process of writing the determination of eligibility (DOE) request to the DOI Keeper and should be finished by Monday May 14, 2007.
- SEA indicated that the Keeper would have 45 days to issue a final determination on eligibility, sensitivity, and boundary of the Quihi rural historic landscape, unless additional information is needed, in which case, the DOE would be longer.
- SEA informed the group that more comment letters continue to come in, and that all will be posted on the STB website shortly. Most of the letters pertain to Section 106 and agricultural issues.
- The next conference call is scheduled for Tuesday May 22, 2007 at 10 am Eastern StandardTime/9 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: May 24, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Mr. Clay Upchurch (SGR)
Mr. Eric Remmert (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it finished writing the determination of eligibility (DOE) request to the DOI Keeper, and that it is currently under review by Vicky Rutson. SEA expects to have this letter mailed out soon. SEA indicated that this letter would include several enclosures (i.e. pertinent agency letters, maps, aerial photos, and copies of the DEIS and the SDEIS).
- SEA informed the group that the web site has been recently updated to include recent letters received related to the Section 106 process.
- SEA indicated that it received a letter from Mr. Ronald Ubrich, Medina County Commissioner, clarifying that the county will not fund the relocation of CR 365 to accommodate the modified Proposed Route proposed as part of SGR's proposed mitigation.
- SGR indicated that the budget for completion of the FEIS has been approved.
- The next conference call is scheduled for Thursday June 7th, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: June 7, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Mr. Clay Upchurch (SGR)
Mr. Eric Remmert (SGR)
Ms. Sara Beth Watson (Steptoe & Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it sent out the determination of eligibility (DOE) request to the DOI Keeper on Tuesday June 5, 2007.
- SEA informed the group that the web site has been recently updated to include recent letters received related to the Section 106 process, and that it has corrected some problems it was having with attachments to some of the previous letters.
- SGR indicated they have not submitted a permit application to Mr. Ronald Ulbrich, Medina County Commissioner to relocate CR 365 to accommodate the modified Proposed Route proposed as part of SGR's proposed mitigation. SGR will seek such permit prior to initiating the corresponding modifications.
- SEA indicated that it has continued to make progress on the responses to comments, but that a final determination of the selected alternative will not be made until the Section 106 Process is completed.
- The next conference call is scheduled for Thursday June 21st, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: June 28, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)
Mr. Eric Remmert (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that the Keeper sent a letter to the National Registry Coordinator of the Texas Historic Commission requesting their opinion on the determination of eligibility of the rural landscape. This opinion is due back to the DOI Keeper by July 10, 2007, who has till July 23rd to provide an opinion to SEA.
- SEA stated that it would restart the efforts of revising the Programmatic Agreement originally drafted in 2004. The revised document would reflect changes on this case to date and would incorporate the Keeper's findings into it, if the landscapes are deemed eligible for listing on the National Register. SEA hopes to have the revised PA drafted by the end of July 2007.
- SEA indicated that it has continued to make progress on the responses to comments, but that a final determination of the selected alternative will not be made until the Section 106 Process is completed.
- SEA stated that it has continued to make progress on drafting various sections of the FEIS, but that the review process has not been completed.
- The next conference call is scheduled for Thursday July 12, 2007 at 3 pm Eastern StandardTime/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: July 19, 2007

Attendees: Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe & Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it hasn't received any updated news from the Keeper regarding its opinion on the determination of eligibility of the rural landscape districts. The Keeper has till July 23rd to provide an opinion to SEA.
- SEA stated that it is in the process of revising the Programmatic Agreement originally drafted in 2004. The revised document would reflect the most recent changes from this proceeding and would incorporate the Keeper's findings, should the landscapes be deemed eligible for listing on the National Register. SEA hopes to have the draft revisions to the PA completed by the end of July 2007.
- SEA indicated that further progress on the FEIS would be made once the Keeper's opinion is received by SEA.
- The next conference call is tentatively scheduled for Wednesday July 25, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: August 28, 2007

Attendees: Mr. Erik Remmert (SGR)
Ms. Sara Beth Watson (Steptoe & Johnson)
Mr. Tom Ransdell (SGR)
Mr. Clay Upchurch (SGR)
Mr. David Coburn (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it has initiated the review of a few of the draft chapters for the FEIS.
- SGR stated it has taken an initial look at the Wieblen Modification, and that subject to additional engineering review, it appears to be feasible, perhaps with some additional minor modifications.
- SEA indicated that Brad Patterson with THC has not initiated the effort of streamlining the Programmatic Agreement originally drafted in 2004 to change its focus to the Eastern Alternatives.
- The next conference call is tentatively scheduled for Tuesday September 11, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: August 3, 2007

Attendees: Mr. David Coburn (Steptoe & Johnson)
Mr. Erik Remmert (SGR)
Ms. Sara Beth Watson (Steptoe & Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it received the response letter from the Keeper regarding its opinion on the determination of eligibility of the rural landscape districts. The letter requested additional information from SEA.
- SEA indicated that it is in the process of preparing a response to the Keeper's request.
- SEA stated that it is still in the process of revising the Programmatic Agreement originally drafted in 2004. The revised document would reflect the most recent changes from this proceeding and would incorporate the Keeper's findings, should the landscapes be deemed eligible for listing on the National Register. SEA hopes to have the draft revisions to the PA completed by the end of July 2007.
- SGR indicated that it is prepared to accept the Eastern Bypass Route as the preferred alternative.
- SEA indicated that now that the Keeper's letter has been received and SGR has agreed to accept the Eastern Bypass Route, further progress on the FEIS would be made more quickly.
- The next conference call is tentatively scheduled for Thursday August 16, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: August 16, 2007

Attendees: Mr. Erik Remmert (SGR)
Ms. Sara Beth Watson (Steptoe & Johnson)
Mr. Tom Ransdell (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that the ACHP called SEA to propose a follow up conference call to discuss finalizing the Section 106 Process.
- SEA indicated that Brad Patterson with THC had offered to streamline the Programmatic Agreement originally drafted in 2004 and change its focus to the Eastern Alternatives.
- SEA indicated that it completed a response to the Keeper's request.
- SEA prepared a letter acknowledging SGR's acceptance of the Eastern Bypass Route as the preferred alternative.
- SEA indicated that it was going to draft a letter requesting SGR to provide more information regarding the technical feasibility of the Weiblen's Modification.
- The next conference call is tentatively scheduled for Tuesday August 28, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: September 11, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (SGR)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it is continuing to review individual draft chapters of the FEIS.
- SEA indicated that five additional requests for Section 106 consulting party status were requested and granted in the past week.
- SEA indicated that SGR should submit any additional engineering or environmental information that it has on the Wieblen Modification, so that SEA can complete its review.
- SEA indicated that Brad Patterson with THC has completed the effort of streamlining the Programmatic Agreement originally drafted in 2004 to change its focus to the Eastern Alternatives. He has forwarded the draft to other staff within THC and will send to SEA later this week.
- SEA indicated that consulting parties and the public will have 30 days to review and comment on the Programmatic Agreement.
- The next conference call is tentatively scheduled for Tuesday September 27, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: September 27, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe and Johnson)
Ms. Sarah Beth Watson (Steptoe and Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it is continuing to review individual draft chapters of the FEIS.
- SEA indicated that Brad Patterson with THC has completed the effort of streamlining the Programmatic Agreement originally drafted in 2004 to change its focus to the Eastern Alternatives. He has forwarded the draft to SEA for review.
- SEA indicated that consulting parties and the public will have 30 days to review and comment on the Programmatic Agreement.
- The next conference call is tentatively scheduled for Tuesday October 11, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: October 11, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe and Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it is continuing to review individual draft chapters of the FEIS.
- SEA has made some changes to the draft Programmatic Agreement revised by Brad Patterson with THC.
- SEA indicated that the Federal Register Notice will be out soon.
- SEA indicated that consulting parties and the public will have 30 days to review and comment on the Programmatic Agreement and that the comment period will end on November 21, 2007.
- SEA indicated that URS has initiated the evaluation of the Modified Eastern Bypass Route, which is a modification of the original Eastern Bypass Route that utilizes a portion of the Weiblen Modification to bypass the Weiblen Ranch and the deed restricted subdivision.
- Discussed location of loading loop relative to the floodplain. SGR indicated that it has begun consultation with the floodplain administrator to define the final location of the loading loop.
- The next conference call is tentatively scheduled for Tuesday October 24, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: October 24, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe and Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that during the trip to Texas next week, it will talk with the floodplain administrator and review the WPAP.
- SEA indicated that it received a letter from Tap Pilam indicating support for the Eastern Bypass Route.
- SEA indicated that the comment period for the PA ends on November 19, 2007 and that no comments had been received to date.
- The next conference call is tentatively scheduled for November 8, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: November 8, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe and Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA stated that it had an opportunity to visit the site, talk to the floodplain administrator, and review the WPAP for the quarry. While reviewing the new design drawings and WPAP documentation, it became apparent that the final locations of the loading loop and the fuel and maintenance facility had been relocated off the floodplain.
- SGR indicated that it will initiate a detailed floodplain delineation study around the loading loop to further define this location off the floodplain.
- SEA indicated that the comment period for the PA ends on November 19, 2007 and that no comments had been received to date.
- The next conference call is tentatively scheduled for November 21, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: November 22, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe and Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA indicated that the comment period for the PA ended on November 19, 2007 and that 15-17 comment letters had been received to date.
- SEA discussed the comment from Dr. Hester requesting avoidance of site 41ME132, which may contain archeological materials not common to the area, including a fragment of an obsidian artifact found at the site thought to be 11,500 years old. Most of the other comments dealt with flooding, farming issues, and other concerns not specifically related to the PA.
- SEA stated that the comments, along with a comment summary and associated responses, would be included in the FEIS and also circulated to all 106 Process consulting parties.
- The next conference call is tentatively scheduled for December 5, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.

FD 34284, Third-Party Contracting Conference Call

Date: December 5, 2007

Attendees: Mr. Erik Remmert (SGR)
Mr. Tom Ransdell (SGR)
Mr. David Coburn (Steptoe and Johnson)

Ms. Diana Wood (SEA)
Ms. Jaya Zyman-Ponebshek (URS)

Items Discussed:

- SEA indicated that it had not received comments from the Advisory Council on Historic Preservation (ACHP) yet and that the ACHP had indicated to SEA that it was waiting to review all the comments received to date before issuing a final position on the Programmatic Agreement (PA). The ACHP also stated that it had no significant issues with the PA.
- SEA stated that it had discussed the comments with Mr. Bill Martin, senior archeologist with the Texas Historic Commission. Mr. Martin indicated that, while the comments are valid, the PA is not the document to address them and it does not need to be modified as a result of those comments. A more detailed work plan addressing more specific issues will be developed as part of the PA and prior to any field investigations, and will address the issues raised by the 106 consulting parties.
- The ACHP indicated to SEA that before issuing final endorsement on the PA, the document also had to be reviewed by ACHP's legal department.
- SEA stated that the comments, along with a comment summary and associated responses, would be included in the FEIS and circulated to all 106 Process consulting parties.
- The next conference call is tentatively scheduled for December 20, 2007 at 3 pm Eastern Standard Time/2 am Central Standard Time.