

## Second Supplemental Request for Information

### General Comments

1) There are areas where text does not reflect the current condition of the application. Figures are inconsistent. Figure seal dates indicate revisions that are not described in the revision blocks. Revision block information is often illegible. Some specific examples are itemized below, but this should not be considered to be a complete list.

a. Part I, Appendix I, Figure 2 appears to be a non-current version. The figure lacks many wells located within 500 ft of the permit boundary. The figure is inconsistent with the well information in Part II, Appendix I, Figures 5 and 6.

b. Part I, Appendix I, Figure 3 appears to be a non-current version. The figure indicates that there are no mineral interest owners. The figure is inconsistent with information illustrated on the landowner map sealed on October 1, 2012, provided in response to an NOD item.

c. Part II, page 18, the second paragraph states that two residences are located approximately 1,500 feet south of the permitted boundary. Part II, Appendix 1, Figure 4 illustrates that the two residences are approximately 200 feet from the permitted boundary, as noted on the figure.

d. Copy quality has been degraded on some figures. In some cases the scales are illegible. See, for example, Part II, Appendix 1, Figures 25, 26, and 27 and compare to the October 2012 submittal.

e. On Part II, Appendix 1, Figure 25, the bottom roughly two inches of the figure, including the north arrow and bar scale, were not reproduced. This was observed on only one figure in one copy in the application but copies forwarded to Region and Central Records were not reviewed.

### Easement Information

2) Easement information appears to be inconsistent. The current demonstration provides the Right of Way Grant, with conditions for relinquishment, and affidavits from individuals who appear to be qualified to conclude that these conditions have been met. Text and figure notes should be clear and consistent regarding the current demonstration. Examples of inconsistent information include, but are not limited to the following.

a. Part I, Appendix 1, Figure 4 and Part II, Appendix 1, Figure 5 include a note that there are no pipeline or utility easements on or adjacent to the permitted area. Text in Part II, 330.61(c)(10) indicates that the pipeline “has been abandoned in accordance with *Railroad Commission requirements* (emphasis added) several years ago”. Evidence to support this statement has not been provided.

b. Part II, Appendix 2, Figure 6 indicates that the thin red dashed line illustrates “oil/gas pipeline locations,” and that the pipeline has been “officially abandoned and sealed” by the Texas Railroad Commission (RRC). Evidence to support this statement has not been provided.

c. The text in Part II, page 16, Section 330.61(c)(10) indicates that Part I, Appendix 2 includes an Affidavit of Abandonment recorded in the Guadalupe County records, an Affidavit in Support of Abandonment of Pipeline and Termination of Right of Way, and a certified map from the RRC that indicates that there are no active pipelines at the facility. The Guadalupe County-recorded Right of Way Grant is not an affidavit of abandonment. The RRC map has been omitted from the current submittal.

d. The text in Part II, 330.61(c)(10) has not been updated to address the current demonstration of easement relinquishment.

#### Growth Trends Analysis

3) Part II, 330.61(h)(2)-(4) has added a discussion of historic and current aerial photographs to address growth trends. These aerial photographs must be provided as they are referenced. The Alamo Area Council of Governments (AACOG) Traffic Analysis Zone (TAZ) map is referenced in this discussion, but the TAZ map is not in the current submittal. Please provide this map if it will continue to be referenced. Finally, it is not clear that the requirement of the rule has been met. 330.61(h)(3) requires information about growth trends within 5 miles of the facility *with directions of major development*. While there is adequate statistical discussion to provide information about growth trends, information was not located to address directions of major development. If there is none within five miles, a statement to this effect would address this requirement, but please address this concern or direct us to its location in the current submittal.

#### Traffic

4) An explanation of how traffic counts were calculated has been requested. The cover letter to the response to the first NOD provided the sample calculation, but this was never provided in the application. While the information needed to calculate traffic counts is now in the application, please provide in the application an explanation of how the calculations were made.

#### Coordination

5) An additional wetlands survey has been performed to address areas that are located within the limited-use deed-restricted area. Please provide the response letter to this assessment from the Texas Historical Commission.