



Austin EnviroSolutions
Environmental Consulting

**Phase I Environmental Site Assessment
Burg Tract
131 Elberta Street
Stonewall, Texas 78671**

Project No. 2561

June 10, 2021

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**PHASE I ENVIRONMENTAL SITE ASSESSMENT
BURG TRACT
131 ELBERTA STREET
STONEWALL, TEXAS 78671**

Project No. 2561

Prepared For

**The Hay Legal Group PLLC
611 West 5th Street, Suite 300
Austin, Texas 78701**

Prepared By

**Austin EnviroSolutions
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Lago Vista, Texas 78645**

June 10, 2021



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Environmental Consulting

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Mr. John A. Hay III
The Hay Legal Group PLLC
611 West 5th Street, Suite 300
Austin, Texas 78701

RE: Phase I Environmental Site Assessment
Burg Tract
131 Elberta Street
Stonewall, Texas 78671
Project No. 2561

Dear Mr. Hay:

We are pleased to submit the enclosed Phase I Environmental Site Assessment (ESA) for the above subject site. This report is intended for the sole use by The Hay Legal Group PLLC and any prospective partners, lenders, successors or assigns involved with this property. Our services were provided in general accordance with the requirements of ASTM E 1527-13, Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.

We appreciate the opportunity to perform these services for you. If there are questions regarding this report, please do not hesitate to contact me at (512) 653-6119.

Respectfully submitted,
Austin EnviroSolutions

William K. Duran

William K. Duran, P.G.
Environmental Professional

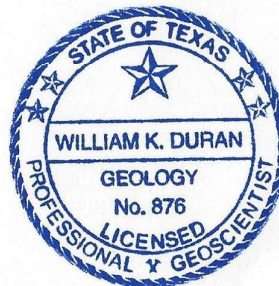


TABLE OF CONTENTS

1.0	<u>EXECUTIVE SUMMARY</u>	1
2.0	<u>INTRODUCTION</u>	2
2.1	<u>Purpose</u>	2
2.2	<u>Special Terms and Conditions/Scope of Services</u>	2
2.3	<u>Limitations</u>	3
2.4	<u>Environmental Professional Statement</u>	4
3.0	<u>SITE DESCRIPTION</u>	5
3.1	<u>Location and Legal Description</u>	5
3.2	<u>Site and Vicinity Characteristics</u>	5
3.3	<u>Descriptions of Structures, Roads and Additional Site Improvements</u>	5
3.4	<u>Current Uses of the Property</u>	5
3.5	<u>Past Uses of the Property</u>	6
3.6	<u>Current and Past Uses of Adjoining Properties</u>	6
3.7	<u>Site Plan</u>	6
4.0	<u>RECORDS REVIEW</u>	7
4.1	<u>Standard Environmental Record Sources, Federal and State</u>	7
4.1.1	<u>Emergency Response Notification System (ERNS) List</u>	7
4.1.2	<u>Superfund Enterprise Manager System Archive Site Inventory (SEMSARCH) Sites</u>	7
4.1.3	<u>State Superfund Site (SF) Sites</u>	7
4.1.4	<u>Resource Conservation and Recovery Information System (RCIS) Notifiers List</u>	7
4.1.5	<u>Resource Conservation and Recovery Act - Corrective Action Facilities (RCRAC) Sites</u>	8
4.1.6	<u>Resource Conservation and Recovery Act - Subject to Corrective Action (RCRASUBC) Sites</u>	8
4.1.7	<u>Affected Property Assessment Report (APAR)</u>	8
4.1.8	<u>CERCLIS Database</u>	8
4.1.9	<u>CERCLIS - Archive (CERC-AR) Sites</u>	9
4.1.10	<u>National Priorities List (NPL)</u>	9
4.1.11	<u>Integrated Compliance Information System (ICIS)</u>	9
4.1.12	<u>Integrated Compliance Information System National Pollutant Discharge Elimination System (ICISNPDES)</u>	9
4.1.13	<u>State/Tribal Lands</u>	9
4.1.13.1	<u>State/Tribal Sites</u>	9
4.1.14	<u>Leaking Petroleum Storage Tank (LPST) List</u>	10
4.1.15	<u>Spills</u>	10
4.1.16	<u>Registered Petroleum Storage Tank (PST) List</u>	10
4.1.17	<u>Texas Landfill Sites</u>	10
4.1.18	<u>Waste Management Recycling Facilities (WMRF) Sites</u>	10
4.1.19	<u>Texas Unauthorized / Abandoned (U-A) Landfill Sites</u>	11
4.1.20	<u>Closed & Abandoned Landfill Inventory (CALF) Sites</u>	11
4.1.21	<u>State Institutional/Engineering Control (SIEC) Sites</u>	11
4.1.22	<u>Texas Voluntary Cleanup Program (TX VCP) Sites</u>	11
4.1.23	<u>Texas Railroad Commission Voluntary Cleanup Program (RRC-VCP) Sites</u>	12
4.1.24	<u>Texas Submitted Well (SWL) Information Sites</u>	12
4.1.25	<u>Texas Innocent Owner Protection (IOP) Sites</u>	12
4.1.26	<u>Texas Brownfield Sites</u>	12
4.1.27	<u>Brownfields Management System Sites</u>	12
4.1.28	<u>Texas Industrial Hazardous Waste (IHW) Sites</u>	12
4.1.29	<u>Industrial Hazardous Waste Corrective Action (IHW-CA) Sites</u>	13
4.1.30	<u>Tier II Chemical Reporting Program Facilities (Tier II) Sites</u>	13
4.1.31	<u>Texas Dry Cleaning Registration</u>	13

4.1.32	<u>Texas Water Development Board (TWDB) Located Wells</u>	13
4.1.33	<u>Edwards Aquifer Permits</u>	13
4.2	<u>Physical Setting</u>	14
4.2.1	<u>Site Physiology</u>	14
4.2.2	<u>Ground Water Resources</u>	15
4.3	<u>Historical Use Information</u>	15
4.3.1	<u>Aerial Photograph Review</u>	15
4.3.2	<u>Title Record</u>	16
4.3.3	<u>Topographic Maps</u>	16
4.3.4	<u>Local Records</u>	17
4.3.5	<u>State Records</u>	17
4.4	<u>Additional Record Sources</u>	17
4.4.1	<u>City of Stonewall Department Records Search</u>	17
4.4.2	<u>Site Interviews</u>	17
4.4.3	<u>Fire Insurance Maps</u>	18
4.4.4	<u>Historical City Directories</u>	18
4.4.5	<u>Texas Parks and Wildlife Rare Species</u>	19
4.4.6	<u>Vapor Migration</u>	19
4.4.7	<u>Previous Report Review</u>	20
5.0	INFORMATION FROM SITE RECONNAISSANCE AND INTERVIEWS	21
5.1	<u>Hazardous Substances In Connection with Identified Uses</u>	21
5.2	<u>Hazardous Waste and Unidentified Substance Containers</u>	21
5.3	<u>Storage Tanks</u>	21
5.4	<u>Indications of PCBs</u>	21
5.5	<u>Solid Waste</u>	1
5.6	<u>Data Gaps</u>	21
5.7	<u>Other Considerations: Non Scope ASTM 1527-13</u>	22
6.0	FINDINGS AND OPINIONS	23
7.0	CONCLUSIONS	24
	REFERENCES	25

LIST OF TABLES

4.1	Aerial Photographs	15
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APPENDIX

I	Site Map (not to scale)
II	Site Photographs
III	Aerial Photographs
IV	Historical USGS Topographic Maps
V	Historical Reference Materials
VI	Statement of Qualifications

1.0 EXECUTIVE SUMMARY

Austin EnviroSolutions has completed a Phase I Environmental Site Assessment (Phase I ESA) for the subject property located at 131 Elberta Street in Stonewall, Gillespie County, Texas. The assessment was performed in general accordance with the scope and limitations of the American society for Testing and Materials (ASTM) Standard E 1527-13, a guide for conducting Environmental Site Assessments. Austin EnviroSolutions has completed this Phase I ESA at the request of The Hay Legal Group PLLC using the methods and procedures consistent with good commercial and customary practice designed to conform to acceptable industry standards. The site reconnaissance was performed on May 26, 2021. The following summary consists of available information, site reconnaissance and data collected concerning the subject property.

Visual Reconnaissance – At the time of the site reconnaissance, the subject property consisted of an unoccupied single-family residential home, vacant sprayer shop, storage warehouse and barns along with storage sheds, livestock corral, pasture and vacant ranch hand house. The adjacent properties consisted of a fruit stand, chocolatier, church, residential homes, vacant land and river. There was no evidence of underground petroleum storage tanks located on any surrounding property.

Historical Information – The subject property had been previously developed based on review of historical city directories, aerial photographs and interviews with raising livestock with an agricultural sprayer repair shop called John Bean and a tack shop.

Database On and Off Site – A review of current regulatory databases supplied by Banks Environmental Data Inc. did not identify the subject property as a registered facility. There was one offsite facility identified in the database report that was within the search radius from the subject property. This facility does not appear to have environmentally impacted the subject property based on the lack of documented spills or releases from any underground storage tank.

Evaluation – Austin EnviroSolutions have performed this Phase I ESA in conformance with the scope and limitations of ASTM Practice E 1527-13 directive on the subject property located at 131 Elberta Street in Stonewall, Gillespie County, Texas. Any exceptions to, or deletions from, this practice are described in Section 2.3 of this report.

This assessment has revealed no evidence of *recognized environmental conditions*, *historical recognized environmental conditions* or *controlled recognized environmental conditions* in connection with the property except for the following: former chemical warehouse, former livestock dipping vat, unidentified containers and former storage tank site. There were no adjacent properties that appeared to have environmentally impacted the subject property. While there was no evidence hazardous waste located on the subject property, there were unidentified containers identified on the property. Though there were no obnoxious or foul odors, pools of liquid or any stressed vegetation located on the property, there were stained soils observed on the property. Therefore, further due diligence is necessary at this time.

This executive summary is general in nature and should not be considered apart from the entire text of the report, with all the qualifications and considerations mentioned therein. Details of our evaluations and recommendations are discussed in the following sections of the report along with the Appendices.

2.0 INTRODUCTION

2.1 Purpose

The purpose of this Phase I ESA was to evaluate the subject property located in Stonewall, Texas for conditions of potential environmental liability. A Phase I ESA provides a preliminary information base for an evaluation of existing conditions. The goal of any Phase I ESA is to identify and document the following principles: *recognized environmental conditions* (RECs), *historical recognized environmental conditions* (HRECs) and *controlled recognized environmental conditions* (CRECs). This includes the material threat of a future release of petroleum products or hazardous substances to the environment. The conclusions of this submittal are based upon readily available data and are intended to present a general opinion of environmental conditions that could affect the property. No Phase I ESA can completely eliminate uncertainty regarding the potential for RECs, HRECs or CRECs in connection with any property. Performing this ESA using ASTM E 1527-13 is intended to reduce, but not eliminate, the uncertainty regarding the existence of RECs, CRECs or HRECs on any property. This investigation, created at the request of and for the sole review of The Hay Legal Group PLLC was prepared under the direction of a registered environmental consultant (professional geoscientist) in the state of Texas with Austin EnviroSolutions (a registered firm in the state of Texas).

2.2 Special Terms and Conditions/Scope of Services

Austin EnviroSolutions was contacted by The Hay Legal Group PLLC to conduct a Phase I ESA of the referenced property in accordance with the practice defined by ASTM E 1527-13. This Phase I ESA, performed to identify current or historical RECs, HRECs and CRECs associated with the subject property, consisted of a site reconnaissance and a review of available local, state and federal information in connection with the subject property and adjacent properties. No soil borings, air monitoring, well installation, or wetlands delineation were undertaken in this assessment. The written report was prepared for submission to The Hay Legal Group PLLC summarizing the results of this evaluation and further evaluation if needed. All data and documents generated to produce this Phase I ESA belongs to and remains the property of Austin EnviroSolutions.

The assessment report included the following services, to the extent considered appropriate to assess the subject property of potential risk for environmental impairment liability, and within the designated work scope of this evaluation.

1. Identified the property location and performed a walkover visual reconnaissance of the both subject property and adjacent properties.
2. Reviewed historical ownership and use of the properties, incorporating such available information as recent and historical air photographs and topographic maps, plat plans, fire insurance maps, site land use history and interviews with site personnel.
3. Reviewed the use of the property and adjacent property, where accessible, for use of hazardous waste/materials, solid wastes and other deleterious materials.

4. Reviewed information as it was reasonably ascertainable for past inspections, investigations, claims, agency actions or litigation relating to hazardous materials, from the sources identified below.
5. Evaluated information based on visual reconnaissance and information obtained from Standard Federal and State Environmental Record Sources and from reasonably ascertainable State or Local Additional Environmental Sources.
6. Observed existing transformers or other electrical equipment on the properties for indications of leakage and PCB content designation.
7. Provided photographs of current site conditions that were observed during the site reconnaissance.
8. Provided a site plan of the site layout and areas of concern (if any).
9. Performed a visual reconnaissance and historical review to identify *Recognized Environmental Conditions, Historical Recognized Environmental Conditions or Controlled Recognized Environmental Conditions* in connection with the subject property or any adjacent property.

RECs, HRECs and CRECs are defined for the purpose of this report (defined by ASTM E 1527-2013, Section 1.1.1) as the presence or likely presence of any *hazardous substances* or *petroleum products* on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any *hazardous substances* or *petroleum products* into the structures on the property or on the ground, ground water, or surface water of the property. The term is not intended to include *de minimis* conditions, but it does include issues of environmental significance to commercial real estate. Conditions determined to be *de minimis* are not *recognized environmental conditions*, but are conditions that refer to contamination levels above background levels but not above the action levels which would result in regulatory action or remediation requirements (i.e. oil stains often found in shopping center parking lots).

2.3 Limitations

This Phase I ESA involved a reconnaissance of the site and contiguous properties and a review of regulatory and historical information in accordance with ASTM E 1527-2013. Not only were soil, water or air not sampled or tested for this Phase I ESA, but the following non-scope considerations were not assessed for this investigation: asbestos, cultural or historical resources, endangered species, indoor air quality, mold, lead-based paint, radon or wetlands surveying. Site figures, site maps, topographic and aerial photographs presented in this Phase I ESA are interpreted based on approximate locations and property boundaries in order to provide the user(s) of this document an overall image of the subject property that existed at the time of the site reconnaissance.

The autonomous conclusions presented within this report represent our professional judgment based on given information and data available to Austin EnviroSolutions at the time this investigation occurred. Information given to Austin EnviroSolutions regarding operations, previous or current conditions or

illustration test data have been assumed to be correct and comprehensive. The conclusions presented in this report were based on the data provided, site observations and conditions that existed at the time of the site reconnaissance. Site conditions may change which Austin EnviroSolutions is not aware and has not evaluated during the onsite investigation. Certain information that may be deemed attainable during the information gathering stage of typical Phase I ESA's sometimes cannot be ascertained due to time and/or cost constraints given to the environmental professional.

The conclusions and recommendations presented within this report are based upon a reasonable level of investigation within normal bounds and standards of professional practice for a site in this particular geographic and geologic setting. The findings of this Phase I ESA are not intended to serve as an audit of health and safety or compliance issues pertaining to improvements or activities on-site. Austin EnviroSolutions is not responsible or liable for the discovery and elimination of hazards not identified in this report that may potentially cause damage, accidents or injuries. Austin EnviroSolutions does not provide legal opinion or advice during Phase I ESA investigations.

All observations, conclusions and recommendations pertaining to environmental conditions at the subject site are necessarily limited to conditions observed, and/or materials reviewed at the time this study was undertaken. No other warranty, expressed or implied, is made with regard to the conclusions and recommendations presented within this report. This report is intended for the exclusive use of The Hay Legal Group PLLC or prospective partners, lenders, successors or assigns involved with this property. The scope of services performed by Austin EnviroSolutions during this investigation may not satisfy the requirements of those users that are not affiliated with The Hay Legal Group PLLC. Austin EnviroSolutions has not or will not materially benefit from the development in any other way other than receiving a fee for performing this Phase I ESA and the fee is in no way contingent upon the outcome of the ESA.

This report is not intended to be used or relied upon in connection with other projects or by other unidentified third parties. The use of this report by any undesignated third party or parties will be at such party's sole risk and Austin EnviroSolutions disclaims liability for any such third party use or reliance. The underwriters of any securitization of the loan secured by the Property, the rating agencies rating such securitization, and each of such parties' counsel are entitled to rely upon this report and to use its contents and conclusions as may be appropriate.

2.4 Environmental Professional Statement

Austin EnviroSolutions declare that, to the best of our professional knowledge and belief, we meet the definition of *Environmental Professional* as defined in §312.10 of 40 CFR Part 312. We have the specific qualifications based on education, training, and experience to assess a *property* of the nature, history, and setting of the subject property. We have developed and performed the all appropriate inquiries in conformance with the standard and practices set forth in 40 CFR Part 312.

William K. Duran

William K. Duran, P.G.
Environmental Professional

3.0 SITE DESCRIPTION

3.1 Location and Legal Description

The subject property was located at 131 Elberta Street in Stonewall, Texas. The current owner of the subject property is Charles Burg Etal according to the Gillespie Central Appraisal District Website <http://www.gillespiecad.org>. The subject property had the following legal descriptions (datasheets and maps are presented in Appendix V):

ABS A0216	ABS A0216	ABS A0216
J Flores #10	J Flores #10	J Flores #10
0.25 Acres	1. Acres	44.75 Acres
-Homesite-	-Busn-	-Next to HSE-
Gillespie County	Gillespie County	Gillespie County
Stonewall, Texas	Stonewall, Texas	Stonewall, Texas

3.2 Site and Vicinity Characteristics

The site reconnaissance of the subject property occurred by Austin EnviroSolutions on May 26, 2021. At the time of the site reconnaissance, weather conditions were cloudy and mild with temperatures approximately 75° Fahrenheit. The site reconnaissance consisted of an inspection of the accessible areas on the subject property and a review of the adjacent properties accessible to the general public. Areas accessed at the subject property included interior and exterior areas of all habitable public structures along with the property boundaries. This Phase I ESA was based on the accessibility and evaluation of the data that was available at the time of this investigation.

The subject property was located on the northwest corner of US Highway 290 and Elberta Street. The surrounding adjacent properties consisted of a fruit stand, chocolatier, church, residential homes, vacant land and river. There was no evidence (vent pipes, fill pipes, or access ways indicating a fill pipe protruding from the ground) of any existing petroleum storage tanks (PST's) or aboveground storage tanks (AST's) observed on any of these adjacent properties.

3.3 Descriptions of Structures, Roads and Additional Site Improvements

The subject property consisted of the following permanent structures: 3,103 square foot two-story residential home; two barns (4,320 sq. ft and 4,200 sq. ft); 3,072 square foot shed; 4,741 square foot office/shop along with a ranch hand house. In addition, there was a corral, water well shed and metal storage sheds. A communication cable was observed parallel Ranch Road 1 on the north side of the property. While there was a septic system located near the home, there were no sumps, pits or lagoons observed on the subject property. A stock pond was located on the north side of the property along Salt Branch. A former dipping vat (2 ft. wide by 7 ft. long) for livestock was located on the north side of the property. Access to the subject property was solely provided via a short driveway off Elberta Street.

3.4 Current Uses of the Property

The subject property consisted of an unoccupied single-family residential home, vacant sprayer shop, storage warehouse and barns along with storage sheds, livestock corral, pasture and ranch hand house.

3.5 Past Uses of the Property

Austin EnviroSolutions used interviews, historical aerial photographs and city directories for past usage of the subject property. The subject property had been previously developed with raising livestock along with agricultural sprayer repair shop called John Bean Sprayer and a tack shop.

3.6 Current and Past Uses of Adjoining Properties

The review of aerial photographs indicated the area surrounding the subject site had been undeveloped until the 1970's based on interviews and photographs. The following adjacent properties surrounded the subject property at the time of the site reconnaissance on May 26, 2021:

- North – Pedernales River (across Ranch Road 1)
- South – Vacant Land and Chocolatier El Rey (across US Highway 290)
- East – Stonewall Historical Society Cabin and Burg's Corner Fruit Stand
- West – Residential Homes, Stonewall Baptist Church and Vacant Land

Since the general site gradient slopes north toward the Pedernales River, the chocolatier and vacant land were located upgradient from the subject property. There were no petroleum storage tanks observed on any of these adjacent properties.

The following businesses and tenants are currently or have previously occupied the surrounding properties.

- North – The Preserve, Shady Oaks Farms and Gillespie Air Services.
- South – Chocolates El Rey, Last Stand Texas, LM Easterling Custom Boats, Don & Estella Hill, Hill's Auction & Realty, Stonewall Storage and Don Hill Real Estate.
- East – Burg's Corner, Hill Country Harvest Inc, Wahl's Peaches, Lyndon B Johnson State Park & Historical Site and Meierstone Ranch.
- West – Los Casadores Hunting Store, Stonewall Motor Lodge, Cicada Cellars, Stonewall Elementary School, US Postal Service, Daifritz Weinhaus, Stonewall Baptist Church, St Francis Catholic Church, LBJ Texas White House, Jason & Rebecca Hennessey, Stonewall Motel, Sabrina Cook, Mark Fikes, Amy MacDonald, Affordable Concrete, Juanita and Juan Castaneda, Michael Bolton & Associates, Jamie Smith, Santos Zetino, Lindigs Restaurant & Bar, Juan Torres and Wayne & Dhela Griffith.

These names were businesses and residents located on US Highway 290, Ranch Road 1623 and Ranch Road 1. None of these surrounding properties appeared to have impacted the subject property.

3.7 Site Plan

Please refer to the Site Map located in Appendix I of this Phase I ESA.

4.0 RECORDS REVIEW

4.1 Standard Environmental Record Sources, Federal and State

The database report was provided by Banks Environmental Data Inc., a vendor of environmental and historic research of governmental environmental databases. The database report provided a list of properties identified within specified search radii from the subject property, an approximate distance and direction from the subject property and a map showing the properties approximate location. The search radii were specified by ASTM Standard E 1527-13, a guide for conducting Environmental Site Assessments. Some properties identified by the database company were not plotted due to inadequate address and geocoding information. While an attempt at verification was made with due diligence, Austin EnviroSolutions cannot guarantee the accuracy of the records search beyond that of the databases reviewed.

The subject property was not identified as a registered facility. There was one offsite facility identified within the respective search radii of the subject property (see list below). There were thirteen unlocated orphan sites listed in the database report. A copy of the database report is provided in database report is provided in Appendix V of this Phase I ESA.

4.1.1 Emergency Response Notification System (ERNS) List

The ERNS list is a national database used to collect information on reported releases of hazardous substances, including petroleum products. The subject property was not listed in the database report. There were no offsite facilities listed as an ERNS site within ¼-mile of the subject property.

4.1.2 Superfund Enterprise Manager System Archive Site Inventory (SEMSARCH) Sites

The Superfund Enterprise Management System Archive listing has replaced the CERCLIS NFRAP reporting system in 2015. This listing reflect sites that have been assessed and no further remediation is planned and is of no further interest under the Superfund program. The subject property was not listed as a SEMSARCH facility. There were no SEMSARCH facilities located within the ½-mile radius search of the subject property.

4.1.3 State Superfund (SF) Sites

The state Superfund program mission is to remediate abandoned or inactive sites within the state that pose an unacceptable risk to public health and safety or the environment, but which do not qualify for action under the federal Superfund program (NPL). As required by the Texas Solid Waste Disposal Act and Texas Health and Safety Code, the TCEQ identifies and evaluates these facilities for inclusion on the state Superfund registry. This registry includes any recent developments and the anticipated action for these sites. The subject property did not appear on the SF list. There were no State Superfund facilities located within the 1 mile radius search of the subject property.

4.1.4 Resource Conservation and Recovery Information System (RCIS) Notifiers List

The United States EPA RCRIS Notifiers list identifies facilities that generate, transport, treat, store or dispose of hazardous waste regulated under the Resource Conservation and Recovery Act. There were no facilities identified as a RCRIS-TSD (treatment storage or disposal) facility located within ½-mile or a RCRIS-CORRACTS (sites subject to corrective action) facility located within one mile of the

subject site. There were no offsite generators of waste located within ¼-mile of the subject property. The subject property did not appear in this program.

4.1.5 Resource Conservation and Recovery Act – Corrective Action Facilities (RCRAC) Sites

This database includes hazardous waste sites listed with corrective action activity in the RCRA system. The Corrective Action program requires owners or operators of RCRA facilities (or treatment, storage, and disposal facilities) to investigate and cleanup contamination in order to protect human health and the environment. The US EPA defines RCRA as the comprehensive information system which provides access to data supporting the Resource Conservation and Recovery Act (RCRA) of 1976 and the Hazardous and Solid Waste Amendments (HSWA) of 1984. The subject property was not listed in the database report. There were no generators of waste located within ¼-mile of the subject property.

4.1.6 Resource Conservation and Recovery Act – Subject to Corrective Action (RCRASUBC) Sites

The database includes hazardous waste sites which are potentially subject to correct action regardless of where they have correction action underway, plus any sites showing a corrective action event of FRI or beyond in the RCRAInfo System. Sites conducting corrective action under analogous state authorities are also included. RCRAInfo replaces the data recording and reporting abilities of the RCRIS and the Biennial Reporting System (BRS). The subject property did not appear in this program. There were no facilities listed in the RCRASUBC database report within ½-mile from the subject property.

4.1.7 Affected Property Assessment Reports (APAR)

Regulated by the TCEQ, an Affected Property Assessment Report (APAR) is required when a person is addressing a release of chemical of concern under 30 TAC Chapter 350, The Texas Risk Reduction Program. The purpose of the APAR is to document all relevant affected property information to identify all release sources and Chemical of concerns, determine the extent of all chemical of concerns, identify all transport/exposure pathways, and to determine if any response actions are necessary. The TACT Title 30 350.4(a) (1) defines affected property as the entire area (i.e. on-site and off-site; including all environmental media) which contains releases of chemical of concern at concentrations equal to or greater than the assessment level applicable for residential land use and groundwater classification. Not only was the subject property was not listed in the APAR database, but neither were any of the adjacent properties. There were no facilities listed in the APAR database report within ½-mile from the subject property.

4.1.8 CERCLIS Database

The Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS) database is a listing of known or suspected hazardous waste sites that have either been investigated, or are currently under investigation by the EPA for the release or suspected release of hazardous substances. The subject property did not appear in the program. There were no facilities listed in the CERCLIS database report within ½-mile from the subject property.

4.1.9 CERCLIS –Archive (CERC-AR) Sites

The Archive designation indicates the site has no further interest under the Federal Superfund Program based on available information. EPA may perform a minimal level of assessment work at a site while it is archived if site conditions change and/or new information becomes available. The Archive designation is removed and the site is returned to the CERCLIS inventory if more substantive assessment and/or any cleanup work is necessary under the Federal Superfund Program. The subject property did not appear on the CERC-AR database. There were no CERC-AR facilities located within ½-mile of the subject property.

4.1.10 National Priorities List (NPL)

The NPL identifies “superfund” sites that have had documented contamination incidents. It established funding to clean up the most serious uncontrolled or abandoned hazardous waste sites identified for possible long-term medial action. The subject property was not identified on the NPL database. There were no NPL facilities located within one mile of the subject site.

4.1.11 Integrated Compliance Information System (ICIS)

ICIS is a case activity tracking and management system for civil, judicial, and administrative federal EPA enforcement cases. ICIS contains information on federal administrative and federal judicial cases under the following environmental statutes: Clean Air Act, Clean Water Act, RCRA Act, Emergency Planning and Community Right-to-Know Act, Toxic Substances Control Act, Federal Insecticide, Fungicide, Rodenticide Act, CERCLA, Safe Drinking Water Act and the Marine Protection, Research and Sanctuaries Act. The subject property was not listed as an ICIS facility. There were no offsite facilities listed in the database report located within .02 miles radius of the subject property.

4.1.12 Integrated Compliance Information System National Pollutant Discharge Elimination System (ICISNPDES)

In 2006, the Integrated Compliance Information System (ICIS) – National Pollutant Discharge Elimination System (NPDES) became the NPDES national system of record for select states, tribes and territories. ICIS-NPDES is an information management system maintained by the US EPA Office of compliance to track permit compliance and enforcement status of facilities regulated by the NPDES under the clean Water Act. ICIS-NPDES is designed to support the NPDES program at the state, regional and national levels. The subject property was not listed as an ICIS-NPDES facility. There were no offsite facilities listed in the database report located within .02 miles radius of the property.

4.1.13 State/Tribal Lands

The United States Department of the Interior (DOI) and the Bureau of Indian Affairs (BIA) has a database of areas with boundaries established by treaty, statute, and (or) executive or court order, recognized by the Federal Government as territory in which American Indian tribes have primary governmental authority. The Indian Lands of the United States shows areas of 640 acres or more, administered by the BIA. Included are federally administered lands within a reservation which may or may not be considered part of the reservation.

4.1.13.1 State/Tribal Sites

The Texas Commission on Environmental Quality (TCEQ) Office of Permitting, Remediation and Registration, in the Remediation Division lists sites contained in the State Superfund Registry. The subject property did not appear in the program. There were no facilities listed as a Tribal Site within one mile of the subject property.

4.1.14 Leaking Petroleum Storage Tank (LPST) List

The TCEQ Office of Permitting, Remediation and Registration Waste Permits Division of the Petroleum Storage Tank Program identify sites having documented leaking underground petroleum storage tanks. The TCEQ LPST database identifies sites having documented soil and/or groundwater contamination. The subject property was not identified on the LPST database list. There were no offsite LPST facilities located within a ½-mile from the subject property.

4.1.15 Spills

The state TCEQ tracks reports of environmental emergencies, spills or air releases. The TCEQ is the states lead agency in responding to certain inland oil spills, all hazardous-substances spills, and spills of other substances that may cause pollution, as well as any releases of substances that may harm air quality. The subject property did not appear as a spill site. There have been no documented spills within a ¼-mile radius for the subject property.

4.1.16 Registered Petroleum Storage Tank (PST) List

The TCEQ Office of Permitting, Remediation and Registration Waste Permits Division of the Petroleum Storage Tank Program list all underground petroleum storage tanks. The subject property was not identified on the PST database list as a petroleum storage tank facility. There was one offsite facility listed in the database report within the ¼-mile radius from the subject property (see table below). This PST facility does not appear to have impacted the subject property based on the distance from the subject property along with the lack of reported releases from any of the underground storage tanks installed in 1984.

Facility	Location	Status
Garcia's Stonewall Café	14887 E US Hwy 290 (0.22 miles west)	Four PST's currently in use since January 1984.

4.1.17 Texas Landfill

All municipal solid waste facilities in Texas are classified according to the method of processing or disposal of municipal solid waste by TCEQ. Subject to the limitations, a Municipal Solid Waste Landfill (MSWLF) facility may also receive special wastes, including Class I industrial non-hazardous solid waste and hazardous waste from conditionally exempt small quantity generators, if properly handled and safeguarded in the landfill facility. The subject property did not appear in the landfill database report. There were no permitted facilities located within ½-mile of the subject property.

4.1.18 Waste Management Recycling Facilities (WMRF) Sites

This listing of recycling facilities is provided by the TCEQ Recycle Texas Online service. The company information provided in this database is self-reported. Since recyclers post their own

information, a facility or company appearing on the list does not imply that it is in compliance with TCEQ regulation or other applicable laws. There were no WMRF facilities listed in the database report located within ½-mile radius of the subject property.

4.1.19 Texas Unauthorized / Abandoned (U/A) Landfill Sites

This database is commissioned by TCEQ, Texas State University has researched abandoned landfills using both geographic information system (GIS) and remote sensing. The results of the research found 4,165 abandoned and permitted landfills. The closed landfill information has been provided to the local councils of government for their use regarding land development and future planning. The subject property did not appear on the U/A landfill database. There were no U/A landfills listed in the database within ½-mile search radius from the subject property.

4.1.20 Closed & Abandoned Landfill Inventory (CALF) Sites

The TCEQ, under a contract with Texas State University, and in cooperation with the 24 regional Council of Governments in the State, has located over 4,000 closed and abandoned municipal solid waste landfills throughout Texas. This listing contains “unauthorized sites”. Unauthorized sites have no permit and are considered abandoned. The information available for each site varies in detail. The subject property did not appear on the CALF database. There were no CALF landfills listed in the database within ½-mile of the subject property.

4.1.21 State Institutional/Engineering Control (SIEC) Sites

The Texas Risk Reduction Program (TRRP) requires the placement of institutional controls (e.g. deed notices or restrictive covenants) on affected property in different circumstances as part of completing a response action. In its simplest form, an institutional control (IC) is legal document that is recorded in the county deed records. Some instances local zoning or ordinances can serve as an IC. This listing may also include locations where Engineering Controls are in effect such as a cap, barrier, or other engineering device to prevent access, exposure or continued migration of contamination. The sites included on this list are regulated by various programs of the Texas Commission on Environmental Quality. The subject property did not appear in the program. There were no offsite facilities listed in the SIEC database report within the search radius from the subject property.

4.1.22 Texas Voluntary Cleanup Program (TX VCP) Sites

The VCP database contains pertinent information on all sites that are in the program. Created by House Bill 2296, The Texas VCP was established on September 1, 1995 to provide administrative, technical and legal incentives to encourage the cleanup of contaminated sites in Texas. Since future lenders and land owners receive protection from liability to the State of Texas for clean-up of sites under VCP, most of the constraints for completing real estate transactions at those sites are eliminated. After completion of the clean-up, the parties will receive a certificate of completion from TCEQ that states that all lenders and future landowners who are not responsible parties are released from all liability to the state for cleanup of areas covered by the certificate. The subject property was not listed in the VCP database report. There were no offsite facilities listed in the VCP database report within ½-mile from the subject property.

4.1.23 Texas Railroad Commission Voluntary Cleanup Program (RRC-VCP) Sites

The VCP program provides an incentive to remediate Oil & Gas pollution by participants as long as they did not cause or contribute to the contamination. Applicants to the program receive a release of liability to the state in exchange for a successful cleanup. The subject property did not appear in the program. There were no RRC-VCP facilities listed in the database report within ½-mile from the subject property.

4.1.24 Texas Submitted Well Information Sites

The submitted Driller's Report Database is populated from the online Texas Well Report Submission and Retrieval System which is a cooperative Texas Department of Licensing and Regulation (TDLR) and Texas Water Development Board (TWDB) application that registered water-well drillers use to submit their required reports. There were no monitor wells listed in the database report.

4.1.25 Texas Innocent Owner Protection (IOP) Sites

The TCEQ maintains a list containing Sites in the Innocent Owner/Operator Program (IOP). A certificate is provided to an innocent owner or operator if their property is contaminated as a result of a release or migration of contaminants from a source or sources not located on the property (not contributor to the source). IOP used as a redevelopment tool to contaminated property by providing an Innocent Owner/Operator Certificate (IOC). But unlike VCP release of liability, IOC's are not transferable to future owners/operators. The subject property did not appear in the IOP program. There were no IOP facilities listed in the database report within ½-mile from the subject property.

4.1.26 Texas Brownfield Sites

Both TCEQ and United States EPA maintain a list of all former industrial properties that lie dormant or underutilized due to liability associated with real or perceived contamination. Some sites are noted as having institutional controls placed on them. The Brownfields Site Assessment (BSA) program provides services such as Phase I & Phase II Environmental Site Assessment conducted during commercial real estate transactions for local governments and non-profit organizations. The scope of work can range from filling in data gaps to performing small scale VCP site investigations. The subject property was not listed as a Brownfield site. There were no Brownfield facilities listed in the database report within ½-mile from the subject property.

4.1.27 Brownfields Management System (BMS) Sites

Brownfield Management System is an analytical database designed to assist EPA in collecting, tracking and updating information as well as reporting on the major activities and accomplishments of various Brownfield Grant recipients on Brownfields properties assessed or cleaned-up with grant funding. The subject property was not listed as a BMS site. There were no facilities listed in the database as a BMS Site within the ½-mile radius from the subject property.

4.1.28 Texas Industrial Hazardous Waste (IHW) Sites

The TCEQ Office of Permitting, Remediation and Registration maintains a list containing Industrial Hazardous Waste Notice of Registration (IHW NOR) sites. Information contained in the database includes names and addresses of the permitted hazardous waste facilities in Texas. These sites include

hazardous waste transporters, receivers (including recyclers), generators and one time shippers into a database that tracks industrial and hazardous waste generation and management activities in the state of Texas. All these types of facilities receive a solid waste registration number. There were no offsite facilities IHW facilities located within ¼-mile from the subject property.

4.1.29 Texas Industrial Hazardous Waste Corrective Action (IHW-CA) Sites

The TCEQ Office of Permitting, Remediation and Registration maintain a list containing IHW facilities having had Corrective Action (CA) taking place on the property. The subject property did not appear in the IHW-CA database. There were no IHW-CA facilities listed in the database report located within ½-mile from the subject property.

4.1.30 Tier II Chemical Reporting Program Facilities (Tier II) Sites

The Texas Tier II Chemical Reporting Program in the Department of State Health Services (DSHS) is the State of Texas repository for EPCRA-required Emergency Planning Letters (EPLs), which are one-time notifications to the state from facilities that have certain extremely hazardous chemicals in specified amounts. The program is also the state of Texas repository for EPCRA/state-required hazardous chemical inventory reports called Texas Tier Two Reports. This data contains those facility reports for the 2005 through the 2009 calendar years. The subject property did not appear in the Tier II database. There were no facilities listed in the database report located within ½-mile radius of the subject property.

4.1.31 Texas Dry Cleaning Registration

State of Texas law requires all dry cleaning drop stations and processing facilities in Texas to register with the TCEQ and implement performance standards at their facilities. The law also requires distributors of dry cleaning solvents to collect fees on the sale of dry cleaning solvents at certain facilities. The subject property did not appear in the database list. There were no facilities listed in the dry cleaner database within a ¼-mile radius from the subject property.

4.1.32 Texas Water Development Board (TWDB) Located Wells

The Texas Water Development Board maintains a database of water wells that have physically been located statewide. This list is not inclusive of all water wells in the state. Of the 1,000,000 plus water wells drilled in Texas over the past 100 years, more than 130,000 have been inventoried and placed in the TWDB groundwater database. State water well numbers have been assigned to these based on their location within numbered 7½-minute quadrangles formed by lines of latitude and lines of longitude. There were no water wells mapped on the subject property. There were no water wells listed in the database report located within ¼-mile radius of the subject property.

4.1.33 Edwards Aquifer Permits

This database is maintained by TCEQ that contains Edwards Aquifer Permits. There were no facilities listed in the database report.

4.2 Physical Setting

4.2.1 Site Physiology

According to Geologic Atlas of Texas Llano Sheet (reprinted 1986), the subject property is underlain by lower cretaceous Hensell Sand (Kh) and Recent Alluvium (Qal). The Hensell sand formation consists of red and gray sand, silt, clay and conglomerate composed of Paleozoic and Precambrian parent material, with a thickness up to 200 feet. Recent Alluvium formation consists of tan to light gray sand, silt, clay and gravel with a maximum thickness of about 20 feet (see map presented in the Appendix of this report).

According to the Soil Survey of Gillespie County, Texas web soil survey sponsored by U.S. Department of Agriculture Soil Conservation Service (<http://websoilsurvey.nrcs.usda>), the subject property is underlain by the following surface soils: Hensley soils 1-3 percent slopes (HsB), Boerne and Oakalla soils channeled frequently flooded (Gr), Luckenbach clay loam 0-3 percent slopes (LuB), Pedernales fine sandy loam 1-3 percent slopes (PeB) and Pedernales fine sandy loam 3-5 percent slopes (PeC). The Hensley soils occur on plains. The surface soils consists of loam down 4 inches below ground, with clay down 18 inches below grade then bedrock located at 21 inches below ground surface. Underlying material consist of residuum weathered from limestone. These soils are typically well draining with moderately low to moderately high permeability and very low water capacity.

Boerne and Oakalla soils occur on stream terraces and flood plains. The surface soils consists of loam down 49 inches below ground with fine sandy loam down 60 inches below grade. Underlying material consist of alluvium derived from limestone. These soils are typically well draining with high permeability and moderate water capacity.

Luckenbach clay loam soils occur on hillslopes and stream terraces. The surface soils consists of clay loam down 18 inches below ground, with clay down 38 inches below grade clay loam down 80 inches below ground surface. Underlying material consist of calcareous loamy and clayey alluvium derived from limestone. These soils are typically well draining with moderately low to moderately high permeability and moderate water capacity.

Pedernales fine sandy loam 1-3 percent slope soils occur on hillslopes. The surface soils consist of fine sandy loam down 11 inches below ground, with sandy clay down 37 inches below grade then sandy clay loam down 80 inches below ground surface. Underlying material consist of calcareous loamy slope alluvium over residuum weathered from sandstone. These soils are typically well draining with moderately high permeability and moderate water capacity.

Pedernales fine sandy loam 3-5 percent slope soils occur on hillslopes. The surface soils consist of fine sandy loam down 11 inches below ground, with sandy clay down 37 inches below grade then sandy clay loam down 80 inches below ground surface. Underlying material consist of calcareous loamy slope alluvium over residuum weathered from sandstone. These soils are typically well draining with moderately high permeability and moderate water capacity. A map indicating the subject property in relation to the surface soils is presented in the Appendix V of this Phase I ESA.

4.2.2 Ground Water Resources

Shallow groundwater was anticipated to follow the ground elevation slope of the surface elevations towards the nearest body of surface water or intermittent stream. Based on the topographic map and the site reconnaissance, the estimated regional shallow groundwater flow direction is assumed to flow north toward the Pedernales River.

It should be noted that shallow groundwater flow direction is estimated based on review of published maps, surface topography, and site reconnaissance. Local conditions that may influence the subsurface hydrology would be local topography (hills and valleys), geologic anomalies, utilities, and nearby wells or sumps that would modify local groundwater flow direction.

4.3 Historical Use Information

4.3.1 Aerial Photograph Review

Aerial photographs dated 1938, 1953, 1963, 1973, 1983, 1995, 2004 and 2020 were reviewed to determine past uses of the subject property and adjoining properties. See table below for the evaluation of each photograph with respect to the subject property. Evaluation of the subject property and adjacent properties was limited by scale and clarity of each aerial photograph. Copies of these aerial photographs are presented in Appendix III of this Phase I ESA.

Table 4.1
Aerial Photographs

Date of Photograph	Direction	Discussion
1938	North	Pedernales River (across Ranch Road 1)
	South	Vacant Land & Pasture Land (across US Hwy 290)
	East	Vacant Land and Pasture Land (across Elberta St)
	West	Pasture Land and Vacant Land
1953	North	Pedernales River (across Ranch Road 1)
	South	Vacant Land & Pasture Land (across US Hwy 290)
	East	Vacant Land and Pasture Land (across Elberta St)
	West	Pasture Land and Vacant Land
1963	North	Pedernales River (across Ranch Road 1)
	South	Vacant Land & Pasture Land (across US Hwy 290)
	East	Structure (across Elberta St)
	West	Pasture Land and Vacant Land
1973	North	Pedernales River (across Ranch Road 1)
	South	Vacant Land & Pasture Land (across US Hwy 290)
	East	Structure (across Elberta St)
	West	Residential Homes and Vacant Land
1983	North	Pedernales River (across Ranch Road 1)
	South	Vacant Land (across US Hwy 290)
	East	Structure (across Elberta St)
	West	Residential Homes and Vacant Land

Table 4.1
Aerial Photographs (cont.)

Date of Photograph	Direction	Discussion
1995	North	Pedernales River (across Ranch Road 1)
	South	Structure and Vacant Land (across US Hwy 290)
	East	Structure (across Elberta St)
	West	Residential Homes, Church and Vacant Land
2004	North	Pedernales River (across Ranch Road 1)
	South	Structure and Vacant Land (across US Hwy 290)
	East	Structure (across Elberta St)
	West	Residential Homes, Church and Vacant Land
2020	North	Pedernales River (across Ranch Road 1)
	South	Structure and Vacant Land (across US Hwy 290)
	East	Structure (across Elberta St)
	West	Residential Homes, Church and Vacant Land

These photographs were obtained from the United States Geologic Survey (USGS), Aerial Media Service (AMS), United States Air Force (USAF), United States Department of Agriculture (USDA) and Agricultural Stabilization and Conservation Service (ASCS). The area around the property had been mostly farm land or vacant land in the initial 1938 aerial photograph along with Elberta Street. Structures were evident on the subject property in the 1953 aerial photograph. While US Highway 290 was observed in the 1963 aerial photograph, there were increasing number of sheds and barns on the property in the 1973 aerial photograph. Ranch Road 1623 was observed in the 1973 aerial photograph. There were no visible structures in these historical aerial photographs that were known to have environmentally impacted the subject property.

4.3.2 Title Record

A title search for the subject property was not included in the scope of work for this Phase I ESA nor was one provided for review by The Hay Legal Group PLLC.

4.3.3 Topographic Maps

United States Geologic Survey 7.5 minute topographic maps titled Stonewall, TX dated 1961, 2010 and 2019. There were structures mapped on the subject property in the 1961 topographic map. Outstanding features mapped surrounding the subject property were city of Stonewall, Lydon B Johnson State Park Dam, Burg Lake Aero Airport, Salt Branch Creek, US Highway 290, Ranch Road 1623, St Francis Xavier Church, Pedernales River, Stonewall Cemetery along with large tracts of undeveloped land. Copies of these topographic maps are presented in Appendix IV of this Phase I ESA.

The subject property was located approximately 1,458 ft. above mean sea level based on the USGS topographic map. The surface topography slopes north toward Pedernales River. Based on the lack of mapped facilities surrounding or upgradient from the subject property, there were no apparent impact from any mapped facility to the subject property.

4.3.4 Local Records

Federal Insurance Rate map (FIRM) No. 48171C0482C with map effective date October 19, 2001 and prepared for Gillespie County, Texas by the Federal Emergency Management Agency (FEMA), indicated the subject property is not only mapped in a non-flood hazard zone (Zone X), but also Zone AE that encompasses the north side of the subject property due to Salt Branch Creek and proximity to the river. Zone X are areas determined to be outside the 0.2% annual chance floodplain. It lies in an area of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.

Zone AE consists of areas subject to a one percent or greater annual chance of flooding in any given year. This zone consists of areas subject to a one percent or greater annual chance of flooding in any given year. In most instances, base flood elevations derived from detailed hydraulic analyses are shown at selected intervals within this zone. Mandatory flood insurance purchase requirements apply to this zone. The base flood elevation for the subject property was mapped at approximately 1,444 ft. above mean sea level. The map indicating the floodplain in relation to the subject property is presented in Appendix V of this Phase I ESA.

4.3.5 State Records

According to Texas Railroad Commission Oil & Gas Division website Railroad Commission of Texas website (<http://www.rrc.state.tx.us/data/online/gis/index.php#>) shows current oil production wells and gas pipelines throughout the state of Texas. A map indicating the subject property in relation to registered wells or pipelines indicated no gas transmission pipelines surrounding the property. This map is presented in Appendix V of this Phase I ESA.

4.4 Additional Record Sources

4.4.1 Stonewall Volunteer Fire Department Record Search

An open records request was submitted to the city of Stonewall concerning any response, spill, or environmental concerns originating from the subject property. Repeated requests via telephone to contact to the Stonewall Volunteer Fire Department. A response has yet been received by any department staff. If a response is received, it will be forwarded to the appropriate parties.

4.4.2 Site Interviews

Mark Prehn (Broker with CTESC.net) not only escorted Austin EnviroSolutions staff during the site reconnaissance, but was also interviewed concerning current aspects regarding the subject property. Mr. Prehn had no knowledge of any hazardous waste or unknown substances either used or stored on the subject property other than the fertilizers and fungicides/herbicides/insecticides mixed for the sprayers. Not only was he unaware of any calls made to the Stonewall Volunteer Fire Department concerning the subject property, he had no knowledge of liens, lawsuits or other environmental concerns involving the subject property. While he stated the John Bean shop closed in 2005, the residential home has been vacant for approximately two-three years.

Floyd Burg (son of initial property owner) not only escorted Austin EnviroSolutions staff during the site reconnaissance, but was also interviewed concerning current historical aspects regarding the

subject property. Mr. Burg stated there were bulk containers of fertilizers, pesticides, fungicides, herbicides and insecticides stored in the warehouse. The sprayers were repaired in the shop from 1947 – 2005. A tack shop shared the property from 1970-1980. He had no knowledge of liens, lawsuits or other environmental concerns involving the subject property. Mr. Burg stated the unlabeled containers observed in the barn consisted of dormant oil.

Mr. Burg stated that Joe Handly (though actually name was Joel) was the husband of Mr. Burg's daughter that occupied the home for a few years. He stated the warehouse stored bulk containers of fertilizers and sprayer materials for orchards and livestock. His father made him repackaged spilled bags of materials for resale. There was a former diesel aboveground storage tank located west of the shop (removed in prior to 2005). Frederick Burg (Property Ownership) indicated no environmental concerns or inflated market value of the property as stated in the owner questionnaire presented in Appendix V.

4.4.3 Fire Insurance Maps

Fire Insurance Maps were created for use by companies offering fire insurance policies. These maps indicate types of construction materials of a structure, land use, and other property improvements (such as the location of fuel storage tanks). The maps, originally published in the 1930's and updated periodically through the 1960's, were examined at the Perry-Castaneda Map Collection Library located on the University of Texas at Austin, Austin, Texas campus. However, the lack of access to fire insurance maps due to university closure because of Covid-19 prevented inspection of these maps.

Therefore, Fire Insurance Maps were provided by Banks Environmental Data Inc. to verify the past occupants of the subject property and surrounding properties. No Fire Insurance Maps depicting the target property were identified. The data sheets are presented in Appendix V.

4.4.4 Historical City Directories

Both Cole City Directories and Polk City Directories along with reports provided by Banks Environmental Data Inc LP to were examined to verify the type of businesses or tenants that may have occupied the subject property since records were recorded. The records were looked up for each new tenant that has occupied the address at 131 Elberta Street and 141 Elberta Street in Stonewall, Texas. The ownership and/or use of the specific property listed in the directory were to be used to help identify the likelihood of past uses that may lead to possible environmental conditions in the connection with the subject property. This list is inclusive of all tenants who have at one time occupied the subject property per city directories.

1997 – No Listing

2001 – No Listing

2005 – Simon J. Burg Company

2010 – Anita & Simon Burg

2015 – Joe Handly

2020 – No Listing

These names may not be a complete listing of all tenants or residents that have at one time occupied the subject property. Joe Handly was the husband of Burg's daughter. Since these previous tenants were not known to have engaged in fuel storage or the handling or storage of hazardous waste, none of these prior tenants appeared to be considered a *historical recognized environmental condition* with respect to the subject property.

4.4.5 Texas Parks and Wildlife Rare Species

Texas Parks and Wildlife in the state of Texas manages and conserves the natural and cultural resources of Texas. They provide hunting, fishing and outdoor recreation opportunities for the use and enjoyment by the general public. They also provide lists that contain information for rare and endangered species that may be located in the state of Texas (list presented in Appendix V of this Phase I ESA). This data is not inclusive, though, as it represents species that could potentially be in the project area. This information cannot be substituted for on-the-ground-surveys.

The surrounding property has been developed at least since the 1970's due to the location along a busy state highway. Thus, there has been human activity surrounding the property for several decades. Therefore, the existence of rare or endangered species on the subject property was highly unlikely due to the proximity of human encroachment surrounding the subject property and the lack of desirable habitat (densely wooded areas). Texas Parks & Wildlife Annotated Gillespie County Lists of Rare Species is presented in the Appendix V of this Phase I ESA.

4.4.6 Vapor Migration

Though not contracted to perform a vapor encroachment screen in accordance with E2600 published by ASTM, Austin EnviroSolutions reviewed appropriate data on the subject property and any adjacent property to determine if potential vapor-phase migration concerns may be present which could impact the subject property. The first check in the screening process is a search distance test to identify if there are any known or suspected contaminated sites with volatile or semi-volatile hazardous chemicals of concern in the area of concern. If there are none, no further action is required.

An evaluation was performed on the potential for a vapor encroachment conditions that may exist on the subject property. Vapors follow path of least resistance (i.e. utilities, karst terrain, building HVAC, etc...). Permeable soils are needed for vapor migration, thus Hensley soils, Boerne and Oakalla soils, Luckenbach clay loam soils, Pedernales fine sandy loam soils are typically well draining with moderately low to moderately high permeability and very low water capacity. Thus, these to a certain degree impermeable soils inhibit vapor migration like hydraulic physical barriers (i.e. rivers or perched freshwater lens).

There were no known or suspect contaminated sites in the immediate surrounding area having leaking volatile or semi-volatile hazardous chemicals of concern. Based on review of available resources (regulatory databases, files of facilities that have documented releases and historical records), there appeared no on-site or regulated offsite facilities that have been determined which suggest that a vapor-phase migration concern currently exists at the subject property.

4.4.7 Previous Report Review

Austin EnviroSolutions was not provided with any previous investigations regarding the subject property prior to completing this environmental assessment.

5.0 INFORMATION FROM SITE RECONNAISSANCE AND INTERVIEWS

5.1 Hazardous Substances In Connection with Identified Uses

There were no hazardous substances in connection with identified uses present on the subject property at the time the site reconnaissance. There has been documentation presented to Austin EnviroSolutions that hazardous substances have been stored on the subject property when used as the sprayer repair shop and warehouse. Since bulk amounts of fertilizers, fungicides, herbicides and insecticides were stored and distributed inside the warehouse, it was considered a *recognized environmental condition* with respect to the subject property.

5.2 Hazardous Waste and Unidentified Substance Containers

While there were no hazardous waste in connection with identified uses present on the subject property at the time the site reconnaissance, there were unidentified containers observed in the barn (possible dormant oil). Thus, these containers were considered a *recognized environmental condition* with respect to the subject property.

5.3 Storage Tanks

According to the TCEQ PST database reviewed, there were no registered PST's or AST's located on the subject property. A septic system was indicated to be located on the north side of the unoccupied home. Due to the former presence of a diesel aboveground storage tank located west of the shop, it is considered a *recognized environmental condition* with respect to the subject property.

5.4 Indications of Polychlorinated Biphenyls (PCBs)

There were three pole-mounted electric transformers observed on the property. There were no leaks or stains evident surrounding the utility poles or the metal housing of any of the three transformers. Thus, PCB contamination was not considered an environmental concern regarding the transformer located on the subject property.

5.5 Solid Waste

There was debris evident on the subject property at the time of the site reconnaissance. This debris (primarily inside the barn, office and open shed) consisted of drums, containers (possible dormant oil), automotive parts, abandoned tires, oil filters, wood pallets, wood, hose, appliances, plywood, ranch supplies/equipment, boat, wood paneling, molding, windows and screens, outdoor furniture, office furniture, shelves, plastic containers, along with typical roadside paper, plastic and glass bottles and cans. This debris did not appear to have impacted the underlying soils or groundwater. Therefore, there was no solid waste observed that was considered an environmental concern to the subject property.

5.6 Data Gaps

Data gaps are defined as "a lack of or inability to obtain information required by this standard despite good faith efforts by on the part of the EP to gather such information." Data Gaps may result from incompleteness in any the activities required by this practice, including, but not limited to site reconnaissance (e.g. an inability to conduct the site visit) and interview (e.g. an inability to interview

the key site manager, regulatory officials, uncooperative owner, etc..).” Data gaps arise from three conditions: limitations, deviations and data failures. Limitations may consist of visual obstruction, accessibility of the property or logistics beyond the EP control. An example of a deviation could be a different search radius distance than those stated by the standard (modified search radius). An example of data failure may be the lack of tenant interviews due to confidentiality agreements or lack of historical research.

A *data gap* by itself is not inherently significant. A *data gap* is only significant if other information and/or professional experience raises reasonable concerns involving the importance of the *data gap*. A data gap was not encountered during this Phase I ESA.

5.7 Other Considerations: Non Scope ASTM 1527-13

This assessment did not consider any non-scope additional considerations as indicated in Section 13.1.5 per ASTM E 1527-13. These non-scope substances may be present on the subject property or adjacent properties that may lead to contamination included in CERCLA’s definition of hazardous substances, though they are beyond the scope of this investigation.

6.0 FINDINGS AND OPINIONS

Based on the available information, site review and data collected on the site as noted herein, the following is an evaluation for the subject property located at 131 Elberta Street in Stonewall, Gillespie County, Texas:

- The subject property consisted of an unoccupied single-family residential home, vacant sprayer shop, storage warehouse and barns along with storage sheds, corral, pasture and vacant ranch hand house at the time of the site reconnaissance on May 26, 2021.
- Historical aerial photographs, interviews and historical city directories indicated the subject property had been previously developed with raising livestock along with agricultural sprayer repair shop called John Bean Sprayer and a tack shop.
- The adjacent properties consisted of a fruit stand, chocolatier, church, residential homes, vacant land and river. Since none of these current facilities appeared to have environmentally impacted the subject property, there were no environmental concerns regarding these surrounding properties.
- The former chemical warehouse, former livestock dipping vat, unidentified containers and former aboveground storage tank site were considered to be a *recognized environmental condition* associated with the subject property.
- A review of current regulatory databases supplied by Banks Environmental Data Inc. did not identify the subject property as a registered facility. There was one offsite facility identified in the database report that was within the search radius from the subject property. This facility does not appear to have environmentally impacted the subject property based on the lack of documented spills or releases from any underground storage tank.

7.0 CONCLUSIONS

Austin EnviroSolutions performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Practice E 1527-13 on the subject property located at 131 Elberta Street in Stonewall, Gillespie County, Texas. Any exceptions to, or deletions from, this practice are described in Section 2.3 of this report.

This assessment has revealed no evidence of *recognized environmental conditions*, *historical recognized environmental conditions* or *controlled recognized environmental conditions* in connection with the property except for the following: former chemical warehouse, former livestock dipping vat, unidentified containers and former storage tank site. There were no adjacent properties that appeared to have environmentally impacted the subject property. While there was no evidence hazardous waste located on the subject property, there were unidentified containers identified on the property. Though there were no obnoxious or foul odors, pools of liquid or any stressed vegetation located on the property, there were stained soils observed on the property. Therefore, further due diligence is necessary at this time.

REFERENCES

Aerial Photographs, Gillespie County dated 1938, 1953, 1963, 1973, 1983, 1995, 2004 and 2020.

United States Geologic Survey 7.5 minute topographic maps titled Stonewall, TX dated 1961, 2010 and 2019.

Soil Survey of by the United States Department of Agriculture, Soil Conservation Service, website <http://websoilsurvey.nrcs.usda.gov/app/>.

Geologic Atlas of Texas Llano Sheet (reprinted 1986), The University of Texas at Austin Bureau of Economic Geology, Austin, Texas, W. L. Fisher, Director.

Banks Environmental Data Inc. Database Report, for the subject site located in Stonewall, Texas, according to the requirements of ASTM 1527-2013 date May 17, 2021.

Texas Parks and Wildlife Gillespie County Special Species Listing, dated July 17, 2019.

Federal Insurance Rate Maps (FIRM) No. 48171C0482C with map effective date October 19, 2001 and prepared for Gillespie County, and prepared by FEMA.

Site interview with Mark Prehn, Broker with CTESC.net, May 26, 2021.

Site interview with Floyd Burg, Property Ownership, May 26, 2021.

Records request submitted to the City of Stonewall Volunteer Fire Department, June 8, 2021.

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<http://www.rrc.state.tx.us/data/online/gis/index.php#>.

Fema Flood Map <http://store.msc.fema.gov>.

Gillespie County Appraisal District website <http://www.gillespiecad.com/>.

Texas Parks and Wildlife Department, Endangered Species website,
(<http://www.tpwd.state.tx.us/huntwild/wild/species/endang/index.phtml>).

Coles City Directory and Criss Cross City Directory, Banks Environmental Data Report, June 1, 2021.

Historical Fire Insurance Map Research, Banks Environmental Data Report, May 17, 2021.

APPENDIX

I

SITE MAP

(not to scale)

North RR 1623

Pedernales River



Home



Water Well



Rest Area

Home



Former
Dipping
Vat



Pasture

Ranch Road 1

Home

Home

Goat
Barn

Corral

Historical
Home



Pole-Mounted
Transformers

Stonewall
Baptist
Church

Containers



Barn

Warehouse

Debris



Home



Burg's
Corner
Fruit
Stand

Vacant
Land

Ranch
Hand
House



Oil Drum

Shop

Home

Shed

Shed

US Highway 290



Vacant
Land

Chocolate El
Rey

S RR 1623

Vacant
Land

II

SITE PHOTOGRAPHS



Subject property located at 131 Elberta Street.



Viewing east along US Highway 290.



Viewing west along US Highway 290.



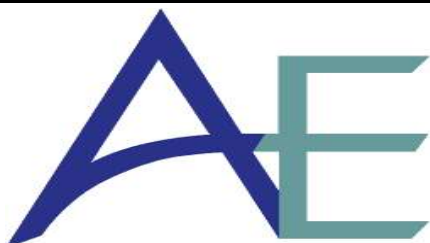
Viewing south along FM 1623.



Sign located at street intersection.



Broker sign located on south side of the property.



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K. Duran

Project No.
2561

Date:
May 26, 2021

Appendix II



05/26/2021

South adjacent property consisted of vacant land.



05/26/2021

South adj. property consisted of Chocolates El Rey.



05/26/2021

Salt Branch Creek crossing Ranch Road 1.



05/26/2021

Rest area north across Ranch Road 1.



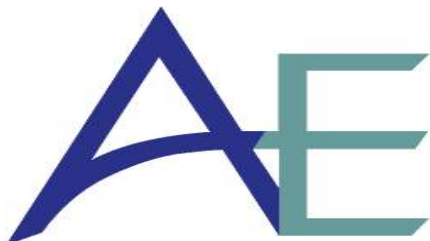
05/26/2021

North adj. property consisted of Pedernales River.



05/26/2021

Viewing east along Ranch Road 1.



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Viewing west along Ranch Road 1.



East adj. property was Stonewall historical society.



East adj. property was Burg's Corner fruit stand.



West adj. property consisted of residential homes.



West adjacent property consisted vacant land.



Viewing west along north property fence line.



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Viewing east along north property fence line.



Telephone cable warning post located on north side.



Former livestock dipping vat located north on property



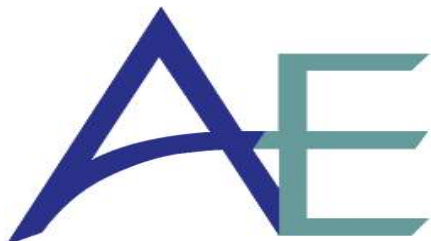
Pasture land located on north side of property.



Electric transformer located on north side of property.



Viewing south Elberta Street.



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Livestock pond located on north side of property.



Former well & shed located on the NW corner of site.



View of south side of property from Elberta Street.



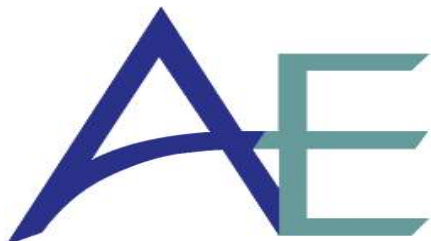
Driveway to home and buildings via Elberta Street.



Mailbox of former occupant.



Parking area and canopy observed on the property.



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Front entrance into home under the metal canopy.



View of west side of the home.



view of den inside the vacant home.



View of kitchen inside the vacant home.



View of wash room in the laundry room.



One of several bedrooms inside the vacant home.



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Former sprayer shop located west of home.



John Bean Sprayers former occupant inside shop.



Interior view of John Bean Sprayers office.



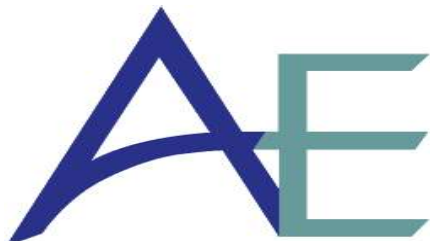
Staff kitchen observed inside the vacant shop.



Warehouse observed inside the vacant shop.



Stained concrete inside the vacant shop.



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Vacant warehouse located inside the shop.



55-gallon drums observed on west side of shop.



Staining beneath 55-gallon drum.



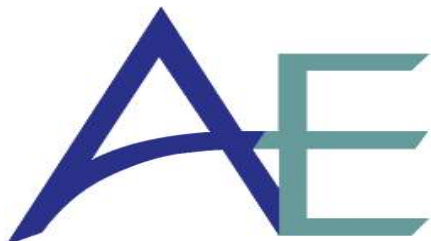
View of west side of vacant shop.



Empty drums located west of vacant shop.



Storage shed located south of sprayer shop.



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Appendix II



Livestock crossing located west of vacant shop.



Electric transformers observed near feed lot corral.



Storage shed observed on west side of property.



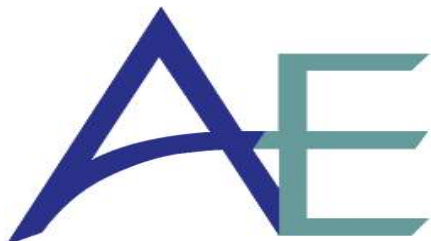
Former diesel AST site located on west side of shop.



Ranch hands house located on west side of property.



View beneath overhead shed located west of home.



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Boat and debris observed beneath overhead shed.



Former occupant sign observed in shed.



Dormant oil containers stored inside shed.



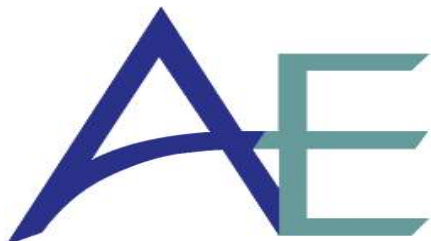
View of east side of chemical warehouse.



View of east side of warehouse.



Interior view former chemical storage warehouse.



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Scale observed inside the warehouse.



Former shelves and displays inside the warehouse.



View inside the former chemical warehouse.



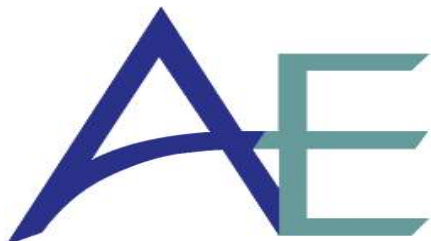
View of north side of the warehouse.



View of livestock corral and feed lot.



Livestock pens observed in corral.



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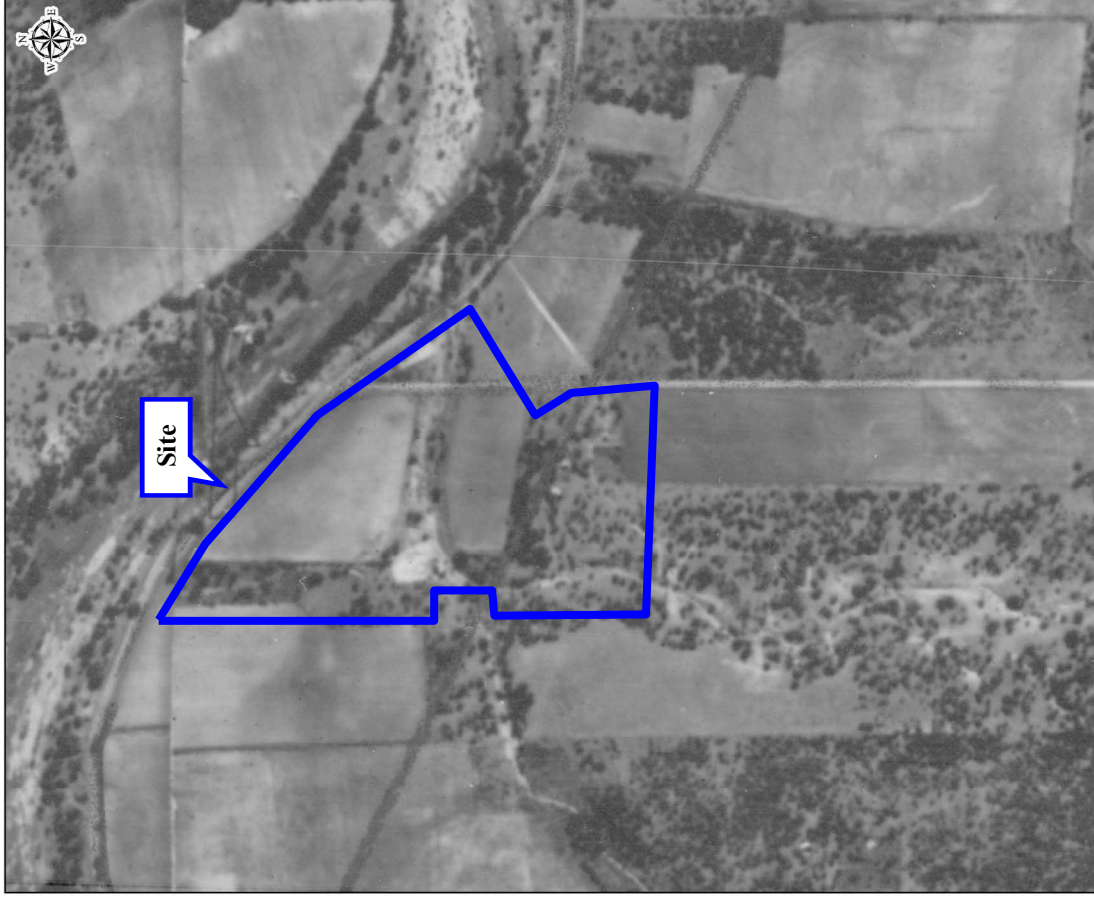
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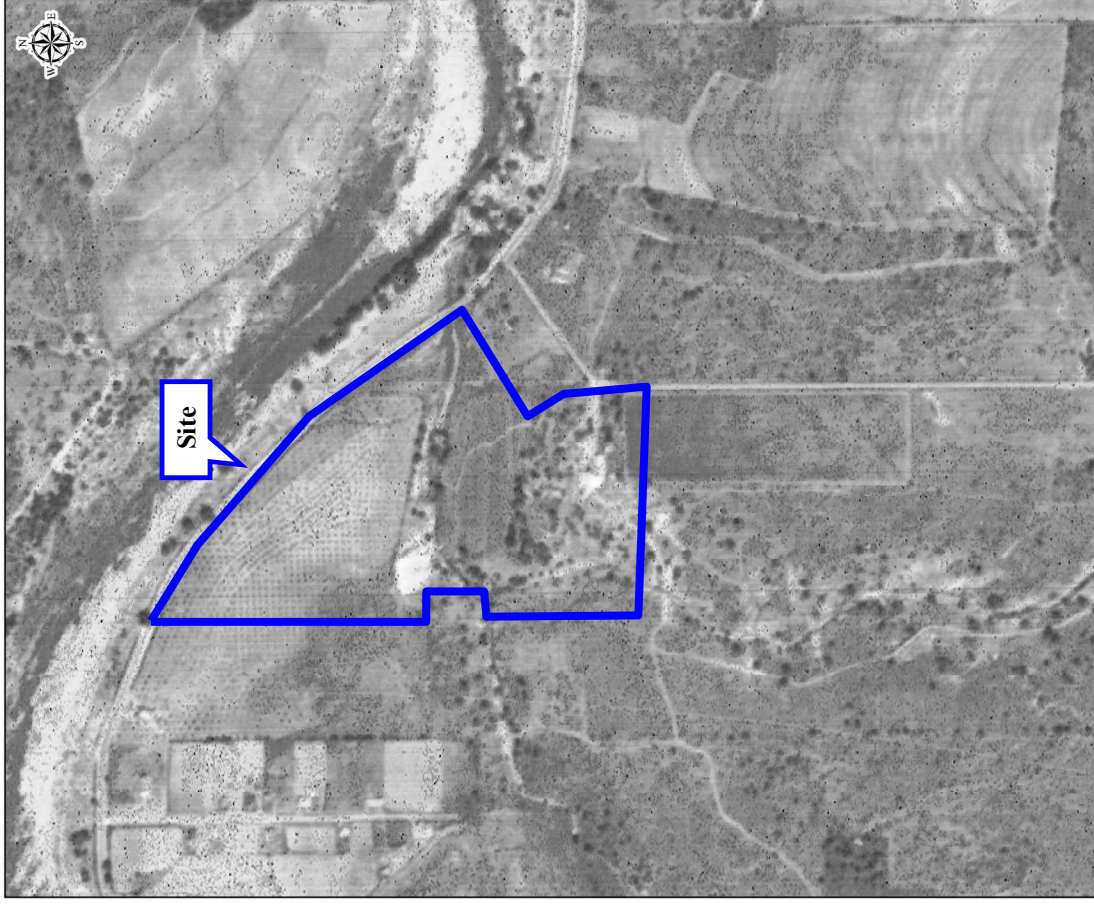
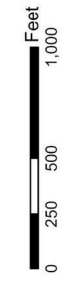
Appendix II

III

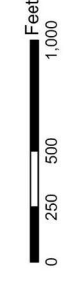
AERIAL PHOTOGRAPHS

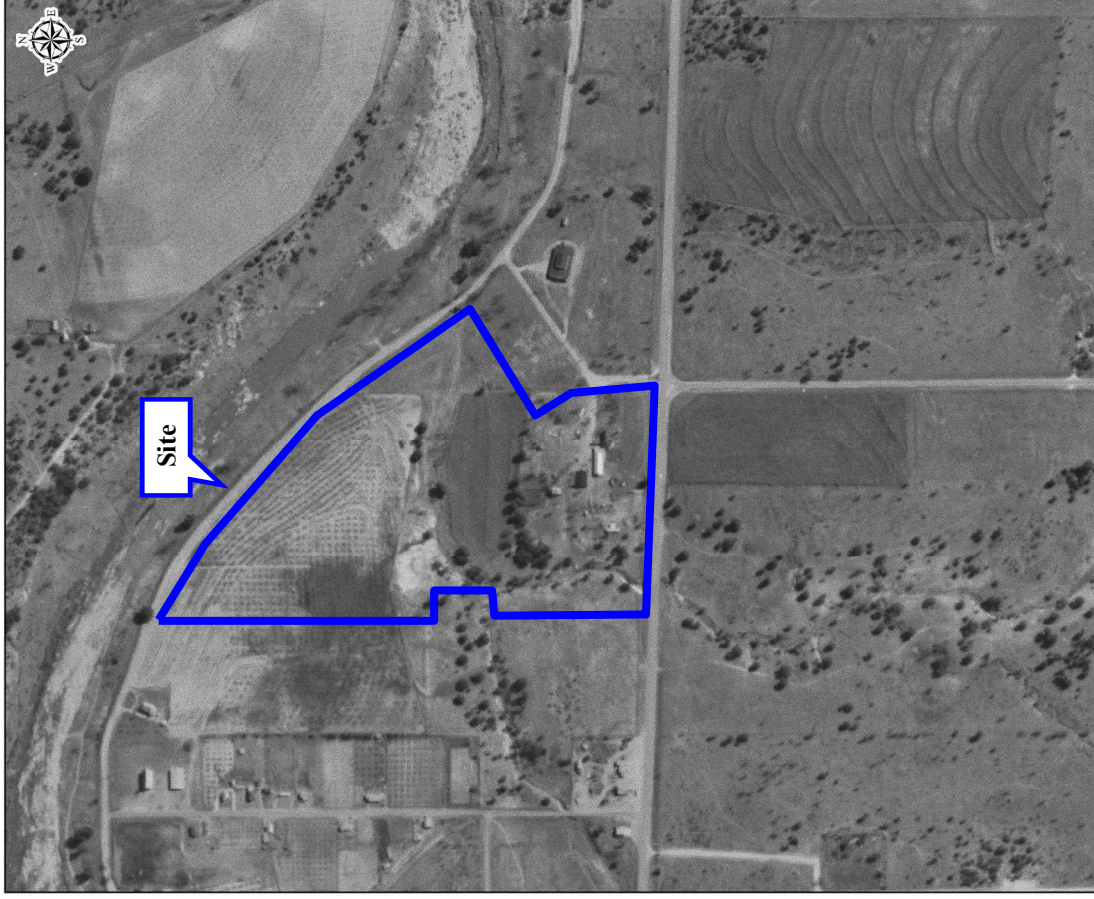


Date: 1938
Source: ASCS

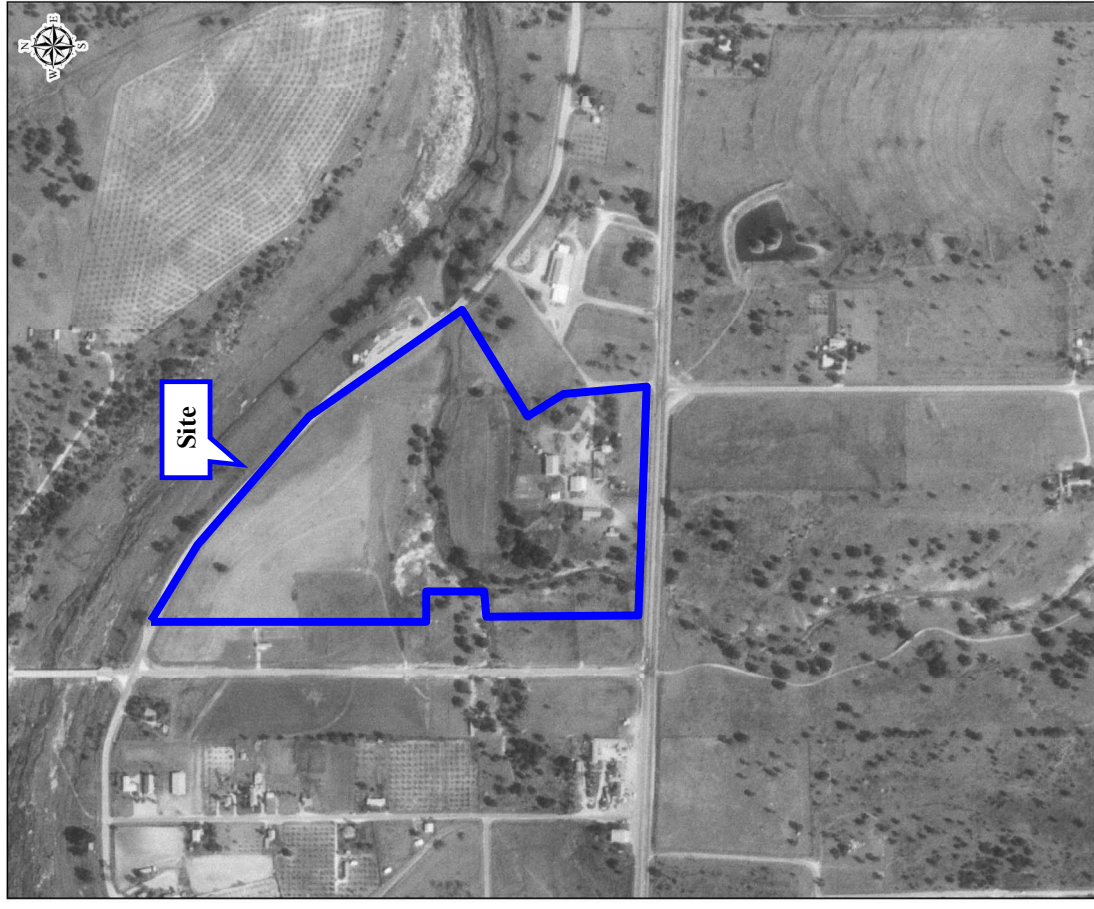


Date: 1953
Source: AMS

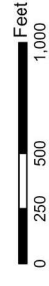




Date: 1963
Source: USGS

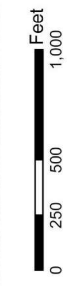


Date: 1973
Source: USAF





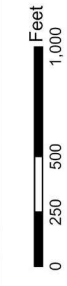
Date: 1983
Source: USGS



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Date: 1995
Source: USGS



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