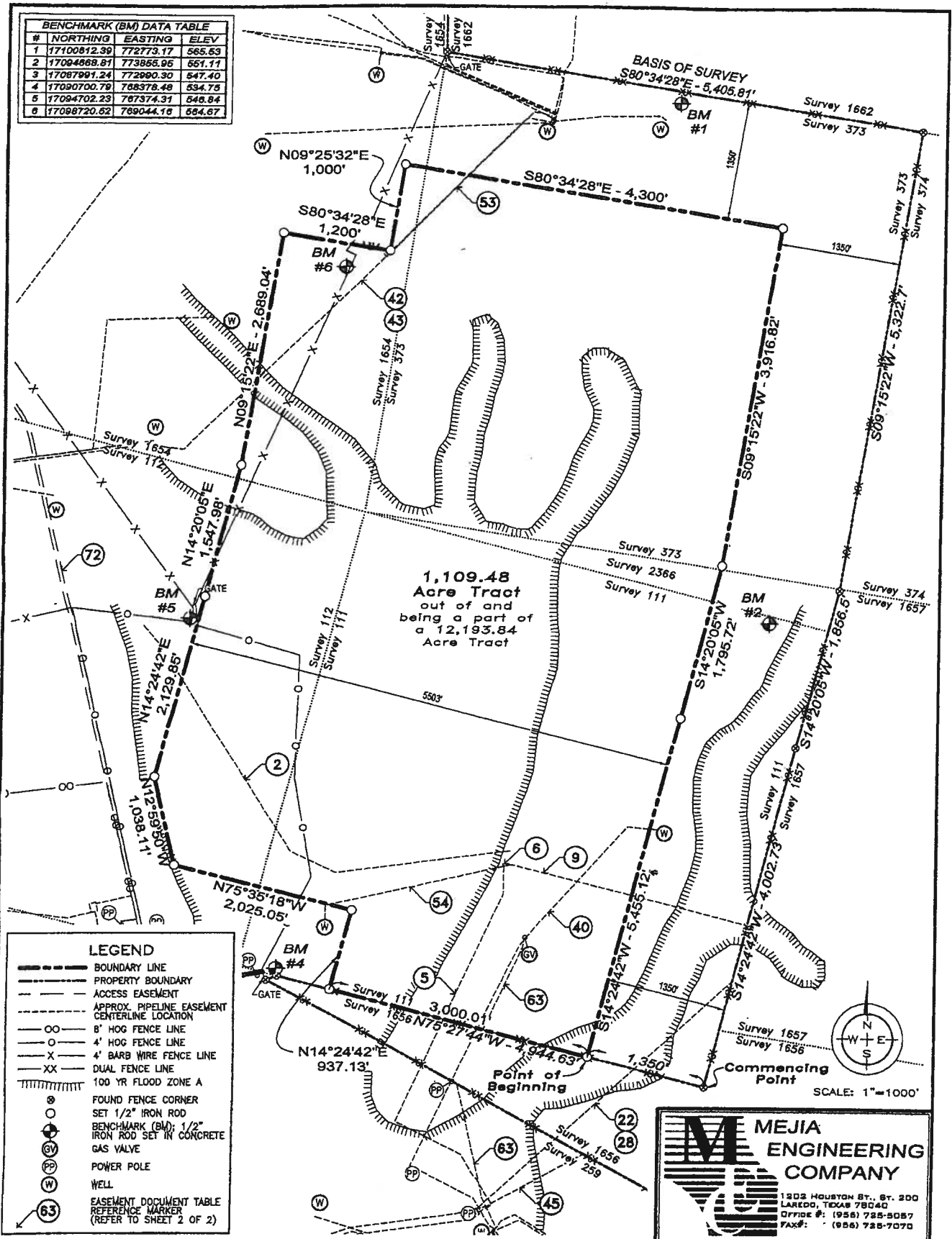


Attachment A

Legal Description

BENCHMARK (BM) DATA TABLE			
#	NORTHING	EASTING	ELEV
1	17100812.39	772773.17	565.63
2	17094668.87	773955.95	561.11
3	17097991.24	772990.30	547.40
4	17090700.79	768378.48	534.75
5	17094702.23	767374.31	548.84
6	17098720.62	769044.16	584.67



CERTIFICATE OF SURVEYOR

STATE OF TEXAS
COUNTY OF WEBB

I, GILBERT L. CADE III, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPARED FROM MAPS, DEEDS AND OTHER DOCUMENTS OF RECORD MADE AVAILABLE AND IS CORRECT TO MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION.

G. L. Cade III

GILBERT L. CADE III, R.P.L.S. No. 5060

DATE 3/30/2011



MEJIA ENGINEERING COMPANY

1202 HOUSTON ST., ST. 200
LAREDO, TEXAS 78040
OFFICE #: (956) 785-5057
FAX#: (956) 726-7070

BOUNDARY SURVEY
of a tract of land containing 1,109.48 acres, more or less, within Surveys 373, 111, 112, and 1654 and being out of and a part of a 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access Instrument recorded in v. 704, p. 827-852, R.P.R.W.C.T. Webb County, Texas

F:\SURVEY\Barravides Ranch\ldg\Barravides-Survey3.dwg - 3/29/2011	
DRAWN BY: E.S.	SHEET
CHECKED BY: A.A.	1 OF 2
APPROVED BY: B.C.	

Legal Description
1,109.48 Acre Tract

A tract of land containing 1,109.48 acres, more or less, situated within Surveys 373, 111, 112, and 1654 and being out of and a part of a 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access Instrument recorded in Volume 704, Page 827-852, R.P.R.W.C.T., Webb County, Texas. Said 1,109.48 acre tract being more particularly described as follows:

Commencing at an existing fence post being an exterior corner on the east boundary line of said 12,193.84 acre tract, fence corner being the southeast corner of Survey 111 and an interior corner of Survey 1656; Thence, N 75°27'44" W, along the boundary line of said 12,193.84 acre tract and the common line of Survey 111 and Survey 1656, a distance of 1,350 feet to a set 1/2 inch iron rod being the southeast corner and POINT OF BEGINNING of this 1,109.48 acre tract;

Thence, N 75°27'44" W, continuing along the boundary line of said 12,193.84 acre tract and the common line of Survey 111 and Survey 1656, a distance of 3,000.01 feet to a set 1/2 inch iron rod being and exterior corner hereof;

Thence, the following courses:

N 14°24'42" E, a distance of 937.13 feet to a set 1/2 inch iron rod for an interior corner of this tract;

N 75°35'18" W, a distance of 2,025.05 feet to a set 1/2 inch iron rod for the southwest corner of this tract;

N 12°59'50" W, a distance of 1,038.11 feet to a set 1/2 inch iron rod for a point of deflection to the right;

N 14°24'42" E, a distance of 2,129.85 feet to a set 1/2 inch iron rod for a point of deflection to the left;

N 14°20'05" E, a distance of 1,547.98 feet to a set 1/2 inch iron rod for a point of deflection to the left;

N 09°15'22" E, a distance of 2,684.04 feet to a set 1/2 inch iron rod for an exterior corner of this tract;

S 80°34'28" E, a distance of 1,200 feet to a set 1/2 inch iron rod for an interior corner of this tract;

N 09°25'32" E, a distance of 1,000 feet to a set 1/2 inch iron rod for the northwest corner hereof;

S 80°34'28" E, parallel approximately 1,350 feet from northeast line of said 12,193.84 tract and the common line of Survey 373 and Survey 1662, a distance of 4,300 feet to a set 1/2 inch iron rod for the northeast corner of this tract;

S 09°16'22" W, parallel approximately 1,350 feet from the east line of said 12,193.84 acre tract and the common line of Survey 373 and Survey 374, a distance of 3,916.82 feet to a set 1/2 inch iron rod for a point of deflection to the right;

S 14°20'05" W, parallel approximately 1,350 feet from the east line of said 12,193.84 acre tract and the common line of Survey 2366, Survey 111, and Survey 1657, a distance of 1,795.72 feet to a set 1/2 inch iron rod for a point of deflection to the right;

Thence, S 14°24'42" W, parallel approximately 1,350 feet from the east line of said 12,193.84 acre tract and common line of Survey 111 and Surveys 1656 and 1657, a distance of 3,998.85 feet to the POINT OF BEGINNING of this 1,109.48 acre tract of land, more or less.

Basis of Bearing: Boundary Data on State Plane NAD 83 4206 Texas South

Note: This survey was done without the benefit of a Title Company Research. There may be Easements of Record not shown on this Survey of which Surveyor is unaware of and as such assumes no liability herein.

Easement Document Table (Provided by Others)	
2	30' Right of Way Easement, Carlos Y Benavides Sr to United Texas Transmission Co, v. 695, p. 329-334, May 21, 1992
5	30' Right of Way Easement, Carlos Y Benavides Sr to United Texas Transmission Co, v. 695, p. 140-144, May 28, 1992
6	Surface Site Easements and a 12' Access Road Easement, Carlos Y Benavides Sr to United Texas Transmission Co, v. 695, p. 145-156, May 28, 1992
9	30' Easement and Right of Way Agreement, Carlos Y Benavides Sr to United Texas Transmission Co, v. 1039, p. 343-347, Nov 21, 1983
22	30' Easement and Right of Way Agreement, Carlos Y Benavides Sr to Kosh Gathering Systems Inc, v. 1220, p. 374-382, Feb 25, 1987
28	Catholic Protection Facility Easement, Carlos Y Benavides Sr to Kosh Gathering Systems Inc, v. 1438, p. 47-49, Aug 08, 1990
40	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 348, p. 788-804, Sep 20, 1995
42	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 357, p. 480-485, Oct 26, 1995
43	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 392, p. 86-101, Mar 19, 1998
45	30' Right of Way, Carlos Y Benavides Jr to Chevron USA Inc, v. 421, p. 530-534, Jul 08, 1988
53	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 485, p. 812-818, Mar 14, 1997
54	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco Inc, v. 517, p. 32-36, Jun 03, 1997
63	50' Right of Way Easement, Rancho Viejo Cattle Co to Conoco-Phillips Co, v. 2343, p. 271-277, Apr 24, 2007
72	40' Road Easement, v. 704, p. 848-852, D.P.R.W.C.T.; MAY OR MAY NOT BE ALL EASEMENT DOCUMENTS THAT AFFECTS THIS TRACT

SURVEY NOTES

1. BASIS OF BEARING:
BOUNDARY DATA ON STATE PLANE NAD 83, NAVD 88 4205 TEXAS SOUTH
2. BY GRAPHICAL PLOTTING ONLY, PARTS OF THIS TRACT ARE LOCATED WITHIN ZONE A AS DEFINED BY THE FEMA FLOOD INSURANCE RATE MAP, COMMUNITY PANEL 48479C 1275C WITH AN EFFECTIVE DATE OF APRIL 2, 2008.
3. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF TITLE COMPANY RESEARCH. THERE MAY BE EASEMENTS OF RECORD NOT SHOWN ON THIS SURVEY OF WHICH THE SURVEYOR IS UNAWARE OF AND AS SUCH ASSUMES NO LIABILITY HEREIN.
4. USGS BENCHMARK REFERENCE CONTROL DATA: NO. 526, N 17081242.78, E 758021.71, ELEV. 526.28

MEJIA ENGINEERING COMPANY
 1802 HOUSTON ST., ST. 800
 LAREDO, TEXAS 78040
 OFFICE #: (956) 728-8057
 FAX#: (956) 728-7070

BOUNDARY SURVEY
 of a tract of land containing 1,109.48 acres, more or less, within Surveys 373, 111, 112, and 1654 and being out of and a part of a 12,193.84 acre tract as described and depicted as Tract 2 on a Survey Plat by John E. Foster, R.P.L.S. on a Stipulation Conforming Surface Ownership, Agreed Boundary Line and Roadway Access Instrument recorded in v. 704, p. 827-852, R.P.R.W.C.T., Webb County, Texas

F:\SURVEYS\Benavides Ranch\dwg\Basa-Survey1.dwg - 3/25/2011

DRAWN BY: E.S.	SHEET
CHECKED BY: A.A.	2 of 2
APPROVED BY: G.C.	

CERTIFICATE OF SURVEYOR

STATE OF TEXAS
 COUNTY OF WEBB

I, GILBERT L. CADE III, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE FOREGOING SURVEY WAS PREPARED FROM MAPS, DEEDS AND OTHER DOCUMENTS OF RECORD MADE AVAILABLE AND IS CORRECT TO MY KNOWLEDGE AND WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECTION.



Gilbert L. Cade III
 GILBERT L. CADE III, R.P.L.S. No. 5060

3/30/2011
 DATE

Attachment B

Certificate of Formation

Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
FAX: 512/463-5709



Filed in the Office of the
Secretary of State of Texas
Filing #: 801306787 08/17/2010
Document #: 321481860002
Image Generated Electronically
for Web Filing

Filing Fee: \$300

**Certificate of Formation
Limited Liability Company**

Article 1 - Entity Name and Type

The filing entity being formed is a limited liability company. The name of the entity is:

Rancho Viejo Waste Management, LLC

Article 2 - Registered Agent and Registered Office

A. The initial registered agent is an organization (cannot be company named above) by the name of:

OR

B. The initial registered agent is an individual resident of the state whose name is set forth below:

Name:

Linda Cristina Alexander

C. The business address of the registered agent and the registered office address is:

Street Address:

1116 Calle del Norte Laredo TX 78041

Consent of Registered Agent

A. A copy of the consent of registered agent is attached.

OR

B. The consent of the registered agent is maintained by the entity.

Article 3 - Governing Authority

A. The limited liability company is to be managed by managers.

OR

B. The limited liability company will not have managers. Management of the company is reserved to the members.

The names and addresses of the governing persons are set forth below:

Manager 1: **Guillermo D Benavides**

Title: **Manager**

Address: **1533 Eagle Court Laredo TX, USA 78045**

Manager 2: **Linda Cristina Alexander**

Title: **Manager**

Address: **916 Calle del Norte Laredo TX, USA 78041**

Manager 3: **Carlos Y Benavides III**

Title: **Manager**

Address: **2810 East Kearney Laredo TX, USA 78041**

Article 4 - Purpose

The purpose for which the company is organized is for the transaction of any and all lawful business for which limited liability companies may be organized under the Texas Business Organizations Code.

[The attached addendum, if any, is incorporated herein by reference.]

Organizer

The name and address of the organizer are set forth below.

Carlos Y. Benavides, III 2810 East Kearney, Laredo, TX 78041

Effectiveness of Filing

A. This document becomes effective when the document is filed by the secretary of state.

OR

B. This document becomes effective at a later date, which is not more than ninety (90) days from the date of its signing. The delayed effective date is:

Execution

The undersigned affirms that the person designated as registered agent has consented to the appointment. The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and certifies under penalty of perjury that the undersigned is authorized under the provisions of law governing the entity to execute the filing instrument.

Carlos Y. Benavides, III

Signature of Organizer

FILING OFFICE COPY

Form 503
(Revised 09/09)

Return in duplicate to:
Secretary of State
P.O. Box 13697
Austin, TX 78711-3697
512 463-5555
FAX: 512 463-5709
Filing Fee: \$25



Assumed Name Certificate

This space reserved for office use.

FILED
In the Office of the
Secretary of State of Texas
JAN 05 2011
Corporations Section

Assumed Name

1. The assumed name under which the business or professional service is, or is to be, conducted or rendered is: Pescadito Environmental Resource Center

Entity Information

2. The legal name of the entity filing the assumed name is:

Rancho Viejo Waste Management, LLC

State the name of the entity as currently shown in the records of the secretary of state or on its organizational documents, if not filed with the secretary of state.

3. The entity filing the assumed name is a: (Select the appropriate entity type below.)

- For-profit Corporation
- Nonprofit Corporation
- Professional Corporation
- Professional Association
- Other
- Limited Liability Company
- Limited Partnership
- Limited Liability Partnership
- Cooperative Association

Specify type of entity. For example, foreign real estate investment trust, state bank, insurance company, etc.

4. The file number, if any, issued to the entity by the secretary of state is: 801306787

5. The state, country, or other jurisdiction of formation of the entity is: Texas

6. The registered office or similar office address of the entity in its jurisdiction of formation is:

1116 Calle Del Norte

Street Address

Laredo

City

TX

State

USA

Country

78041

Zip or Postal Code

7. The entity's principal office address in Texas is: (See instructions.)

1116 Calle Del Norte

Street Address

Laredo

City

TX

78041

Zip or Postal Code

8. The entity is not organized under the laws of Texas and is not required by law to maintain a registered agent and registered office in Texas. Its office address outside the state is:

Street Address

City

State

Zip or Postal Code

1116 Calle Del Norte
Laredo TX 78041

Period of Duration

9a. The period during which the assumed name will be used is 10 years from the date of filing with the secretary of state.

OR

9b. The period during which the assumed name will be used is _____ years from the date of filing with the secretary of state (not to exceed 10 years).

OR

9c. The assumed name will be used until _____ (not to exceed 10 years).
mm/dd/yyyy

County or Counties in which Assumed Name Used

10. The county or counties where business or professional services are being or are to be conducted or rendered under the assumed name are:

All counties

All counties with the exception of the following counties: _____

Only the following counties: _____

Execution

The undersigned signs this document subject to the penalties imposed by law for the submission of a materially false or fraudulent instrument and also certifies that the person is authorized to sign on behalf of the identified entity. If the undersigned is acting in the capacity of an attorney in fact for the entity, the undersigned certifies that the entity has duly authorized the undersigned in writing to execute this document.

Date: 12/16/10

L. Cristina B. Alexander

Signature of a person authorized by law to sign on behalf of the identified entity (see instructions)

Attachment C

Payment Demonstration



505 East Huntland Drive
Suite 250
Austin, TX 78752

512.329.6080 PHONE
512.329.8750 FAX

www.TRCsolutions.com

March 28, 2011

Texas Commission on Environmental Quality
Financial Administration Division
Revenue Section/Cashier's Office, MC-214
P.O. Box 13088
Austin, Texas 78711-3088

**Reference: Fee Payment for MSW Permit Application
Proposed Pescadito Environmental Resource Center
Rancho Viejo Waste Management, LLC – MSW Permit No. (TBD)
Laredo, Webb County, Texas**

Dear Cashier:

Enclosed is TRC's check No. 726221 payable to the Texas Commission on Environmental Quality (TCEQ) and issued in the amount of \$150.00. This payment is the application fee for the Municipal Solid Waste (MSW) Permit Application referenced above.

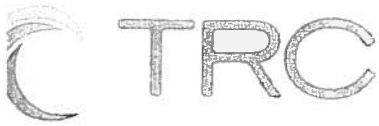
Please contact the undersigned if you have any questions.

Very truly yours,

A handwritten signature in black ink that reads "James F. Neyens". The signature is fluid and cursive.

James F. Neyens, P.E.
TBPE Firm No. F-3775

cc: TCEQ MSW Permits Section



21 Griffin Road North
Windsor, CT 06095

WACHOVIA BANK, N.A.
Wilmington, DE
62-22/311

726221

CHECK DATE
April 6, 2011

PAY One Hundred Fifty and 00/100 Dollars

AMOUNT
\$150.00

TO Texas Commission On Environmental Quality (TCEQ)
Cashier's Office
P.O. Box 13088, MC-214
Austin TX 78711-3088

By _____ VOID AFTER 90 DAYS AUTHORIZED SIGNATURE

Security Check features
included
Details on back.

⑈ 7 2 6 2 2 1 ⑈ ⑆ 0 3 1 1 0 0 2 2 5 ⑆ 2 0 7 9 9 5 0 0 9 1 5 3 8 ⑈

EMILY BUSINESS FORMS 800 392 6018 VISION



21 Griffin Road North
Windsor, CT 06095

726221

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
MSW PERMIT APP FEE	3/28/11	007753317176	150.00	0.00	0.00	150.00
Texas Commission On Environmental Quality (TCEQ) 3BANK 15 041426		Totals	150.00	0.00	0.00	150.00

Attachment A

T&E Species and Wetlands Assessment



MEMORANDUM

To: James Neyens, P.E., TRC

From: Barrett Clark and Deborah Blackburn, TRC

Date: December 2, 2009

Subject: **Site Visit Summary of Findings and Recommendations — Rancho Viejo, Webb County, Texas Proposed Landfill**

On November 2 and 3, 2009, TRC staff performed a site assessment that included a threatened and endangered species habitat assessment and waters of the U.S. jurisdictional determination, including an approximate wetland boundary assessment, at the proposed Rancho Viejo study area (Site) located in Webb County, Texas. For the purposes of this study, the Site was an area of approximately 1,200 acres located near the northeast corner of Rancho Viejo, as presented on an aerial photograph-based map (Figure 1). It should be noted that the wetland boundary assessment was conducted by the identification of hydrophytic vegetation and was not intended to satisfy the wetland criteria presented in the United States Army Corps of Engineers (USACE) 1987 Wetland Delineation Manual; a wetland delineation in accordance with USACE guidelines would be required to accurately assess the presence and extent of wetlands located at the Site.

Prior to conducting fieldwork, TRC conducted a thorough review of existing site information including:

- U.S. Geological Survey. 7.5 minute quadrangle topographical map, Burrito Tank Quad, Webb County, Texas. 1988.
- Natural Resources Conservation Service. Web Soil Survey. <http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed October 30, 2009.
- Texas Parks and Wildlife Department (TPWD). Annotated County List of Rare Species, Webb County. Revised July 16, 2009. Accessed October 30, 2009.
- U.S. Fish and Wildlife Service (USFWS). National Wetland Inventory (NWI) Map, Webb County, Texas. 1989.

Threatened and Endangered Species Habitat Assessment

The TPWD Annotated County List of Rare Species for Webb County was obtained to determine the potential for encountering any rare, threatened, or endangered species at the Site; the list of state and federally listed threatened and endangered species is provided as Attachment 1.



The Site is located within the Texas Tamaulipan Thornscrub component South Texas Plains Ecological Region of Texas. Comprised of mostly gently rolling or irregular plains, the region is cut by arroyos and streams, and covered with low-growing vegetation. Overgrazing, fire suppression and droughts have contributed to the spread of brush and the decrease of grasses. Soils are varied and complex, highly alkaline to slightly acidic, ranging from deep sands to clays and clay loams. Caliche outcroppings and gravel ridges are common. The vegetation is dominated by drought-tolerant, mostly small leaved, and often thorn-laden small trees and shrubs, especially legumes. The most dominant woody species is honey mesquite. Where conditions are suitable, there is a dense understory of smaller trees and shrubs such as brasil, colima or lime pricklyash, Texas persimmon, lotebush, granejo, kidneywood, coyotillo, Texas paloverde, anacahuita, and various species of cacti. Xerophytic brush species, such as blackbrush, guajillo, and cenizo are typical on the rocky, gravelly ridges and uplands. Mid and short grasses are common, including cane bluestem, silver bluestem, multiflowered false rhodesgrass, sideoats grama, pink pappusgrass, bristlegrass, lovegrasses, and tobosa (Gould, 1975).

Soils listed for the site include Aguilares sandy clay loam within uplands and ridges of the northwest portion of the site, Brundage fine sandy loam within the claypan prairies and arroyo drainages of the central and southern portion of the site, Catarina clay within grasslands and arroyo drainages of the central and southern portion of the site, and Montell clay within upland clay flats of the northeast portion of the site.

Observed habitat within and around the Site primarily consists of rangeland. Observed vegetation included honey mesquite, retama, kidneywood, tamarisk, yucca, guajillo, cenizo, prickly pear, tasajillo, saladillo, leatherstem, silver leaf nightshade, althorn, tornillo, seaside oxeye, Berlandier's wolfberry, rattlebox, Bermudagrass, King Ranch bluestem, buffalo grass, buffelgrass, white tridens, curly mesquite, sideoats grama, lovegrass, and tobosa.

Observed wildlife included Harris's hawks, red-eared sliders, and a number of songbirds. A state-listed threatened indigo snake was observed along the arroyo that separates the two tanks (Figure 1). Habitat for this species was identified along arroyos and within dense brush. Potential habitat for the state-threatened reticulate collared lizard, Texas horned lizard, and Texas tortoise was also identified. Respectively, these species occupy a variety of habitats including the open-brush grasslands and thornscrub vegetation, sandy to rocky sparsely vegetated areas, and areas of open brush with grass understory that are present at the site.

Although Johnston's frankenia, a federally- and state-listed endangered plant, was not observed during the site assessment, potential habitat was identified correlating with the Montell clay soils and the dwarf shrublands on saline, alkalkine, calcareous, clayey to sandy soils of valley flats and rocky slopes. This area extends from the central two tanks, covering the northeast quadrant of the site.

Approximate Wetland Boundary Assessment

Hydrology at the site is primarily influenced by precipitation and surface water runoff. The site contains a number of drainage features (i.e., arroyos) that originate from the north and northeast and convey surface water runoff into two large, centrally-located tanks. The northern of these two tanks collects surface water runoff from a system of drainages originating from the north while the southern of the two tanks collects water from a system of drainages originating from the northeast, as well as overflow and seepage from the northern tank. Overflow and seepage then outflow from the southern tank and eventually off-site. A second drainage feature originates off-site and conveys surface water runoff across the southeastern corner of the site.

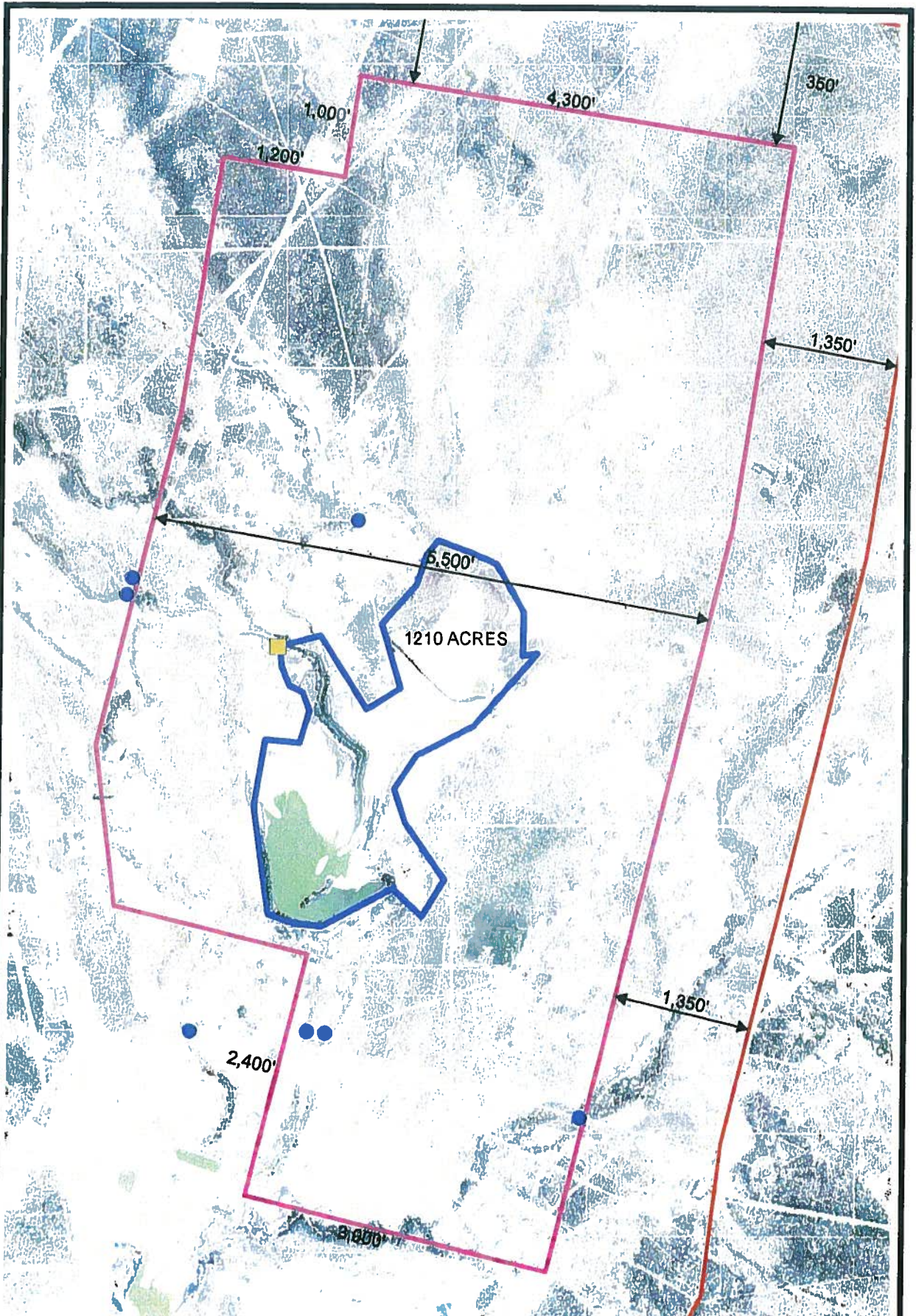
As previously mentioned, approximate wetland boundaries were identified by the presence of hydrophytic vegetation, which primarily included seaside oxeye and Berlandier's wolfberry (Figure 1). The combined area of the impounded tanks and potentially associated wetlands were conservatively estimated to be approximately 125 acres in size. The ordinary high water mark (OHWM) widths for the arroyos approximately ranged from 1 to 20 feet. It should be noted that several locations within the arroyos had no OHWMs and no tentatively identified wetlands exist within the arroyos except near the two tanks.

Recommendations

Observations at the site indicated the presence of sensitive natural resources at the site including the state-listed, threatened indigo snake, potential habitat for other state-listed, threatened species (i.e., reticulate collared lizard, Texas horned lizard, and Texas tortoise), potential habitat for the federally- and state-listed, endangered Johnston's frankenia, and potential wetlands associated with the impounded tanks. Therefore, it is recommended that a jurisdictional waters of the U.S. and wetlands delineation be performed to determine the presence and jurisdictional limits of the potential wetlands and arroyos.

It is also recommended to perform a species-specific survey to determine the presence or absence of Johnston's frankenia in the areas that contain suitable habitat conditions for this species (i.e. northeast quadrant of the Site). A species-specific survey is likely to be required should any federal permits need to be obtained or federal funds utilized as part of the project.

Additionally, development of a management plan for the protection of the indigo snake, reticulate collared lizard, Texas horned lizard, and Texas tortoise is recommended. An example of the measures typically included in an indigo snake management plan is provided in Attachment 2. These measures are also likely to be sufficient for the reticulate collared lizard, Texas horned lizard, and Texas tortoise.

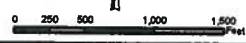


Legend

- Approximate Wetland Boundary
- Arroyo Crossings
- Indigo Snake Location

SOURCE:

1. USDA-FSA National Agricultural Imagery Program (NAIP) for Webb County, Texas (2008).



SITE MAP - BURRITO NO. 2	
WEBB COUNTY, TEXAS	
PROJECT NO.: 170401	DATE: 11/18/2009
	<small>505 EAST HUNTLAND DRIVE SUITE 200 AUSTIN, TEXAS 78752 512-379-0200</small>
FIGURE	1

ATTACHMENT 1

Annotated County List of Rare Species –Webb County

WEBB COUNTY

BIRDS

Federal Status State Status

- | | | | |
|---|--------------------------------------|----|---|
| American Peregrine Falcon | <i>Falco peregrinus anatum</i> | DL | T |
| year-round resident and local breeder in west Texas, nests in tall cliff eyries; also, migrant across state from more northern breeding areas in US and Canada, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands. | | | |
| Arctic Peregrine Falcon | <i>Falco peregrinus tundrius</i> | DL | |
| migrant throughout state from subspecies' far northern breeding range, winters along coast and farther south; occupies wide range of habitats during migration, including urban, concentrations along coast and barrier islands; low-altitude migrant, stopovers at leading landscape edges such as lake shores, coastlines, and barrier islands. | | | |
| Audubon's Oriole | <i>Icterus graduacauda audubonii</i> | | |
| scrub, mesquite; nests in dense trees, or thickets, usually along water courses | | | |
| Baird's Sparrow | <i>Ammodramus bairdii</i> | | |
| shortgrass prairie with scattered low bushes and matted vegetation; mostly migratory in western half of State, though winters in Mexico and just across Rio Grande into Texas from Brewster through Hudspeth counties | | | |
| Common Black-Hawk | <i>Buteogallus anthracinus</i> | | T |
| cottonwood-lined rivers and streams; willow tree groves on the lower Rio Grande floodplain; formerly bred in south Texas | | | |
| Interior Least Tern | <i>Sterna antillarum athalassos</i> | LE | E |
| subspecies is listed only when inland (more than 50 miles from a coastline); nests along sand and gravel bars within braided streams, rivers; also know to nest on man-made structures (inland beaches, wastewater treatment plants, gravel mines, etc); eats small fish and crustaceans, when breeding forages within a few hundred feet of colony | | | |
| Mexican Hooded Oriole | <i>Icterus cucullatus cucullatus</i> | | |
| scrub, mesquite; nests in dense trees, or thickets, usually along water courses | | | |
| Mountain Plover | <i>Charadrius montanus</i> | | |
| breeding: nests on high plains or shortgrass prairie, on ground in shallow depression; nonbreeding: shortgrass plains and bare, dirt (plowed) fields; primarily insectivorous | | | |
| Peregrine Falcon | <i>Falco peregrinus</i> | DL | T |
| both subspecies migrate across the state from more northern breeding areas in US and Canada to winter along coast and farther south; subspecies (F. p. anatum) is also a resident breeder in west Texas; the two subspecies' listing statuses differ, F.p. tundrius is no longer listed in Texas; but because the subspecies are not easily distinguishable at a distance, reference is generally made only to the species level; see subspecies for habitat. | | | |
| Sennett's Hooded Oriole | <i>Icterus cucullatus sennetti</i> | | |

WEBB COUNTY

BIRDS

Federal Status State Status

often builds nests in and of Spanish moss (*Tillandsia unioides*); feeds on invertebrates, fruit, and nectar; breeding March to August

Western Burrowing Owl *Athene cunicularia hypugaea*

open grasslands, especially prairie, plains, and savanna, sometimes in open areas such as vacant lots near human habitation or airports; nests and roosts in abandoned burrows

Wood Stork *Mycteria americana* T

forages in prairie ponds, flooded pastures or fields, ditches, and other shallow standing water, including salt-water; usually roosts communally in tall snags, sometimes in association with other wading birds (i.e. active heronries); breeds in Mexico and birds move into Gulf States in search of mud flats and other wetlands, even those associated with forested areas; formerly nested in Texas, but no breeding records since 1960

FISHES

Federal Status State Status

Blue sucker *Cyprinella elongatus* T

larger portions of major rivers in Texas; usually in channels and flowing pools with a moderate current; bottom type usually of exposed bedrock, perhaps in combination with hard clay, sand, and gravel; adults winter in deep pools and move upstream in spring to spawn on riffles

Headwater catfish *Ictalurus lupus*

originally throughout streams of the Edwards Plateau and the Rio Grande basin, currently limited to Rio Grande drainage, including Pecos River basin; springs, and sandy and rocky riffles, runs, and pools of clear creeks and small rivers

Rio Grande darter *Etheostoma grahami* T

Rio Grande and lower Pecos River basins; gravel and rubble riffles of creeks and small rivers; spawns in the winter

Rio Grande shiner *Notropis jemezianus*

Rio Grande and upper Pecos River basins; large, open, weedless rivers or large creeks with bottom of rubble, gravel and sand, often overlain with silt

Rio Grande silvery minnow *Hybognathus amarus* LE E

extirpated; historically Rio Grande and Pecos River systems and canals; reintroduced in Big Bend area; pools and backwaters of medium to large streams with low or moderate gradient in mud, sand, or gravel bottom; ingests mud and bottom ooze for algae and other organic matter; probably spawns on silt substrates of quiet coves

INSECTS

Federal Status State Status

Neojuvencile tiger beetle *Cicindela obsoleta neojuvencilis*

bare or sparsely vegetated, dry, hard-packed soil; typically in previously disturbed areas; peak adult activity in Jul

WEBB COUNTY

MOLLUSKS

Federal Status State Status

substrates of cobble and mud, with water lilies present; Rio Grande, Brazos, Colorado, and Guadalupe (historic) river basins

Mexican fawnsfoot mussel *Truncilla cognata*

largely unknown; possibly intolerant of impoundment; possibly needs flowing streams and rivers with sand or gravel bottoms based on related species needs; Rio Grande basin

Salina mucket *Potamilus metnecktayi*

lotic waters; submerged soft sediment (clay and silt) along river bank; other habitat requirements are poorly understood; Rio Grande Basin

Texas hornshell *Popenaias popeii* C

both ends of narrow shallow runs over bedrock, in areas where small-grained materials collect in crevices, along river banks, and at the base of boulders; not known from impoundments; Rio Grande Basin and several rivers in Mexico

REPTILES

Federal Status State Status

Indigo snake *Drymarchon corais* T

Texas south of the Guadalupe River and Balcones Escarpment; thornbush-chaparral woodlands of south Texas, in particular dense riparian corridors; can do well in suburban and irrigated croplands if not molested or indirectly poisoned; requires moist microhabitats, such as rodent burrows, for shelter

Reticulate collared lizard *Crotaphytus reticulatus* T

requires open brush-grasslands; thorn-scrub vegetation, usually on well-drained rolling terrain of shallow gravel, caliche, or sandy soils; often on scattered flat rocks below escarpments or isolated rock outcrops among scattered clumps of prickly pear and mesquite

Spot-tailed earless lizard *Holbrookia lacerata*

central and southern Texas and adjacent Mexico; moderately open prairie-brushland; fairly flat areas free of vegetation or other obstructions, including disturbed areas; eats small invertebrates; eggs laid underground

Texas horned lizard *Phrynosoma cornutum* T

open, arid and semi-arid regions with sparse vegetation, including grass, cactus, scattered brush or scrubby trees; soil may vary in texture from sandy to rocky; burrows into soil, enters rodent burrows, or hides under rock when inactive; breeds March-September

Texas tortoise *Gopherus berlandieri* T

open brush with a grass understory is preferred; open grass and bare ground are avoided; when inactive occupies shallow depressions at base of bush or cactus, sometimes in underground burrows or under objects; longevity greater than 50 years; active March-November; breeds April-November

PLANTS

Federal Status State Status

Ashy dogweed *Thymophylla tephroleuca* LE E

WEBB COUNTY

PLANTS

Federal Status State Status

Texas endemic; grasslands with scattered shrubs; most sites on sands or sandy loams on level or very gently rolling topography over Eocene strata of the Laredo Formation; flowering March-May depending to some extent on rainfall

Johnston's frankenia

Frankenia johnstonii

LE-PDL

E

dwarf shrublands on strongly saline, highly alkaline, calcareous or gypseous, clayey to sandy soils of valley flats or rocky slopes; mapped soils at many sites are of the Catarina and/or Maverick Series, other mapped soils include Copita, Brennan, Zapata, and Montell series; most sites are underlain by Eocene sandstones and clays of the Jackson Group or the Yegua and Laredo formations; a few are underlain by El Pico clay or the Catahoula and Frio formations shrublands; flowering throughout the growing season depending upon rainfall

Kleberg saltbush

Atriplex klebergorum

Texas endemic; usually occurs in sparsely vegetated saline areas, including flats and draws; in light sandy or clayey loam soils with other halophytes; occasionally observed on scraped oil pad sites; observed flowering in late August-early September, but may vary with rainfall, fruits are usually present in fall; because of its annual nature, populations fluctuate widely from year to year

Mccart's whitflow-wort

Paronychia maccartii

Texas endemic; known only from type specimen, substrate at type location described as "very hard-packed red sand", sand is probably of the Cuevitas-Randado Association; flowering period uncertain, type specimen collected in March in flower

Nickel's cory cactus

Coryphantha nickelsiae

Limestone outcrops and nearby alluvial or gravelly soils on hills or plains in grasslands or shrublands at low elevations; known sites in Mexico have been described as Chihuahuan Desert scrub; flowering August through September

ATTACHMENT 2

Example Protection Measures for the Indigo Snake

Example Protection Measures for Indigo Snake

An indigo snake protection/education plan shall be developed by the applicant for all construction personnel to follow. The plan should be provided to the Texas Parks and Wildlife Department (TPWD) for review at least 30 days prior to any clearing activities. The educational materials for the plan may consist of a combination of posters, videos, pamphlets, and lectures (*e.g.*, an observer trained to identify eastern indigo snakes could use the protection/education plan to instruct construction personnel before any clearing activities occur). Informational signs should be posted throughout the construction site and along any proposed access road to contain the following information:

1. Description of the eastern indigo snake, its habits, and protection under state law;
2. Instructions not to injure, harm, harass or kill this species;
3. Directions to cease clearing activities and allow the snake sufficient time to move away from the site on its own before resuming clearing; and
4. Telephone numbers of pertinent agencies to be contacted if a dead indigo snake is encountered. The dead specimen should be thoroughly soaked in water and then frozen.

Other measures for the protection of this species may result from the development of the protection and development plan.

Attachment B

TxDOT Coordination



505 East Huntland Drive
Suite 250
Austin, TX 78752

512.329.6080 PHONE
512.329.8750 FAX

www.TRCsolutions.com

March 28, 2011

Albert Quintanilla, P.E.
District Engineer, Laredo District
Texas Department of Transportation
1817 Bob Bullock Loop
Laredo, Texas 78043

**Reference: Rancho Viejo Waste Management, LLC
Laredo, Webb County, Texas**

Dear Mr. Quintanilla:

Rancho Viejo Waste Management, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit for a municipal solid waste landfill to be located about 5 miles north of State Highway 359 (SH 359), near the north end of Jordan Road, about 18 miles east of Laredo, Texas. The proposed facility will receive approximately 120 truckloads of solid waste per day, primarily from the Laredo area. Ultimately approximately 240 truckloads of solid waste per day may travel to the site. Most of these trucks will travel between the site and the Kansas City Southern Railroad container handling yard located on the north side of SH 359 several miles east of Loop 20, because the landfill plans to accept solid waste transported in closed containers by rail. In the future, we plan to construct a rail siding near or into the landfill site. At that time, all rail shipments of waste will be off-loaded at the landfill, and this waste will not be transported on State or local roadways.

TCEQ regulations [30 TAC 330.61(i)(4)] require documentation of coordination with your agency regarding traffic and location restrictions. This letter is to inform you of the proposed landfill and request your response indicating that the facility will not conflict with any traffic or location restrictions of the Texas Department of Transportation (TxDOT). The applicant for this permit is under a strict deadline to file your response, so we would appreciate receiving it as soon as possible.

Please contact me if you have any questions. We look forward to your response.

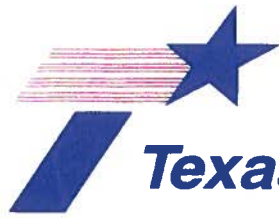
Very truly yours,


James F. Neyens, P.E.

TBPE Firm Registration No. F-3775



03/28/2011



Texas Department of Transportation

1817 BOB BULLOCK LOOP • LAREDO, TX 78043 • (956) 712-7400 FAX (956) 712-7401

April 8, 2011

Mr. James F. Neyens, P.E.
TRC Solutions
505 East Huntland Drive, Suite 250
Austin, Texas 78752

RE: Rancho Viejo Waste Management, LLC
Laredo, Webb County, Texas

Dear Mr. Neyens:

The Texas Department of Transportation (TxDOT) Laredo District has met with your client, Mr. Carlos Y. Benavides, to discuss this proposed municipal solid waste landfill. As mentioned in our discussion, the proposed site is approximately 5 miles north of State Highway 359 (SH 359) near the north end of Jordan Road.

As noted in our discussion, this proposed site does not conflict with any traffic or location restrictions of the department. As a part of TxDOT's long range plans, projected developments along SH 359 east of Laredo has been anticipated to continue in the future, thus our long range plan includes widening along SH 359 from Laredo headed east to add passing lanes in a Super Two configuration. In addition to these planned widening projects, the district will also be studying the need for dedicated left turn lanes at state and county road intersections. Thus, while a dedicated left turn lane from SH 359 to Jordan Road does not currently exist, it is a part of our long range plan.

With the need for additional municipal solid waste landfill capacity in the Webb County area in the near future, your clients proposed site may not only provide the additional capacity, it has been planned in a manner that does not appear to negatively impact traffic operations on the state highway system. If I may be of any further assistance regarding this proposed project, please contact me at (956) 712-7405.

Sincerely,

Albert Quintanilla, P.E.
TxDOT Laredo District Engineer

cc: Mr. Carlos Y. Benavides

THE TEXAS PLAN

REDUCE CONGESTION • ENHANCE SAFETY • EXPAND ECONOMIC OPPORTUNITY • IMPROVE AIR QUALITY
INCREASE THE VALUE OF OUR TRANSPORTATION ASSETS

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Attachment C

Texas Historical Commission Review Letter



505 East Huntland Drive
Suite 250
Austin, TX 78752

512.329.6080 PHONE
512.329.8750 FAX

www.TRCsolutions.com

March 28, 2011

Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

**Reference: Rancho Viejo Waste Management, LLC - Municipal Solid Waste Landfill
Laredo, Webb County, Texas**

Dear Historical Commission Staff Member:

Rancho Viejo Waste Management, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit for a municipal solid waste landfill to be located approximately 18 miles east of Laredo and about 5 miles north of State Highway 359 in Webb County, Texas.

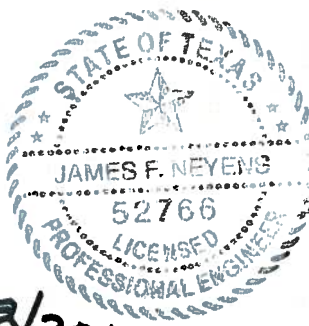
TCEQ regulations [30 TAC 330.61(o)] require documentation of coordination with your agency regarding historical sites and cultural resources. The purpose of this letter is to inform you of the proposed solid waste landfill facility and request your response indicating that the facility as proposed will not conflict with established historical sites or known cultural resources sites. The applicant is under a strict deadline to file your response, so we would appreciate receiving it as soon as possible.

A location map showing the proposed landfill with respect to readily identifiable features is enclosed to assist in your determination.

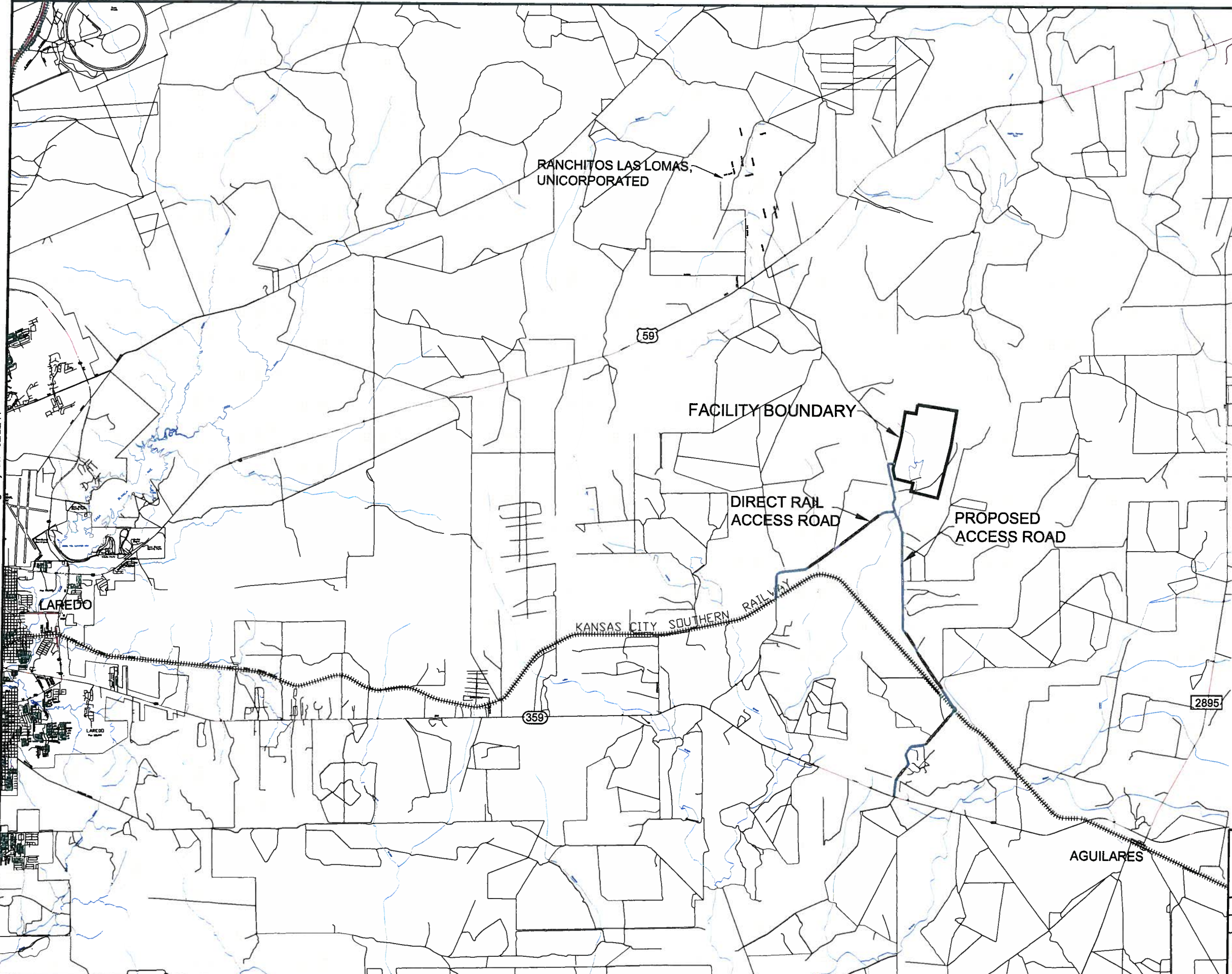
Please contact me if you have any questions. We look forward to your response.

Very truly yours,

James F. Neyens, P.E.
TBPE Firm Registration No. F-3775



03/28/2011



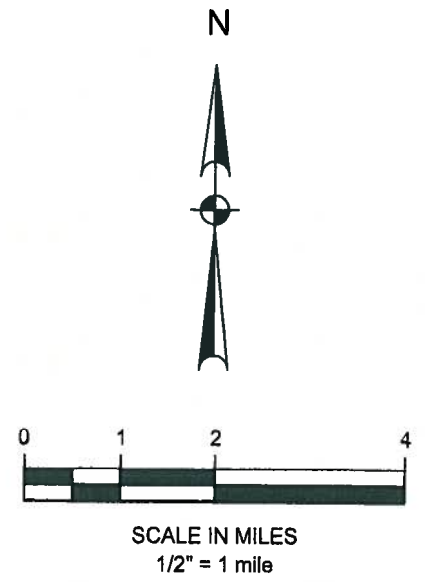
LEGEND

	PRIMARY HIGHWAY
	SECONDARY OR RANCH ROAD
	ALL-WEATHER ACCESS ROAD
	RIVER OR STREAM
	RAILROAD TRACK
	PROPERTY BOUNDARY OF THE FACILITY

James A. Reynolds

03/28/2011

- NOTES:**
1. SOURCE: TXDOT URBAN FILES FOR WEBB COUNTY (2003).
 2. TRC ENVIRONMENTAL CORP. TBPE FIRM F-3775.



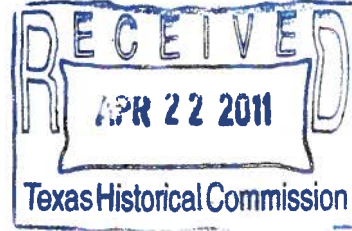
GENERAL LOCATION MAP			
PESCADITO ENVIRONMENTAL RESOURCE CENTER MSW PERMIT NO. XXXX WEBB COUNTY, TEXAS			
PROJECT NO.	170401	DWG FILE	170401-MSW-1-1
DRAWN BY.	CL	DATE	02/14/11
	505 EAST HUNTLAND DRIVE SUITE 250 AUSTIN, TEXAS 78752 (512) 329-6080		FIGURE 1 PART I PAGE XX



505 East Huntland Drive
Suite 250
Austin, TX 78752

512.329.6080 PHONE
512.329.8750 FAX

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March 28, 2011

Texas Historical Commission
P.O. Box 12276
Austin, Texas 78711-2276

**Reference: Rancho Viejo Waste Management, LLC - Municipal Solid Waste Landfill
Laredo, Webb County, Texas**

Dear Historical Commission Staff Member:

Rancho Viejo Waste Management, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit for a municipal solid waste landfill to be located approximately 18 miles east of Laredo and about 5 miles north of State Highway 359 in Webb County, Texas.

TCEQ regulations [30 TAC 330.61(o)] require documentation of coordination with your agency regarding historical sites and cultural resources. The purpose of this letter is to inform you of the proposed solid waste landfill facility and request your response indicating that the facility as proposed will not conflict with established historical sites or known cultural resources sites. The applicant is under a strict deadline to file your response, so we would appreciate receiving it as soon as possible.

A location map showing the proposed landfill with respect to readily identifiable features is enclosed to assist in your determination.

Please contact me if you have any questions. We look forward to your response.

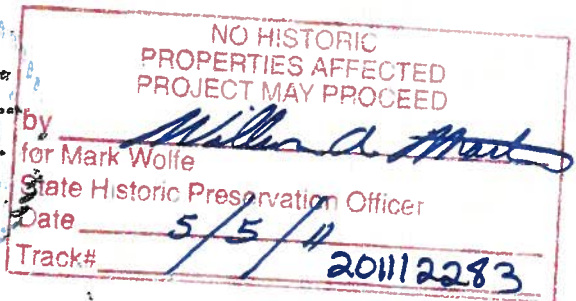
Very truly yours,

James F. Neyens

James F. Neyens, P.E.
TBPE Firm Registration No. F-3775



03/28/2011



Attachment D

Cultural Resources Review

To: James Neyens, P.E., TRC

From: Kendra G. DuBois, TRC

Date: October 23, 2009

Subject: Proposed Land Fill Webb County, Texas

This cultural resources file search was performed as part of the completion of a Texas Commission on Environmental Quality permit application (§330.61). The Texas Historical Commission Archeological Sites Atlas was utilized to conduct the search. The Area of Potential Effect (APE), a 1210-acre parcel designated for the proposed land fill, has never been surveyed for cultural resources (see Figure 1). Thus, the presence of such resources within the APE is unknown. In addition, there are no archeological sites, historical markers, historic places on the national register, or cemeteries documented on the THC Archeological Sites Atlas inside of the APE or within a one-mile radius of the APE.

Attachment E

Local Agency Coordination



505 East Huntland Drive
Suite 250
Austin, TX 78752

512.329.6080 PHONE
512.329.8750 FAX

www.TRCSolutions.com

March 28, 2011

Rhonda Tiffin, Director
Webb County Planning Department
1110 Washington Street, Suite 302
Laredo, Texas 78040

Reference: Proposed Rancho Viejo Waste Management, LLC
Municipal Solid Waste Facility
Laredo, Webb County, Texas

Dear Ms. Tiffin:

Rancho Viejo Waste Management, LLC has applied to the Texas Commission on Environmental Quality (TCEQ) for a permit for a proposed municipal solid waste management facility and landfill to be located on its ranch approximately 18 miles east of Laredo. TRC Environmental Corporation (TRC) is the consulting engineer for this project.

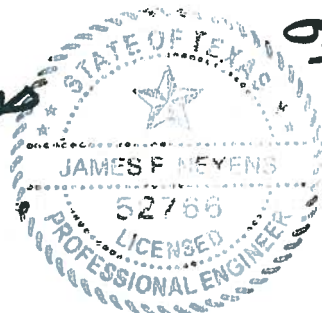
TCEQ regulations require a demonstration of coordination with the local governmental units that may have a local solid waste management plan. The purpose of this letter is to inform you of the proposed facility, request your response indicating whether Webb County has a local solid waste plan, and if it does, whether the proposed municipal solid waste management facility and landfill will be in compliance with this plan. We would appreciate receiving confirmation to this effect as soon as possible.

We would be pleased to provide you additional information about the proposed facility if Webb County does have a local solid waste plan and you need this information to consider the facility's conformance to this plan.

Please contact me if you have any questions. We look forward to your response.

Very truly yours,

James F. Neyens, P.E.
TBPE Firm No. F-3775



03/28/2011