
ENVIRONMENTAL SERVICES, INC.

June 4, 1998

Mr. James Wilsford
Baker-Aicklen & Associates, Inc.
203 E. Main Street., Suite 201
Round Rock, Texas 78664

HJN 980082 PI

Re: 327-acre Kouri and Neuman Tracts, Williamson County, Texas

Dear Mr. Wilsford:

Per your request, Horizon Environmental Services, Inc. (Horizon) has performed an abbreviated Phase I Environmental Site Assessment (ESA) of the subject property (327-acre Kouri and Neuman Tracts, Williamson County, Texas) as well as a cursory survey for karst features in conformance with or exceeding the scope and limitations of industry standards for Transaction Screen (ASTM Practice E 1528-96).

The scope of our investigations included a site inspection, a comprehensive agency data base search, historical aerial photograph analysis, and a landowner interview. A detailed historical chain of ownership was not included with this limited investigation. The results of this investigation are presented below.

1.0 SITE DESCRIPTION

The subject site is located north of the City of Austin, northwest of the intersection of Interstate Highway 35 (IH 35) and Farm-to-Market Road 1325 (FM 1325) in the southern portion of Williamson County, Texas (Figure 1). The subject site is legally described as 2 tracts or parcels of land being a part of the J.M. Harrell Survey, Abstract No. 284, situated in Williamson County, Texas.

The subject site currently consists of cleared grazing land with wooded areas, drainages, associated on-site ponds, structures and fencelines. Current use of the subject site is rural residential and grazing rangeland.

2.0 HISTORIC LAND USE

Historic aerial photography dated 1976, 1981, 1988, and 1995 was examined to determine past land uses of the subject site which might indicate the potential occurrence of a recognized environmental condition. An examination of the 1976 aerial photograph indicated the subject site appeared to have been used for agricultural purposes in 1976 (Figure 2). The site consisted of cleared pasture with scattered

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canopy vegetation along fencelines, drainages, and 4 ponds which are shown as they exist today. IH 35 and FM 1325 are shown as they exist today. On-site structures appeared as they exist today along the site boundaries and in the northern and central portions of the site. What appeared to be a small residential structure was also observed in the central portion of the subject site. This was most likely a historic homesite that has been removed. A review of the 1981 aerial photograph (Figure 3) revealed few changes from the previous photograph. An increase in canopy vegetation was evident throughout the site. Additional unimproved roads were visible in the northeastern portions of the site. A significant increase in residential and commercial development was evident in the areas adjacent to the subject site. The 1988 aerial photograph also revealed few changes for the subject site (Figure 4). The residential structure in the central portion of the site had been removed from the site by this time and was not evident in the photograph. The new extension of CR 172 was visible to the west of the site boundary and old CR 172. Development adjacent to the subject site continued to increase. The 1995 aerial photograph generally showed the site as it exists today (Figure 5). Land use for the site had changed from agricultural to cattle ranching while canopy vegetation continued to increase. No additional improvements were evident for the subject site. Surrounding land use consisted of residential and commercial development. No potential recognized environmental conditions were evident for the subject site.

3.0 ENVIRONMENTAL SETTING

Geology on the subject site is mapped as the Del Rio Clay Formation, Eagle Ford Group and Buda Limestone, and Austin Chalk. More specifically, the western portion of the subject site is mapped as Del Rio Clay. The Del Rio Clay has a thickness of 40-70 feet and is calcareous and gypsiferous with some linear beds of highly calcareous siltstone (BEG, 1981). The central portion of the site, west of a traversing fault line, is mapped as Buda Limestone. Buda Limestone has a thickness of up to 45 feet. The portion of the site east of the fault is mapped as the Eagle Ford Group and the Austin Chalk. The Eagle Ford Group consists of shale and limestone with thickness up to 65 feet. The Austin Chalk consists of ledge forming chalk and marl with a thickness of 325-420 feet. According to the soil survey for Travis County, Texas, soils on-site are mapped as Austin silty clay, Austin-Whitewright complex, Heiden clay, Heiden extremely stony clay, Houston black clay, Crawford clay, Georgetown stony clay loam, Ferris-Heiden complex, and Fairlie clay (Werchan, et. al., 1974). The Edwards aquifer is the principal source of groundwater in the area (TWDB, 1994). The western portion of the subject site is within the Edwards Aquifer Recharge Zone as mapped by the City of Austin. Vegetation on the majority of the site is cleared grazing land consisting of immature mesquite and various native forbes and grasses (Photo 1). Canopy species on the subject site consists of Texas oak, mesquite, with interspersed Ashe juniper and cedar elm (Photo 2). The topography of the subject site can be described as gently



rolling with on-site elevations ranging from approximately 890 feet above mean sea level (MSL) in the western portion of the site to 800 feet above MSL along the surface drainage in the northwestern portion of the site.

Records at the Texas Biological and Conservation Data System Endangered Resources Branch were investigated for recorded occurrences of all federally or state-listed plant and animal that occur in Williamson County. No known occurrences of listed species were discovered for the subject site.

The surface drainages and associated on-channel ponds present on the subject site are regulated by the US Army Corps of Engineers (COE) "as waters of the US". The surface drainage areas with a defined bed and bank condition are considered jurisdictional to the plane of ordinary high water. This limit can generally be defined as the area between each bank which shows evidence of customary water flow (Photos 3). In addition, areas associated with these drainages and on-channel ponds which meet the 3 criteria for "wetlands" as regulated by the COE, are also subject to jurisdiction and may not be impacted without utilization of a nationwide permit or obtaining an individual Section 404 permit (Photo 4).

4.0 REGULATORY/ GOVERNMENT AGENCY INQUIRIES, FEDERAL AND STATE

Several regulatory agencies were contacted and appropriate files were reviewed concerning water well drillers' logs, aerial photography, maps, permit registrations, and violations for the subject property and adjoining areas. Horizon commissioned Environmental Data Resources, Inc. (EDR), to provide an environmental database review of selected state and federal agency records. The database search was conducted using areas of review as outlined in the ASTM standards (ASTM, 1997). The EDR investigation was supplemented by our additional investigations at other state agencies, including the Texas Water Development Board and Texas Railroad Commission. No recognized environmental conditions were discovered for the subject site in the agency records (Figure 6). Eight sites were identified within 1.0 mile of the subject site. One water well was identified within the subject site. Nine water wells were identified within 0.5 miles of the subject site. The complete agency database report as provided by EDR is attached.

5.0 ON-SITE AND OFF-SITE FINDINGS

The 327-acre subject site was found to consist of cleared grazing land and Ashe juniper-oak woodlands. The site is bound to the south by FM 1325 (Photo 5). Improvements observed for the Kouri tract include 2 residential structures with associated utilities and septic systems, 17 wood and tin barns, barbed wire fencing, unimproved roads, and 3 ponds. The 2 residential structures are located on the south



and east boundaries of the tract. Three wood frame buildings, a wood frame barn, and 2 pole buildings are located on the central portion of the tract (Photo 6). The pole buildings are used to store farm equipment including 2 tractors, plastic oil containers, 5 batteries, and four 55-gallon drums (Photos 7 and 8). The wood barn and cattle pens are located south of the pole buildings. Observed in association with the barn were a pesticide spreader, water well, one 55-gallon drum, farm equipment, and a boat on a trailer (Photos 9 and 10). The 3 wood frame structures are located west of the barn and pole buildings. Two of the structures are used to store hay and wood, the third structure is empty. Ten wood and tin barns and a water well were observed in association with the residential structure on the eastern boundary of the site. Metal and farm debris were observed in association with the residence and barns (Photo 11). A cistern was observed on the central portion of the site in an area where an historic homesite had been previously removed. Three pole mounted transformers were observed on the Kouri Tract, all were light grey and appeared to be in good condition. Three ponds were observed on the Kouri tract. Two of the ponds are located along the northern boundary (Photo 12). A large burn pile was observed in the area between the 2 ponds. The third pond is located along a drainage on the western boundary of the tract. Four concrete drainage structures were observed in association with the pond and surface drainage (Photo 13). Improvements observed on the Neuman tract include an abandoned residential structure and associated storage sheds, cattle pens, water well and Old CR 172 along the western boundary. An interview conducted with Horizon's access contact to the site, Mr. Kent Taylor, revealed that the structure was built in the early 1900s and is currently under contract to be removed from the site (Photo 14). A wooden barn containing household debris, a partially collapsed wooden shed, 2 collapsed wood and sheet metal structures, cattle pens, an abandoned car, and numerous debris piles containing household debris and several 55-gallon drums were observed adjacent to the residential structure (Photo 15). Also observed in association with the residential structure was a water well (Photo 16), above ground storage tank (AST), and a pole mounted transformer which was light grey and appeared to be in good condition. A debris pile containing household appliances was also observed in the drainage along the northeast boundary of the Neuman Tract. A pond was observed in the central portion of the site, northeast of the residential structure (Photo 17).

No hazardous wastes or materials that would represent a recognized environmental condition were noted off-site. Adjacent land uses did not appear to have any significant potential for the storage or use of hazardous materials. No obvious environmental concern was identified for any off-site areas. However, no off-site structures were accessed.

A general reconnaissance for significant karst features was conducted for the subject site. No significant surface evidence of subsurface voids or caves was



observed.

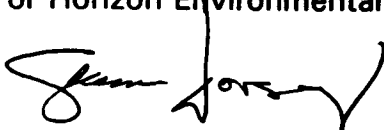
6.0 FINDINGS AND CONCLUSIONS

The following is a summary of recognized environmental conditions, conclusions, and recommendations concerning the subject property.

1. Based upon a review of regulatory literature, historical information, and a site reconnaissance, the subject site was found to have a low potential for environmental risk and/or liability.
2. The surface drainages throughout the site and the on-channel ponds are subject to jurisdiction by the COE. In addition, areas adjacent to these waterways may be subject to jurisdiction as wetlands or special aquatic sites. It is our recommendation that a detailed wetlands determination be conducted for all areas which may be impacted and result in the fill or draining of these jurisdictional areas.
3. If the water wells located on-site are not to be utilized, they should be plugged and abandoned pursuant to Chapter 32.017 of the Texas Water Code and in accordance with 30 Texas Administrative Code TAC §§338.48-338.50.
4. Due to the unknown origin of materials previously stored in the 55-gallon drums observed on-site, limited soil sampling and analysis is recommended if stained soil or distressed vegetation is observed upon removal of debris.
5. A cursory ground reconnaissance was conducted for any obvious karst features or surface indications of subsurface voids. No evidence of these features was observed that would pose significant development constraints.
6. Due to the time period of construction for the residential structures, testing for asbestos containing materials should be conducted on these structures.

Please call if you have questions concerning this report or desire additional information.

Sincerely,
For Horizon Environmental Services, Inc.



Shannon Dorsey, REP
Environmental Specialist

7.0 REFERENCES

- American Society for Testing and Materials (ASTM). 1997. *ASTM Standards on Environmental Site Assessments for Commercial Real Estate*, 3rd Edition, E 1527-97 and E 1528-96, Philadelphia, Pennsylvania.
- Bureau of Economic Geology (BEG). 1981. *Geologic Atlas of Texas, Austin Sheet*. University of Texas at Austin, Austin, Texas.
- Texas Water Development Board (TWDB). 1994. *Map of Major and Minor Aquifers of Texas*.
- Werchan, Leroy E., A. C. Lowther, and Robert N. Ramsey. *Soil Survey of Travis County, Texas*. US Department of Agriculture, Soil Conservation Service, in cooperation with the Texas Agricultural Experiment Station, 1974.

