

DESCRIPTION OF A 69.257-ACRE TRACT  
OF LAND OUT OF THE J.G. McNEEL  
SURVEY, A-335, BRAZORIA COUNTY, TEXAS

Being a tract of land containing 69.257 acres out of the J.G. McNeel Survey, Brazoria County, Texas. Said 69.257-acre tract also being part of a called 113.4531-acre tract of land as conveyed to Phillips Petroleum Company by deed recorded in Volume (84)65, Page 285 of the Official Records of Brazoria County, Brazoria County, Texas, and also being the same tract as shown on a survey drawing by Joe A. Word, Jr. with Baker & Lawson Consulting Engineers dated March 16, 1978 and being the same tract as shown as a 89.998-acre tract on Phillips Petroleum Company Drawing # 1-220-362-D dated December 12, 1994. Said 69.257-acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8-inch iron rod found at the intersection of the southeast right-of-way line of County Road 723 (80 feet wide) with the southwest right-of-way line of F.M. Road 1495 (150 feet wide), being a northeast corner of said 113.4531-acre tract and a northeast corner of said tract herein described;

THENCE South 28 deg. 18 min. 47 sec. East with the southwest right-of-way line of said F.M. Road 1495 and a northeast line of said 113.4531-acre tract, a distance of 153.96 feet to a Texas Highway Department concrete monument found for an interior corner of said tract herein described;

THENCE North 61 deg. 41 min. 13 sec. East with the southeast right-of-way line of said F.M. Road 1495 and a northwest line of said 113.4531-acre tract, a distance of 35.00 feet to a 5/8-inch iron rod found for a northeast corner of said tract herein described, located in the southwest right-of-way line of County Road 750 (80 feet wide);

THENCE South 28 deg. 18 min. 47 sec. East with the southwest right-of-way line of said County Road 750 and with a northeast line of said 113.4531-acre tract, a distance of 1600.90 feet to the southeast corner of said tract herein described;

THENCE South 63 deg. 21 min. 12 sec. West leaving said County Road 750 southwest right-of-way line with a southeast line of said tract herein described, a distance of 437.14 feet to an angle point;

THENCE South 84 deg. 07 min. 15 sec. West with the south line of said tract herein described, a distance of 496.72 feet to an angle point;

THENCE South 57 deg. 48 min. 43 sec. West with a southeast line of said tract herein described, a distance of 1022.47 feet to the southwest corner of said tract herein described. located in the southwest line of said 113.4531-acre tract;

THENCE North 33 deg. 00 min. 29 sec. West with the southwest line of said 113.4531-acre tract, a distance of 1204.87 feet to a northwest corner of said tract herein described;

THENCE North 57 deg. 29 min. 08 sec. East leaving the southwest line of said 113.4531-acre tract with a northwest line of said tract herein described, a distance of 296.78 feet to an interior corner of said tract herein described;

THENCE North 31 deg. 56 min. 11 sec. West with a southwest line of said tract herein described, a distance of 289.47 feet to a northwest corner of said tract herein described, located in the southeast right-of-way line of said County Road 723;

BRAZORIA Co. SKETCH FILE 59

Counter 15397

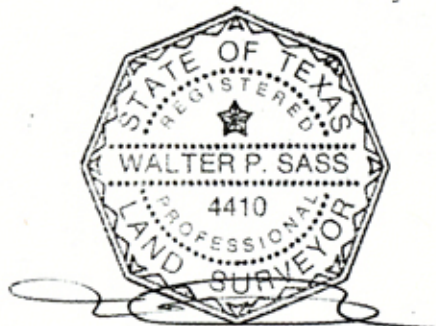
THENCE North 59 deg. 31 min. 16 sec. East with the southeast right-of-way line of said County Road 723 and a northwest line of said 113.4531-acre tract, a distance of 326.15 feet to a 5/8-inch iron rod in concrete found for an angle point;

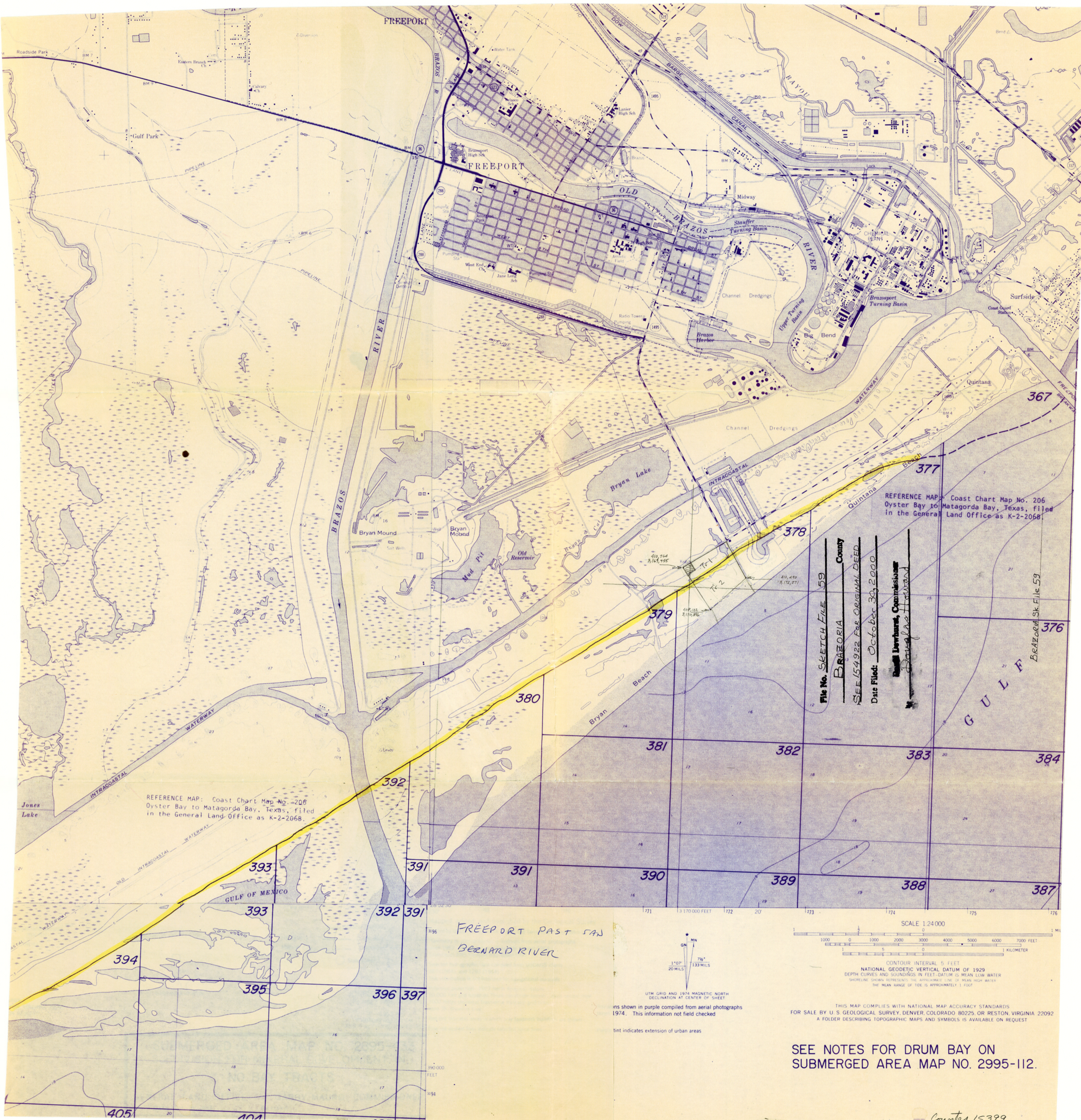
THENCE North 57 deg. 37 min. 04 sec. East with the southeast right-of-way line of said County Road 723 and a northwest line of said 113.4531-acre tract, a distance of 1379.71 feet to the POINT OF BEGINNING and containing 69.257 acres of land.

Compiled By:

WEISSER ENGINEERING COMPANY  
17171 Park Row, Suite #100  
Houston, Texas 7084

Job No. 399-253  
02/10/95



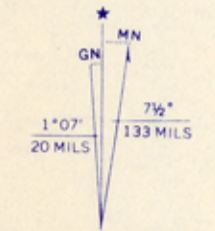


REFERENCE MAP: Coast Chart Map No. 206  
Oyster Bay to Matagorda Bay, Texas, filed  
in the General Land Office as K-2-2068.

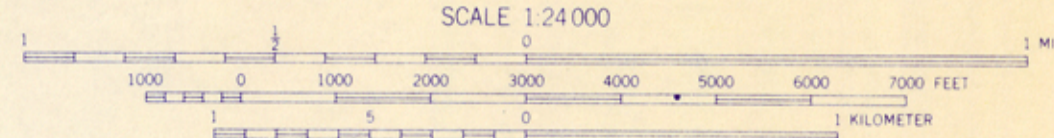
REFERENCE MAP: Coast Chart Map No. 206  
Oyster Bay to Matagorda Bay, Texas, filed  
in the General Land Office as K-2-2068.

File No. SKETCH FILE 59  
County BRAZORIA  
SEE 154922 FOR ORIGINAL DEED  
Date Filed: OCTOBER 30, 2000  
Brazoria Survey Commission  
Douglas Howard

FREEPORT PAST SAN  
BERNARD RIVER



Contours shown in purple compiled from aerial photographs  
1974. This information not field checked  
Purple tint indicates extension of urban areas

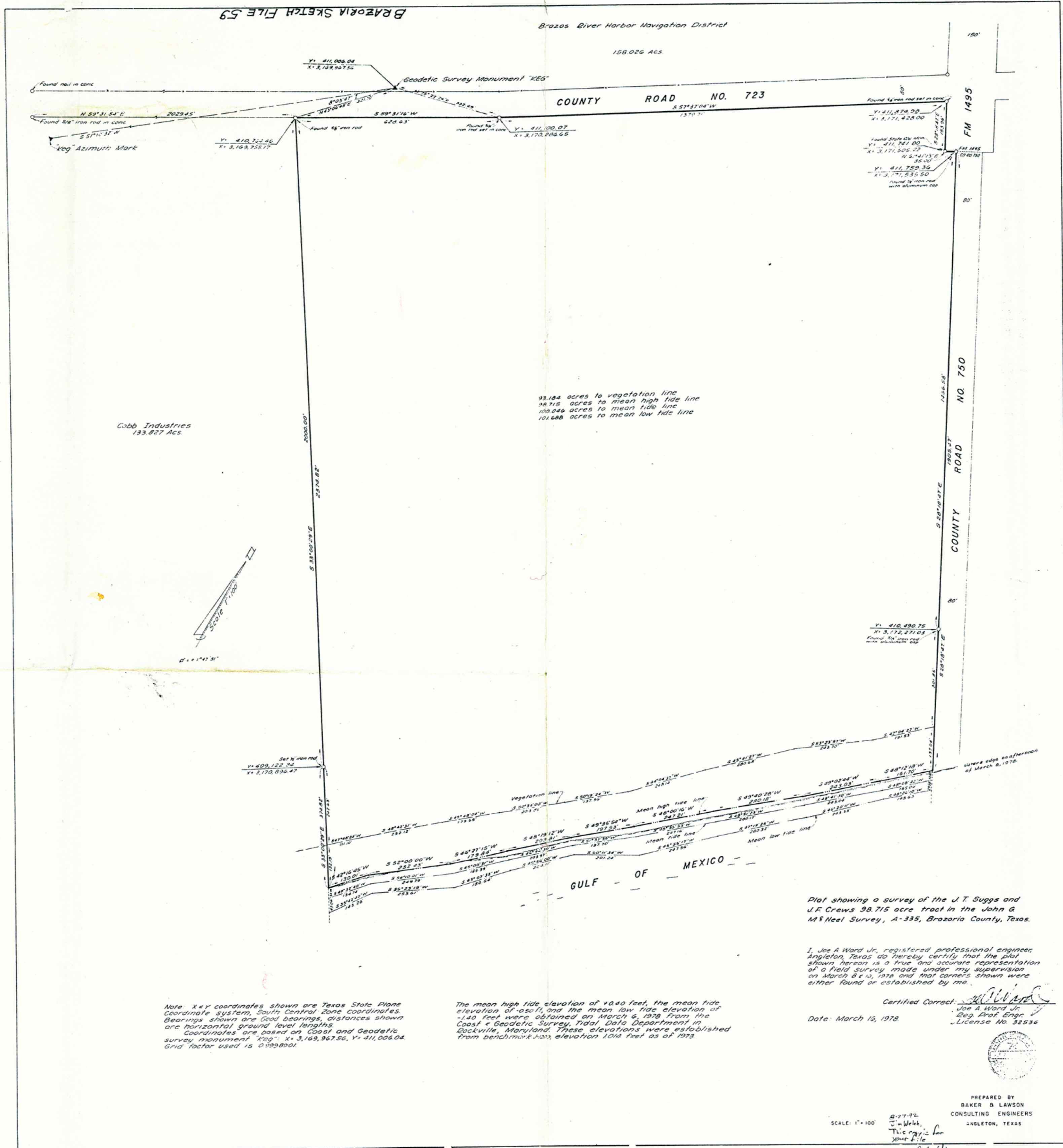


CONTOUR INTERVAL 5 FEET  
NATIONAL GEODETIC VERTICAL DATUM OF 1929  
DEPTH CURVES AND SOUNDINGS IN FEET. DATUM IS MEAN LOW WATER  
SHORELINE SHOWS EXTENT OF THE APPROXIMATE LINE OF MEAN HIGH WATER  
THE MEAN RANGE OF TIDE IS APPROXIMATELY 1 FOOT

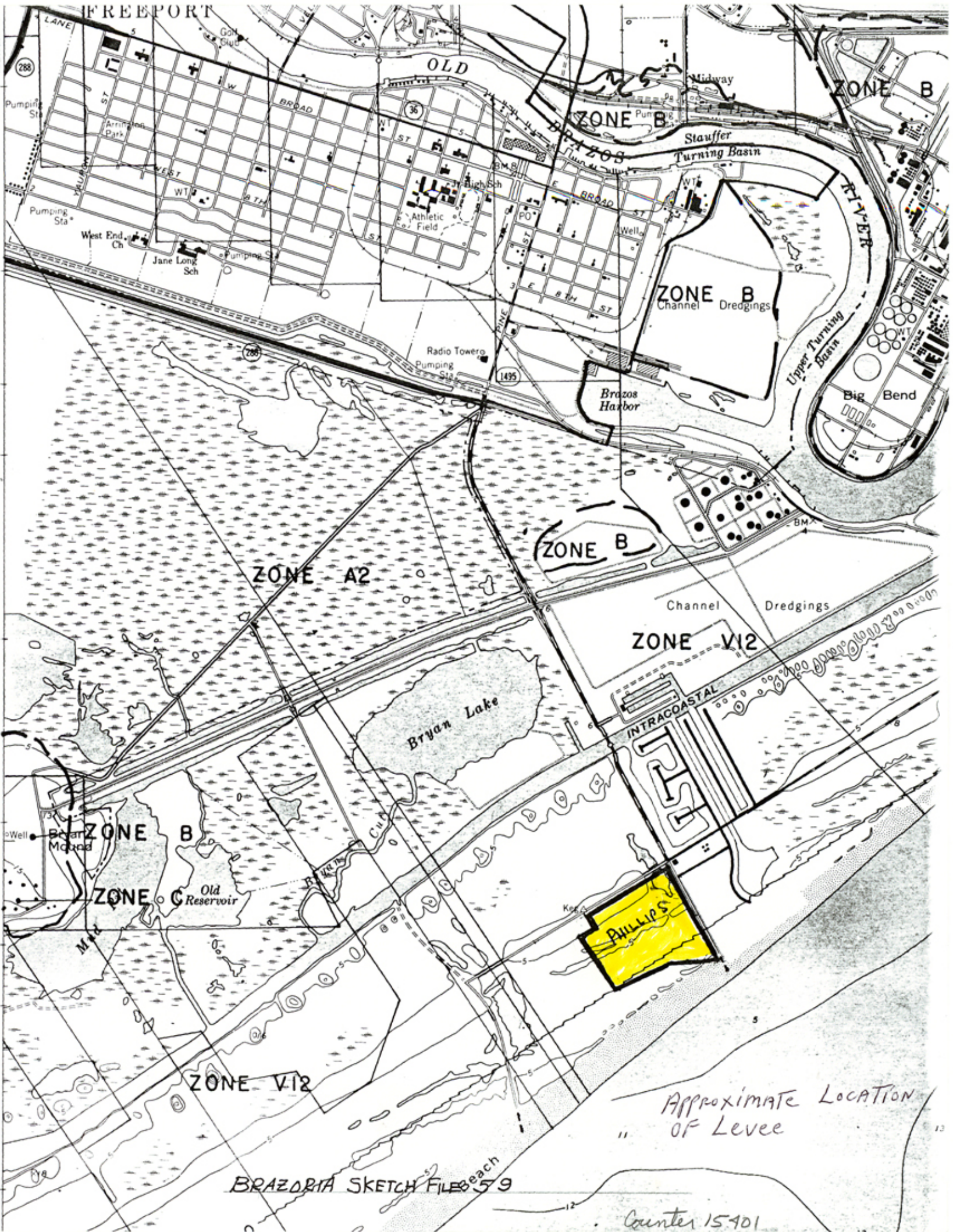
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS  
FOR SALE BY U.S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092  
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

SEE NOTES FOR DRUM BAY ON  
SUBMERGED AREA MAP NO. 2995-112.

S-16-1378



Counter 15400



4/21/95

Ms Bell - The Line between Tracts 1 and 2 has never been defined on the ground in such a manner that it can be described, your suggestion of an illustration map appears to be the only solution. ~~#~~

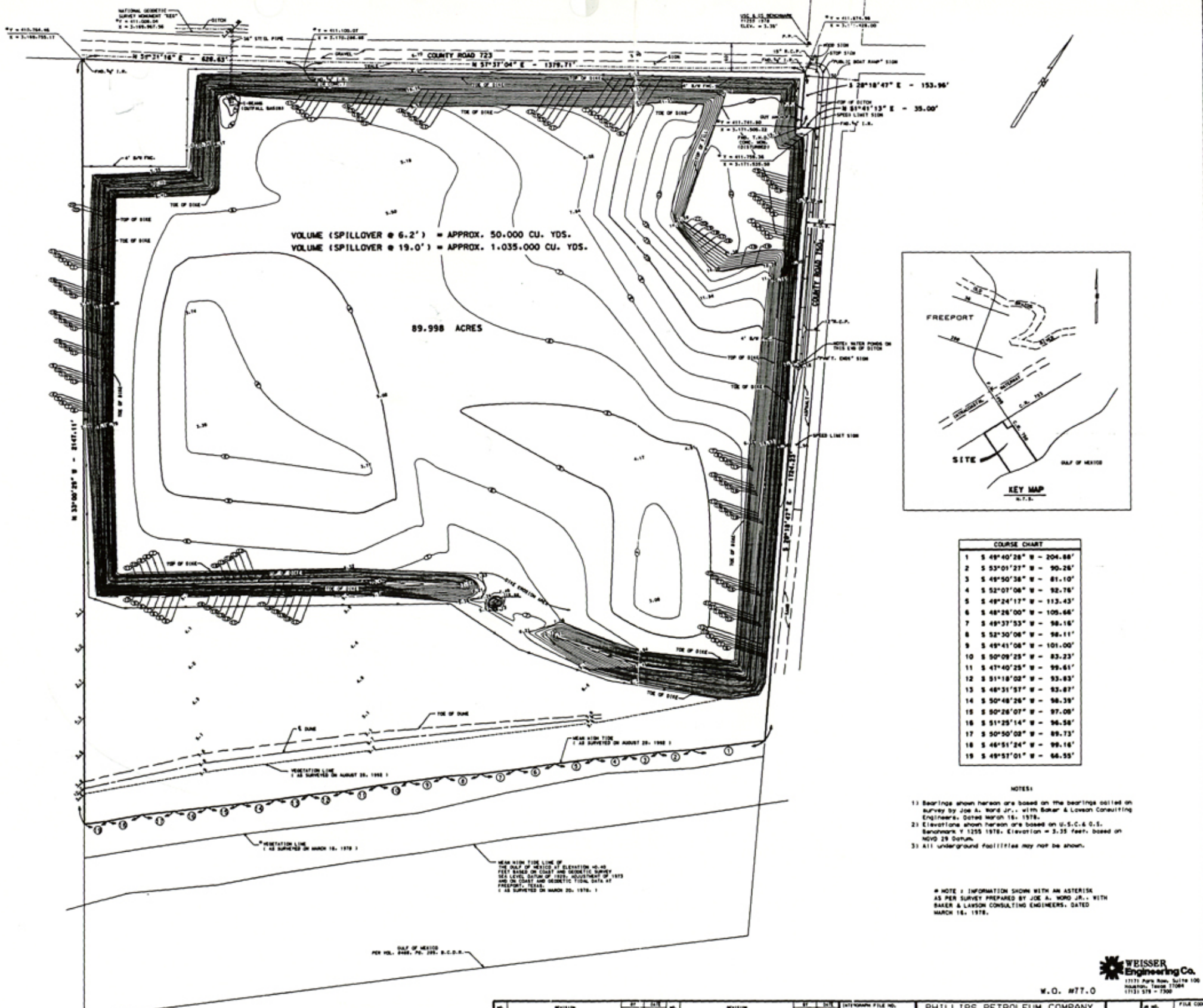
No! I would like to reference the Warranty Deed from Seaway into Phillips for the exceptions to apply to Tract 1.

Attached are copies of instruments for your review. I will call you during the day Monday while in Austin to discuss this further. Thanks for your help.

Tom W. Welch

cc - (1) fill only  
(2) need day's figures for log entry

BRAZORIA SKETCH FILE 59



NO.	REVISION	BY	DATE	NO.	REVISION	BY	DATE	INTERIM FILE NO.	PHILLIPS PETROLEUM COMPANY	AS NO.	FILE CODE
								PH253400-20	MOBILE, ALABAMA	NO.	SCALE
									SURVEY OF AN 89.998 ACRE TRACT IN THE	1-228-362-0	1 OF 1
									J.O. MOHEIL SURVEY, ABSTRACT NO. 535-		
									BRAZORIA COUNTY, TEXAS		

Counter 15403

WEISSER Engineering Co.  
 17171 Park Row, Suite 100  
 Houston, Texas 77064  
 713/519-7500

W.O. #77.0

leases/leasehold  
miscellaneous/Deed EXA  
Phillips/EXA

method for recording every in the nature of the above-mentioned property  
located within the State of Texas  
together with all and  
single and double, the same being referred to as  
and Grants do hereby state  
themselves, their heirs, executors, administrators, assigns, and assigns forever  
GIVEN AND SIGNED the said premises into the said Grantor, his successors  
and assigns, and every person claiming or to claim the same or any part thereof  
in and to the same in any way whatsoever, in and to the same in any way whatsoever

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared  
T. STEVENS, known to me to be the person whose name is subscribed to the  
going instrument, and acknowledged to me that he executed the same for the  
purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of  
December, 1978

JAMES F. STEVENS  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared  
T. STEVENS, known to me to be the person whose name is subscribed to the  
going instrument, and acknowledged to me that he executed the same for the  
purposes and consideration therein expressed.

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purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of  
December, 1978

JAMES F. STEVENS  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS

FILED FOR RECORD  
DEC 7 1978  
H. R. STEVENS, JR.  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

BEFORE ME, the undersigned authority, on this day personally appeared  
T. STEVENS, known to me to be the person whose name is subscribed to the  
going instrument, and acknowledged to me that he executed the same for the  
purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this 12th day of  
December, 1978

JAMES F. STEVENS  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS



Approx. 3/4 of  
this tract is  
claimed by State.

1544

See School File For Original Deed

THE STATE OF TEXAS )  
COUNTY OF BRAZORIA )

KNOW ALL MEN BY THESE PRESENTS:

THAT J. P. Bryan, W. Joel Bryan, Opal L. Bryan, of the County of Brazoria, State of Texas, and Gretchen Chandler, of the County of Harris, State of Texas, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, and other good and valuable consideration to me in hand paid by Sharon Equipment Company, have Granted, Sold, and Conveyed, and by these presents do Grant, Sell, and Convey unto the said Sharon Equipment Company, of the County of Brazoria, State of Texas, the following described land, less and except a 1/12th royalty interest in all oil, gas, and sulphur and other minerals produced from said land as follows:

Said land being a part of a tract of land out of the J. G. McNeel Survey, Abstract No. 335, Brazoria County, Texas, described as follows:

Beginning at an iron pipe set in concrete on the southerly right-of-way line of County Road No. 723, said beginning point located S 28°-16'-50" E 2001.21 ft. from the most easterly corner of a tract belonging to the State of Texas;

Thence S 28°-16'-50" E 154.00 ft. to a concrete right-of-way monument for a corner;

Thence N 61°-43'-10" E 35.00 ft. for a corner;

Thence S 28°-16'-50" E 2274.11 ft., more or less, to the water's edge of the Gulf of Mexico for a corner;

Thence in a southwesterly direction along the water's edge of the said Gulf of Mexico to the most easterly corner of a 17.23 acre tract;

Thence N 32°-58'-49" W along the northeasterly line of said 17.23 acre tract at a distance of 2693.97 ft., more or less, to the southeasterly right-of-way line of County Road No. 723 for a corner;

Thence N 59°-32'-55" E 628.86 ft. for a corner;

Thence N 57°-38'-55" E 1379.66 ft. to the place of beginning, containing 113.583 acres of land, more or less.

This conveyance is made subject to:

The grantors herein reserves a 1/12th non-participating royalty interest in and to the above described land.

Any and all easements for road purposes, whether evidenced by writing or whether acquired by user, prescription or limitation.

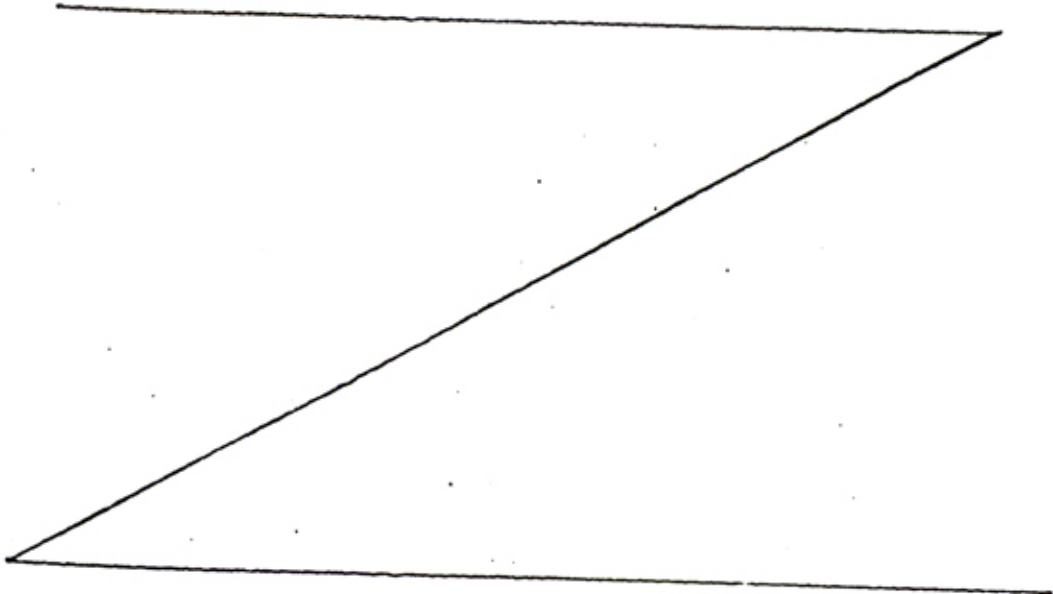
12 JAN 1968

BRAZORIA SKETCH FILE 59

Counter 15404

D E E D  
VOL 992 PAGE 497

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, its successors and assigns forever and we do hereby bind ourselves, our heirs, executors and administrators, to Warrant and Forever Defend, all and singular the said premises unto the said Sharon Equipment Company, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same, or any part thereof.



WITNESS our hands this 12 day of January, 1968.

J. P. Bryan  
J. P. BRYAN

W. Joel Bryan  
W. JOEL BRYAN

Opal L. Bryan  
OPAL L. BRYAN

Gretchen Chandler  
GRETCHEN CHANDLER

THE STATE OF TEXAS )  
COUNTY OF BRAZORIA )

BEFORE ME, the undersigned authority, on this day personally appeared J. P. BRYAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this the 12 day of January, A. D. 1968.

*Scott Phaal*

Notary Public in and for Brazoria County, Texas

THE STATE OF TEXAS )  
COUNTY OF BRAZORIA )

BEFORE ME, the undersigned authority, on this day personally appeared W. JOEL BRYAN and OPAL L. BRYAN, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and consideration therein expressed, and the said OPAL L. BRYAN, wife of W. JOEL BRYAN, having been examined by me privily and apart from her husband and having the same fully explained to her by me, she, the said OPAL L. BRYAN, acknowledged such instrument to be her act and deed, and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

GIVEN under my hand and seal of office, this the 12 day of January, A. D. 1968.

*Scott Phaal*

Notary Public in and for Brazoria County, Texas

THE STATE OF TEXAS )  
COUNTY OF HARRIS )

BEFORE ME, the undersigned authority, on this day personally appeared GRETCHEN CHANDLER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office this the 10 day of January, A. D. 1968.

*J. H. Br...*  
Notary Public in and for Harris County, Texas

Filed for Record at 1:35 o'clock P. M.  
Jan 30 1968 H. R. Stevens, Jr.,  
Clerk County Court, Brazoria County,  
Texas - By *Sword* Deputy

JAN 30 1968 129466 0 0 0 11:30 A.M.

38927

DEED

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

§  
§ KNOW ALL MEN BY THESE PRESENTS:  
§

THAT J. T. SUGGS, not joined herein by his wife as this constitutes no part of their homestead, and JAMES F. CREWS, not joined herein by his wife as this constitutes no part of their homestead, both of the County of Brazoria, State of Texas, hereinafter called Grantors, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable consideration to Grantors, in hand paid by SEAWAY PIPELINE, INC., a Delaware corporation with an office in Bartlesville, Oklahoma, hereinafter called Grantee, the receipt and sufficiency of which is hereby acknowledged, have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto Grantee the following described real property in Brazoria County, Texas, together with all improvements thereon and all rights, privileges and appurtenances thereto, to-wit:

113.4531 acres of land, more or less, out of the J. G. McNeel Survey, Abstract No. 335 in Brazoria County, Texas, and being described as follows:

BEGINNING at a 3/4" iron rod set in concrete in the southeast right-of-way line of County Road No. 723 and the southwest right-of-way line of State Highway No. F.M. 1495;

THENCE South 30° 23' 19" East 154.0 feet with the southwest right-of-way line of said Highway No. F.M. 1495 to a concrete right-of-way monument for a corner;

THENCE North 59° 36' 41" East 35.0 feet to a 5/8" iron rod with aluminum cap set in the southwest line of an 80-foot County Road;

THENCE South 30° 23' 19" East with the southwest line of said County Road, at 1466.5 feet a 5/8" iron rod with aluminum cap, at 2274.11 feet, in all, to the Gulf of Mexico for corner;

THENCE in a southwesterly direction with the Gulf of Mexico 1857.89 feet to a point for corner;

THENCE North 35° 05' 08" West, at 536.06 feet to a 5/8" iron rod with aluminum cap, at 2693.97 feet, in all, to a 3/4" iron rod in the southeast right-of-way line of said County Road No. 723;

THENCE North 57° 26' 37" East 628.85 feet with the southeast right-of-way line of said County Road No. 723 to a 3/4" iron rod set in concrete;

THENCE North 55° 32' 30" East 1379.61 feet with the southeast right-of-way line of said County Road No. 723 to the PLACE OF BEGINNING, containing 113.4531 acres of land, more or less.

All bearings are based on TEXAS PLANE COORDINATE SYSTEM, South Central Zone through triangulation Station "KEG" 1934, Grid Azimuth of + 1° 47' 31".

28 Aug 1979

BRAZORIA SKETCH FILE 59

Counter 15407

TAXES for 1978 and prior years have been paid by Grantors, and Grantee hereby assumes the payment of all ad valorem taxes on said property for the year 1979 and for all subsequent years.

THIS CONVEYANCE IS MADE and accepted subject to the following matters, to the extent same are in effect at this time:

- ~~1.~~ Visible and apparent roadways, easements and rights-of-way as they may appear on the ground and which a correct survey would show.
2. One-twelfth (1/12th) non-participating royalty interest as reserved in Volume 992, Page 496, Deed Records of Brazoria County, Texas.
3. Oil, gas and mineral lease dated January 19, 1977, recorded in Volume 1340, Page 701, Deed Records of Brazoria County, Texas, to Carolina Gas Exploration Company.

FURTHER, THIS CONVEYANCE IS MADE subject to any titles or rights asserted by anyone, including but not limited to persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays; gulfs, or oceans, or to any land extending from the line of mean low tide to the line of vegetation, or to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or to filled in lands, or artificial islands or to riparian rights, or the rights or interests of the State of Texas, or the public generally in the area extending from the line of mean low tide to the line of vegetation or their right of access thereto or right of easement along and across the same.

FURTHER, GRANTORS RESERVE to themselves, their heirs and assigns, all of the oil, gas and other minerals in and under and that may be produced from the above-described real property, provided, however, that Grantors, their heirs, assigns and lessees shall not have the right to enter upon the surface of the above-described property except within the boundaries of a single drill site containing two acres of land in the form of a square out of the most westerly corner of the above-described land, said two-acre drill site being adjacent to the south right-of-way line of County Road 723. All surface operations conducted by Grantors, their heirs, assigns and lessees in connection with the extraction or production of oil, gas and other minerals shall be conducted and performed upon said drill site; however, it is understood that the Grantors retain full and complete title to the oil, gas and other minerals and the right to produce the same by directional wells, unitization or any other

method not requiring entry on the surface of the above-described property located outside the drill site provided herein.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, its successors and assigns, forever; and Grantors do hereby bind themselves, their heirs, executors and administrators to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

EXECUTED this the 13<sup>TH</sup> day of NOVEMBER, 1978.

J. T. SUGGS  
J. T. SUGGS  
James F. Crews  
JAMES F. CREWS

THE STATE OF TEXAS §  
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, on this day personally appeared J. T. SUGGS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 13 day of November, 1978.

JANICE K. HIGH  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS  
MY COMMISSION EXPIRES 10-31-80

Janice K. High  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS

THE STATE OF TEXAS §  
COUNTY OF BRAZORIA §

BEFORE ME, the undersigned authority, on this day personally appeared JAMES F. CREWS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 13 day of November, 1978.

JANICE K. HIGH  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS  
MY COMMISSION EXPIRES 10-31-80

Janice K. High  
NOTARY PUBLIC IN AND FOR  
BRAZORIA COUNTY, TEXAS

FILED FOR RECORD  
AT 2:53 O'CLOCK P M

DEC 7 1978

H. R. STEVENS, JR.  
CLERK COUNTY COURT, BRAZORIA CO., TEXAS  
BY [Signature] DEPUTY

THE STATE OF TEXAS  
COUNTY OF BRAZORIA

I, H. R. Stevens, Jr., Clerk of the County Court in and for Brazoria County, Texas, do hereby certify that this instrument was FILED FOR RECORD and RECORDED in the volume and page of the named record and at the time and date as stamped hereon by me.



[Signature]  
Clerk of Brazoria Co. Tex

31323

RELEASE OF OIL, GAS AND MINERAL LEASE

STATE OF TEXAS X

COUNTY OF BRAZORIA X

The undersigned owners of that certain Oil, Gas and Mineral Lease identified hereinbelow do hereby release, relinquish and forever quitclaim all of their right, title and interest therein and the leasehold estate created thereby, said lease affecting lands located in Brazoria County, Texas and being identified as follows, to wit:

Oil, Gas and Mineral Lease dated January 19, 1977 by and between J. T. Suggs et al and Carolina Gas Exploration Company recorded in Volume 1340, Page 701 of the Deed Records of Brazoria County, Texas.

IN WITNESS WHEREOF, this instrument is executed on this 28th day of August, 1979.

WITNESSES:

L. J. Owens  
Terry A Sullivan

CAROLINA GAS EXPLORATION COMPANY

Ronald C. Jackson  
Ronald C. Jackson  
Vice President - Land

TRANSCONTINENTAL OIL CORPORATION

Cathy Conlin  
Cheryl L. Offutt

George W. Head  
George W. Head

STATE OF LOUISIANA I

PARISH OF ORLEANS I

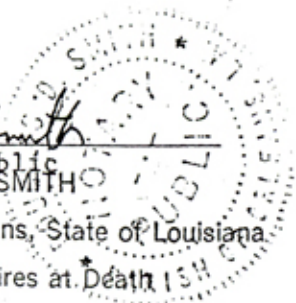
On this 28th day of August, 1979 before me personally appeared RONALD C. JACKSON, to me personally known, who being by me duly sworn did say that the foregoing instrument was signed on behalf of said corporation by authority of its Board of Directors; and the said RONALD C. JACKSON acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my official hand and seal on the date hereinabove written.

Douglas D. Smith  
Notary Public  
DOUGLAS D. SMITH

Notary Public, Parish of Orleans, State of Louisiana

My Commission Expires at Death



\*\*\*\*\*

STATE OF LOUISIANA I

PARISH OF CADDO I

On this 31<sup>st</sup> day of August, 1979, before me appeared George W. Head to me personally known, who, being by me duly sworn, did say that he is the Vice President of Transcontinental Oil Corporation, a Delaware Corporation, and acknowledged to me that he executed the same as the act and deed of said corporation, for the purposes and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 31<sup>st</sup> day of August, 1979.

James S. Hancock  
Notary Public

JAMES S. HANCOCK  
NOTARY PUBLIC  
CADDO PARISH, LA.

FILED FOR RECORD  
AT 8:15 O'CLOCK A.M.

OCT 17 1979

H. R. STEVENS, JR.  
CLERK COUNTY COURT, BRAZORIA CO., TEXAS  
BY Helen Willis DEPUTY

THE STATE OF TEXAS  
COUNTY OF BRAZORIA  
I, H. R. STEVENS, JR., Clerk of the County Court, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the County Court.

Counter 15411



84 65 285

Approx. 3/4 of  
this tract claimed  
by State.

40182  
BRAZORIA COUNTY, TEXAS

WARRANTY DEED

THIS INDENTURE, made this 24th day of October, 1984,  
between SEAWAY PIPELINE, INC., a Delaware corporation with its  
principal place of business in Washington County, State of  
Oklahoma, Grantor, and PHILLIPS PETROLEUM COMPANY, a Delaware  
corporation, Grantee.

WITNESSETH, That Grantor, in consideration of the sum of Ten  
Dollars (\$10.00) and other good and valuable consideration, the  
receipt whereof is hereby acknowledged, does hereby grant,  
bargain, sell and convey unto the Grantee the following described  
property situated in the County of Brazoria, State of Texas,  
to-wit:

113.4531 acres of land, more or less, out of the  
J. G. McNeel Survey, Abstract No. 335 in Brazoria County,  
Texas, and being described as follows:

BEGINNING at a 3/4" iron rod set in concrete in the  
southeast right-of-way line of County Road No. 723 and the  
southwest right-of-way line of State Highway No. F.M. 1495;

THENCE South 30° 23' 19" East 154.0 feet with the southwest  
right-of-way line of said Highway No. F.M. 1495 to a  
concrete right-of-way monument for a corner;

THENCE North 59° 36' 41" East 35.0 feet to a 5/8" iron rod  
with aluminum cap set in the southwest line of an 80 foot  
County Road;

THENCE South 30° 23' 19" East with the southwest line of  
said County Road, at 1,466.5 feet a 5/8" iron rod with  
aluminum cap, at 2,274.11 feet, in all, to the Gulf of  
Mexico for corner;

THENCE in a Southwesterly direction with the Gulf of Mexico  
1,857.89 feet to a point for corner;

THENCE North 35° 05' 08" West, at 536.06 feet to a 5/8" iron  
rod with aluminum cap, at 2,693.97 feet, in all, to a 3/4"  
iron rod in the southeast right-of-way line of said County  
Road No. 723.

THENCE North 57° 26' 37" East 628.85 feet with the southeast  
right-of-way line of said County Road No. 723 to a 3/4" iron  
rod set in concrete;

THENCE North 55° 32' 30" East 1,379.61 feet with the  
southeast right-of-way line of said County Road No. 723 to  
the PLACE OF BEGINNING, containing 113.4531 acres of land,  
more or less.

All bearings are based on TEXAS PLANE COORDINATE SYSTEM,  
South Central Zone through triangulation Station "KEG" 1934,  
Grid Azimuth of + 1 47' 31".

24 Oct 1984

BRAZORIA SKETCH FILE 59

Counter 15412

Fee 2477

THIS CONVEYANCE IS MADE and accepted subject to the following matters, to the extent same are in effect at this time:

1. Visible and apparent roadways, easements and rights-of-way as they may appear on the ground and which a correct survey would show.
2. One-twelfth (1/12th) non-participating royalty interest as reserved in Volume 992, Page 496, Deed Records of Brazoria County, Texas.
3. Oil, gas and mineral lease dated January 19, 1977, recorded in Volume 1340, Page 701, Deed Records of Brazoria County, Texas, to Carolina Gas Exploration Company.

FURTHER, THIS CONVEYANCE IS MADE subject to any titles or rights asserted by anyone, including but not limited to persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, or to any land extending from the line of mean low tide to the line of vegetation, or to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or to filled in lands, or artificial islands or to riparian rights, or the rights or interests of the State of Texas, or the public generally in the area extending from the line of mean low tide to the line of vegetation or their right of access thereto or right of easement along and across the same.

FURTHER, GRANTORS RESERVE to themselves, their heirs and assigns, all of the oil, gas and other minerals in and under and that may be produced from the above-described real property, provided, however, that Grantors, their heirs, assigns and lessees shall not have the right to enter upon the surface of the above-described property except within the boundaries of a single drill site containing two acres of land in the form of a square out of the most westerly corner of the above-described land, said two-acre drill site being adjacent to the south right-of-way line of County Road 723. All surface operations conducted by Grantors, their heirs, assigns and lessees in connection with the extraction or production of oil, gas and other minerals shall be conducted and performed upon said drill site; however, it is

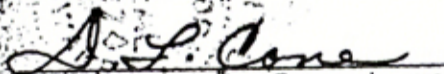
understood that the Grantors retain full and complete title to the oil, gas and other minerals and the right to produce the same by directional wells, unitization or any other method not requiring entry on the surface of the above-described property located outside the drill site provided herein.

Being the same premises conveyed to Seaway Pipeline, Inc. by deed of J. T. Suggs and James F. Crews dated November 13, 1978 and recorded in the office of the Clerk of the County Court Brazoria County, Texas, in Volume 1431 of Book of Deeds at page 949 & C on December 7, 1978, together with all and singular the hereditaments, improvements and appurtenances thereunto belonging, subject to easements and rights of way of record.

TO HAVE AND TO HOLD the above granted premises unto the Grantee, its successors and assigns and agreeing to bind Grantor, its successors and assigns to warrant and forever defend all and singular the premises unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

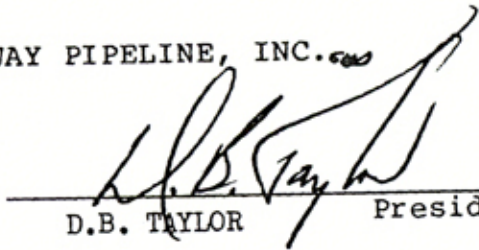
IN WITNESS WHEREOF, the Grantor hereunto sets its hand the day and year above written.

ATTEST: (SEAL)

  
 ASSISTANT Secretary  
 D. L. CONE

SEAWAY PIPELINE, INC.

By:

  
 D. B. TAYLOR

President

84 65 288

STATE OF OKLAHOMA )  
 ) SS  
COUNTY OF WASHINGTON )

Before me, the undersigned, a Notary Public, in and for said County and State, on this 24th day of October, 1984, personally appeared D.B. Taylor, to me known to be the identical person who subscribed the name of SEAWAY PIPELINE, INC., to the foregoing instrument as its \_\_\_\_\_ President, and acknowledged to me that he executed the same as his free and voluntary act and deed and as the free and voluntary act and deed of such corporation, for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year above written.

Sue Galloway  
Notary Public

My Commission Expires:

April 23, 1986

RETURN TO:

PHILLIPS NATURAL GAS COMPANY  
P. O. BOX 1967  
HOUSTON, TX 77001

FILED FOR RECORD

OCT 31 3 08 PM '84

Debbie D. King  
COUNTY CLERK  
BRAZORIA COUNTY, TEXAS

Counter 15415

# American Title Insurance Company

Owner Policy Commitment No.: C 236374

GF #13,304

## SCHEDULE A

Effective Date of Commitment

February 24, 1978, \_\_\_\_\_ o'clock \_\_m.

Proposed Insured: SEAWAY PIPELINE, INC.

Amount: \$250,000.00

1. The estate or interest in the land described or referred to in this Commitment and covered herein: (Fee simple, leasehold, easement, etc. — identify or describe) Fee Simple.
2. Record title thereto is at the effective date hereof vested in: J. T. SUGGS, an undivided 2/3 interest and JAMES F. CREWS, an undivided 1/3 interest. Not joined.
3. The land referred to in the Commitment is described as follows: PLEASE SEE ATTACHED RIDER:

113.4531 ACRES

113.4531 acres of land, more or less, out of the J. G. McKeel Survey, Abstract No. 335 in Brazoria County, Texas, and being described as follows:

BEGINNING at a 3/4" iron rod set in concrete in the southeast right-of-way line of County Road No. 723 and the southwest right-of way line of State Highway No. F. M. 1495,

24 Feb 1978

BRAZORIA SKETCH FILE 59

Counter 15916

SCHEDULE B

Schedule B of the policy to be issued will also contain the following exclusions and exceptions:

This policy is subject to the Conditions and Stipulations hereof, the terms and conditions of the leases or easements insured, if any, shown in Schedule A, and to the following matters which are additional exceptions from the coverage of this policy:

1. Restrictive covenants affecting the land described or referred to above. NONE OF RECORD
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or any overlapping of improvements.
3. Taxes for the year 19 78 and subsequent years. Not yet due and payable.
4. The following lien(s) and all terms, provisions and conditions of the instrument(s) creating or evidencing said lien(s):
5. (INSERT HERE ALL OTHER SPECIFIC EXCEPTIONS AS TO SUPERIOR LIENS, EASEMENTS, OUTSTANDING MINERAL AND ROYALTY INTERESTS, ETC., WHICH WILL BE SHOWN AS EXCEPTIONS IN THE OWNER TITLE POLICY.)
6. Easements: Visible and apparent roadways, easements and rights of way as they may appear on the ground and which a correct survey would show.
7. Royalties: 1/12th non-participating royalty interest as reserved in Vol. 992, Page 496 DR. TRACED NO FURTHER.
8. Oil, gas and mineral lease dated January 19, 1977, recorded in Vol. 1340 Page 701 DR., to Carolina Gas Exploration Company. TRACED NO FURTHER.
9. Any titles or rights asserted by anyone, including but not limited to persons, corporations, governments or other entities to tidelands, or lands comprising the shores or beds of navigable or perennial rivers and streams, lakes, bays, gulfs, or oceans, or to any land extending from the line of mean low tide to the line of vegetation or to lands beyond the line of the harbor or bulkhead lines as established or changed by any government, or to filled in lands, or artificial islands or to riparian rights, or the rights or interests of the State of Texas or the public generally in the area extending from the line of mean low tide to the line of vegetation or their right of access thereto or right of easement along and across the same.

SCHEDULE C

Matters affecting title to the hereinabove described property and other requirements and conditions which must be disposed of to the satisfaction of the company at, or prior to the date of the issuance of the above mentioned policy:

1. Instrument(s) creating the estate or interest to be insured must be approved, executed and filed for record.
2. Satisfactory evidence that no person occupying the property or any portion thereof owns or claims any interest therein, either personally or by right of another; adverse to the present owner as shown in Schedule A2 named above.
3. Payment of the full consideration to, or for the account of, the grantors.
4. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
5. Satisfactory evidence should be furnished that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid.
6. Any defect, lien, encumbrance, or other matter affecting the title to such property or the estate to be insured, or which may be filed, or may arise subsequent to the date hereof.



Texas General Land Office  
Garry Mauro, Commissioner

Stephen F. Austin Building  
1700 North Congress Avenue  
Austin, Texas 78701-1495  
(512) 463-5001

RECEIVED  
LEGAL SERVICES

JAN 21 1995

M'Lou Patton Bell  
Attorney at Law  
Director, Real Estate Section  
(512) 305-9127  
Fax (512) 463-6311  
Board Certified Commercial  
Real Estate Law, Texas  
Board of Legal Specialization

August 22, 1994

Mr. James H. Welch  
Phillips Petroleum Company  
Property Taxes, Real Estate and Claims  
Box 1967  
Houston, Texas 77251-1967

Re: Proposed Conveyance, Bryan Beach, Brazoria County

Dear Mr. Welch:

This letter follows your telephone conversation of earlier this month with LaNell Aston of this office concerning Phillips Petroleum's (Phillips) proposed conveyance of property to the State. It is our understanding that Phillips would like to convey property located on Bryan Beach to the State in exchange for an easement to deposit dredge spoil on it. Ms. Aston asked me to inform you of any requirements or information we may need in order to process the conveyance from Phillips.

The General Land Office (GLO), on behalf of the State, will accept a quit claim deed conveying the property to the State. The GLO, will accept conveyance of the property only if the language on Attachment "A" to this letter is included in the instrument.

In exchange for the property to be conveyed, the GLO can provide you with an easement to spoil to capacity the conveyed property. In order to process the easement we will need the cubic yard spoilage capacity of the property. Please provide this information to Ms. Aston at your earliest convenience. This will facilitate the easement application process.

If you require further information, please do not hesitate to contact me at your convenience. We look forward to your reply.

Very truly yours,

GENERAL LAND OFFICE

By: M'Lou Patton Bell  
M'Lou Patton Bell  
Legal Services Division

MPB/mer

22 AUG 1994

BRAZORIA SKETCH FILE 59  
Printed on recycled paper with soybean ink.

Counter 15419



**REQUIRED LANGUAGE FOR QUIT-CLAIM TO STATE OF SUBMERGED LANDS:**

The filing of this quit-claim is not intended to, and shall not be used to raise or assert a waiver or relinquishment of a claim of ownership by the State of Texas to all or any portion of the tract(s) subject to this quit-claim which are or may be lands submerged by or subject to inundation by tidally influenced waters, which said claim existed as a matter of law prior to the date of this document.

No right, defense, or mitigation available to the State of Texas under any applicable federal or state law is waived, released, or relinquished as a result of the filing of this quit-claim and/or the subsequent failure to disclaim this quit-claim by the State.

THE STATE OF TEXAS DOES NOT ASSUME, RECOGNIZE THE VALIDITY OF, OR TAKE SUBJECT TO ANY LIEN, CHARGE, ASSESSMENT, ENCUMBRANCE, OR RESTRICTION ON OR AGAINST ANY PORTION OF THE TRACT(S) SUBJECT HERETO, REGARDLESS OF WHEN OR HOW CREATED.

Post-it® Fax Note	7671	Date	7/12/94	# of pages	1
To	James L. ...	From	Laurel Austin		
Co./Dept.		Co.	GLL		
Phone #		Phone #	512-463-5213		
Fax #	713-6... 7024	Fax #	512-463-5198		

GENERAL LAND OFFICE

RECEIVED  
GENERAL SERVICES  
AUG 9 1994

GARRY MAURO  
COMMISSIONER

MEMORANDUM

DATE: August 5, 1994

TO: Mena Ramon

FROM: LaNell Aston

SUBJECT: Phillips Petroleum, Bryan Beach, Brazoria County Project

I spoke with Spencer Reid about accepting a deed to the property on Bryan Beach that Phillips wants to deed to the State. Phillips also wants an easement to spoil on the property.

The property is currently being used for spoil disposal and it has been levied. The spoil is from dredging the channel at the Phillips facility in Freeport.

Spence said that it would be okay to accept the property provided that we insert some language in the deed regarding the state's claim to part of the property. The state is currently asserting a claim to about 3/4 of the property.

I faxed Mr. Welch the attached paragraph "Required Language for Quit-Claim to State of Submerged Lands".

I told Mr. Welch that you would write him a letter outlining what we need from Phillips and what the requirements will be for a CE. I told him that he will have to go through the regular application process for the CE. He wants the CE to be extended for a sufficient period that will allow Phillips to spoil to full capacity. They can give us capacity amount. Spence said that would be okay.

I will be back on August 15. Thanks for your help with this.

BRAZORIA SKETCH FILE 59

Counter 15421

REQUIRED LANGUAGE FOR QUIT-CLAIM TO STATE OF SUBMERGED LANDS:

The filing of this quit-claim is not intended to, and shall not be used to raise or assert a waiver or relinquishment of a claim of ownership by the State of Texas to all or any portion of the tract(s) subject to this quit-claim which are or may be lands submerged by or subject to inundation by tidally influenced waters, which said claim existed as a matter of law prior to the date of this document.

No right, defense, or mitigation available to the State of Texas under any applicable federal or state law is waived, released, or relinquished as a result of the filing of this quit-claim and/or the subsequent failure to disclaim this quit-claim by the State.

THE STATE OF TEXAS DOES NOT ASSUME, RECOGNIZE THE VALIDITY OF, OR TAKE SUBJECT TO ANY LIEN, CHARGE, ASSESSMENT, ENCUMBRANCE, OR RESTRICTION ON OR AGAINST ANY PORTION OF THE TRACT(S) SUBJECT HERETO, REGARDLESS OF WHEN OR HOW CREATED.

Attachment "A"



# PHILLIPS PETROLEUM COMPANY

P. O. BOX 1967, 713 669-3675  
HOUSTON, TEXAS 77251-1967

PROPERTY TAXES, REAL ESTATE AND CLAIMS

May 25, 1994

Freeport Spoils Storage  
TX/Brazoria R0259

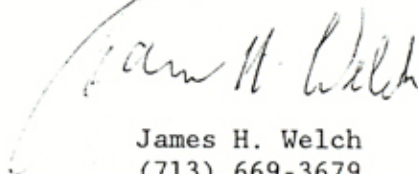
C. B. Thompson  
Texas General Land Office  
Stephen F. Austin Bldg.  
1700 North Congress Ave.  
Austin, TX 78701-1495

Dear Mr. Thompson:

In accordance with our phone conversation of this morning, I am attaching copies of our survey map and an area map which locate the subject property.

I trust this will enable your office to make a decision on this matter. Please let me know if any additional information is required.

Very truly yours,



James H. Welch  
(713) 669-3679

JHW:kp  
JHWLTR14/3/PPCo  
Enclosure

BRAZORIA SKETCH FILE 59

Counter 15423



JAMES H. WELCH  
INDEPENDENT CONTRACTOR

**ROLEUM COMPANY**

7251-1967

Real Estate and Claims

713 669-3679

PROPERTY TAXES, REAL ESTATE & CLAIMS  
PHILLIPS PETROLEUM COMPANY  
JAN 1967  
HOUSTON, TEXAS 77251-1967

03 1994

March 30, 1994

Freeport Spoil Storage

Ms. Maria Elena Ramon  
Texas General Land Office  
Stephen F. Austin Building  
1700 North Congress Ave., Rm. 630  
Austin, Texas 78701-1495

Dear Ms. Ramon:

I have not heard anything since our meeting there on December 14, 1993 about the possibility of Phillips donating the land on Bryan Beach in Brazoria County to the State in exchange for a Coastal Easement to spoil the property to capacity.

Please advise if your investigation into the circumstances has progressed enough for us to discuss this matter further. I am available to meet with you and your staff if it is desirable.

I will appreciate an update from you as to the current status.

Very truly yours,

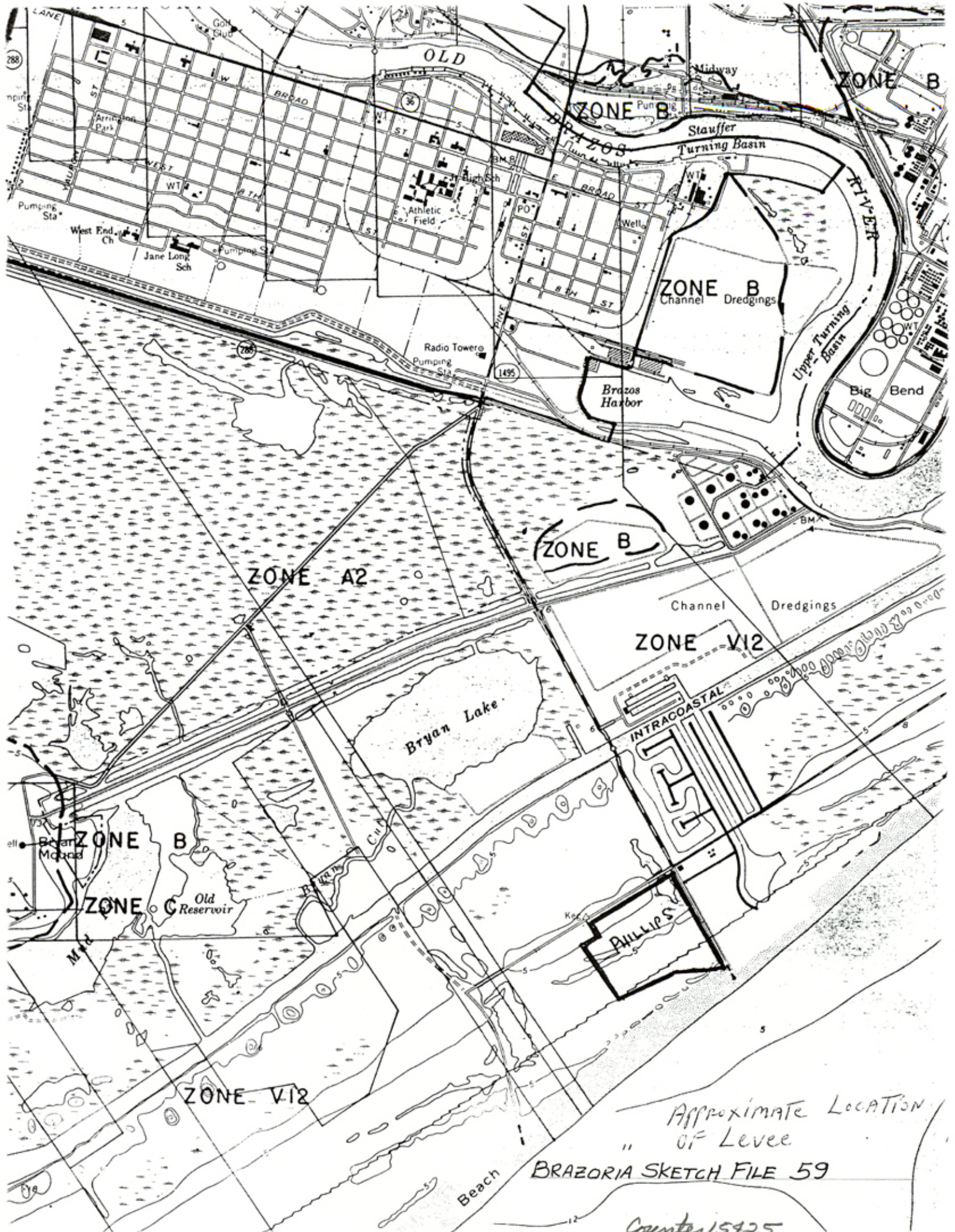
James H. Welch  
(713) 669-3679

JHW:kp  
JHWLTR13/25/PPCo

*See LaNell & Mena  
on Monday 5/23/94*

BRAZORIA SKETCH FILE 59

Counter 15427



GENERAL LAND OFFICE

GARRY MAURO  
COMMISSIONER

MEMORANDUM

DATE: July 13, 1995

TO: M'Lou Bell

FROM: LaNell Aston

SUBJECT: Proposed conveyance, Bryan Beach, Brazoria County, Texas

I think that we are finally ready to finish this project.

I talked to Mr. Welch about why there is a difference between the 113.4531 acres called for in the deed from Suggs and Crews to Seaway Pipeline, Inc. and the plat which shows 98.715 acres to the mean high tide line.

Mr. Welch said that they purchased the property based on the deed and then had it resurveyed and came up with the lower acreage because part of the property described in the deed is now under water.

I had Aaron change the plat (one more time) to reflect the line along the Gulf to follow with the meanders of the GOM. Also, we did not assign coordinates to those corners on the Gulf nor did we specify an acreage.

I think this will work now. Let me know what else I need to do on this project.

Hope you had a great vacation.

95 JUL 14 AM 10:08  
GENERAL LAND OFFICE  
LEGAL SERVICES

13 July 1995

BRAZORIA SKETCH FILE 59

Counter 159-24



**PHILLIPS PETROLEUM COMPANY**

P. O. BOX 1967, 713 669-3675  
HOUSTON, TEXAS 77251-1967

PROPERTY TAXES, REAL ESTATE AND CLAIMS

April 17, 1996

Freeport Spoils Storage  
TX/Brazoria R0259

96 APR 22 AM 10:54  
GENERAL LAND OFFICE  
LEGAL SERVICES

M'Lou Patton Bell  
Legal Services Division  
Texas General Land Office  
Stephen F. Austin Building  
1700 North Congress Avenue  
Austin, TX 78701-1495

Dear Ms. Bell:

In accordance with your instructions, we have obtained a Phase I environmental assessment of the subject Bryan Beach property and I am delivering a copy of same to you with this letter.

The contents of the assessment do not indicate that any further investigation is required and we should be able to go forward with the exchange at this time.

Please advise me when you are ready to proceed.

Very truly yours,

James H. Welch  
(713) 669-3679

JHW:gp  
JHWGP632/PPCO

Enclosure

4-30-96  
OK per James -  
Finalize transaction

BRAZORIA SKETCH FILE 59

Counter 134 27

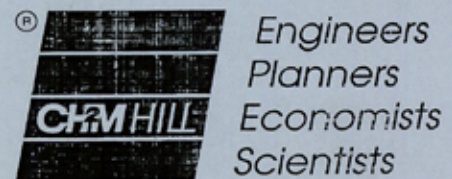


# Environmental Assessment

Bryan Beach Property

Prepared for  
Phillips Petroleum Company

Prepared by



April 1996

*BRAZORIA SKETCH FILE 59*

*Counter 15428*



Engineers  
Planners  
Economists  
Scientists

April 11, 1996

134092.ZZ.ZZ

Mr. Spencer Oden  
Phillips Petroleum Company  
13B4 Phillips Blvd.  
Bartlesville, OK 74004

Dear Mr. Oden:

Subject: Bryan Beach Property -  
Environmental Assessment

Enclosed please find the environmental assessment report for the Phillips owned property known as "Bryan Beach", located in Brazoria County, Texas. The report is per the scope of work in our proposal dated February 6, 1996.

Thank you for the opportunity to provide consulting services to Phillips. If you have any questions concerning this report please call upon me at (713) 462-0169 ext. 255

Sincerely,

CH2M HILL

*David Stieb for Rosellen F. Spikula*

Rosellen F. Spikula  
Regulatory Specialist

SAN/P/WP/134029/001.DOC

Enclosure

c: Mr. Glenn Bonin/ Phillips  
Mr. David Stieb/ CH2M HILL  
Ms. Pixie Newman/ CH2M HILL

# Environmental Assessment

Bryan Beach Property

Prepared for  
Phillips Petroleum Company

Prepared by



April 1996

## Summary of Findings

CH2M HILL performed an environmental assessment for Phillips Petroleum Company's, herein referred to as Phillips, Bryan Beach property, herein referred to as the subject property. The subject property is a 113.45 acre tract in the J. G. McNeel Survey, Abstract No. 335, Brazoria, County, Texas located on the southwest corner of the intersection of Texas Farm Road 1495 and Brazoria County Road 723.

The property was described as undeveloped, disturbed coastal prairie with a wetland area prior to being purchased by Seaway Pipeline, Inc. in November 1978. The property was purchased for development into a dredge disposal area. Seaway intended to use the dredge spoil area for maintenance dredging of their Freeport II Terminal. Phillips, who was majority owner of Seaway Pipeline, Inc., acquired the property in October 1984 and has remained the property owner to the present time.

An Army Corp of Engineer's permit to use the property as a dredge disposal area for maintenance dredging of Freeport Terminal II was granted in April, 1980. The Army Corp of Engineer's approval was granted as Amendment No. 2 to permit No. 10863. As a result of the permit amendment, berms and an outfall structure were constructed on approximately 90 acres of the subject property in 1980.

Phillips's personnel interviewed on March 21, 1996 indicated spoil material from dredging was placed on the property only once, in 1980. The spoil material was composed of Old Brazos River sediments adjacent to the Freeport II Terminal.

During the site tour performed by CH2M HILL on March 21, 1996, dredge spoil material was observed only in the northeast corner of the property. The berm along the southern edge of the spoil area was damaged or was completely breached in three locations due to erosion. Based on vegetation observed inside the bermed area, the conditions of the berms, and the volume of dredge disposal material apparent in a 1987 aerial photograph and during the site tour the facility received dredge spoils once, in 1980. Where erosion of the berms had occurred on the southeast corner, southern side and western side of the berms, remnants of a polyethylene liner were observed. The liner appeared to have been placed on the inside face of the berm, at a minimum, and was originally covered by one to two feet of sandy material. No visual signs of potentially contaminated materials or stressed vegetation were observed on the surface of the dredge material.

# Section 1

## Introduction

CH2M HILL was retained by Phillips to conduct an environmental audit of the subject property, located at the southwest corner of the intersection of Texas Farm Road 1495 and County Road 723 in Brazoria County, Texas. The environmental assessment was conducted to investigate and document current and past activities at the subject property that may lead to the release of hazardous materials, result in significant property contamination, or be of interest from an Environmental permitting or compliance perspective.

This report is based on an independent records review and site inspection conducted by David Stieb, a CH2M HILL employee, on March 21, 1996.

The records review and site inspection were designed to accomplish the following objectives:

- Observe the property with respect to its primary function (spoil dredge disposal)
- Review records and photographs to note key information regarding material handling, storage, or spills of hazardous materials and hazardous wastes.
- Observe the physical characteristics and environmental conditions, noting compliance status and potential environmental issues.
- Identify major environmental permits that are required.
- Confirm the existence of the required environmental permits.
- Identify areas of environmental permit compliance, non-compliance, and apparent non-compliance, as well as potential environmental issues.

The results of the site visit and assessment are presented in this report. The remainder of this section presents general project information, including a listing of major documents reviewed. Section 2 contains a description of the subject property's operations. Section 4 summarizes the records review. Section 5 provides the conclusions of the environmental assessment.

This report has been prepared for the exclusive use of Phillips and their lenders. No warranty, expressed or implied, is made. CH2M HILL is not responsible for any claims, damages, or liabilities associated with the use or reuse of these findings, the analysis, the associated site information, or the recommendations without the express written authorization of CH2M HILL.

## Summary of Documents Reviewed

The following major documents were reviewed: Army Corps of Engineers Dredge Permit No. 10863, including six amendments and Phillips records of the property which Mr. James Welch compiled and had available on the date of the interview. The findings described in this report are based solely on information provided by Phillips personnel or their designees; CH2M HILL's project staff observations at the time of the inspections; and information in the files of CH2M HILL. The report is based, in part, on information provided by Phillips and others that was not verified by independent analysis. Therefore, CH2M HILL does not guarantee or warrant the information for completeness or accuracy. CH2M HILL's project staff does not include attorney's therefore, CH2M HILL's assessment is not a legal representation, nor is it intended to reflect legal interpretations of the environmental laws, rules, regulations, or policies of governmental agencies.

## Supplemental Information

Copies of information, notes, research materials, permits, maps, drawings, design information, studies, reports, and other information gathered from the visit were compiled. This information is pertinent to fully understanding the results of the environmental assessment and the conclusions drawn by CH2M HILL. This supplemental information is located at CH2M HILL's San Antonio office and is available for review by any person authorized by Phillips. For further information, please contact:

David Stieb  
CH2M HILL  
Centre Plaza Building  
45 NE Loop 410, Suite 840  
San Antonio, TX 78216-5831  
(210)377-3081

## Section 2

### Site Description

The subject property is located on the southwest corner of the intersection of Farm Road 1495 and County Road No. 723, south of the Intracoastal Waterway (Figure 1). The property is described as a 113.45 acre tract out of the J. G. McNeel Survey, A-335, Brazoria County, Texas. The northern property boundary abuts up against the right-of-way for County Road 723. The eastern edge of the property is adjacent to Farm Road 1495. The southern property boundary is defined by 18 survey points at mean high tide on March 20, 1978. The survey was based on the Gulf of Mexico at elevation +0.40 feet based on Coast and Geodetic Survey sea level datum of 1929, with an adjustment of 1973 Coast and Geodetic tidal data at Freeport, Texas. The western property boundary is defined by the northwest corner located at 410,764.46 N and 3,169,755.17 E. The property line (from the southwest corner to the northwest corner) is defined as a bearing of N 33° 00' 29" W and a length of 2147.11 feet.

### Site Operations

Phillips obtained approval to use the property as a maintenance dredge disposal facility associated with maintenance dredging operations at the Phillips Freeport II Terminal in April 1980. The 1980 approval was granted by the Army Corp of Engineers as Amendment No. 2, to Permit No. 10863. Permit No. 10863 authorized the construction of a barge and tanker berth on the Old Brazos River using a dredge disposal facility south of County Road 723, north of Quintana Beach. Amendment No. 2, granted permission to expand Phillips' dredge spoil area by including an unconnected expansion of the dredge spoil area west of Farm Road 1495 and along the south side of County Road 723, the subject property of this assessment. A stipulation of the original permit was that Phillips replace ponded wetlands areas used by wading birds with similar ponded areas located appropriately within the dredge disposal area. On the date of the site visit a low-lying, ponded wetlands area was observed in the southwest portion of the dredge disposal area as illustrated in photograph 1 in Appendix A.

### Land Use

Approximately 90 acres of the parcel has been developed as a maintenance dredge disposal facility. The remainder is undeveloped beach front and disturbed coastal prairie. The developed portion is surrounded by an approximate 15 foot high berm with one weir outlet structure located near the northwest corner of the disposal area (Figure 2). The excess water from dredging operations discharges through the weir structure to a drainage way on the north side of County Road 723, which discharges to the Intracoastal waterway.

### Prior Land Use

Previous to development of the property as a dredge disposal area, the property was undeveloped, disturbed coastal prairie. Three aerial photographs dated December 12, 1965,

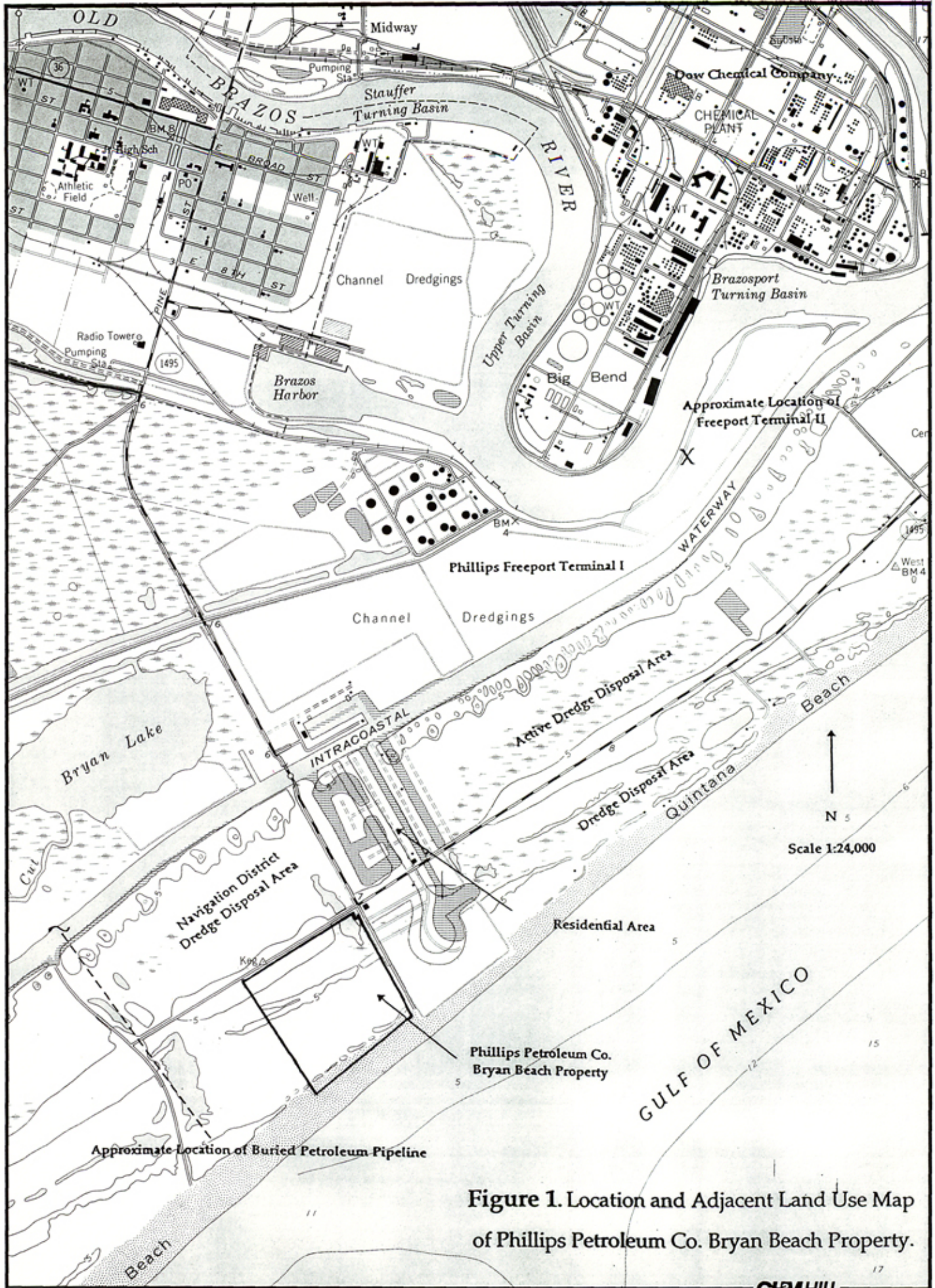
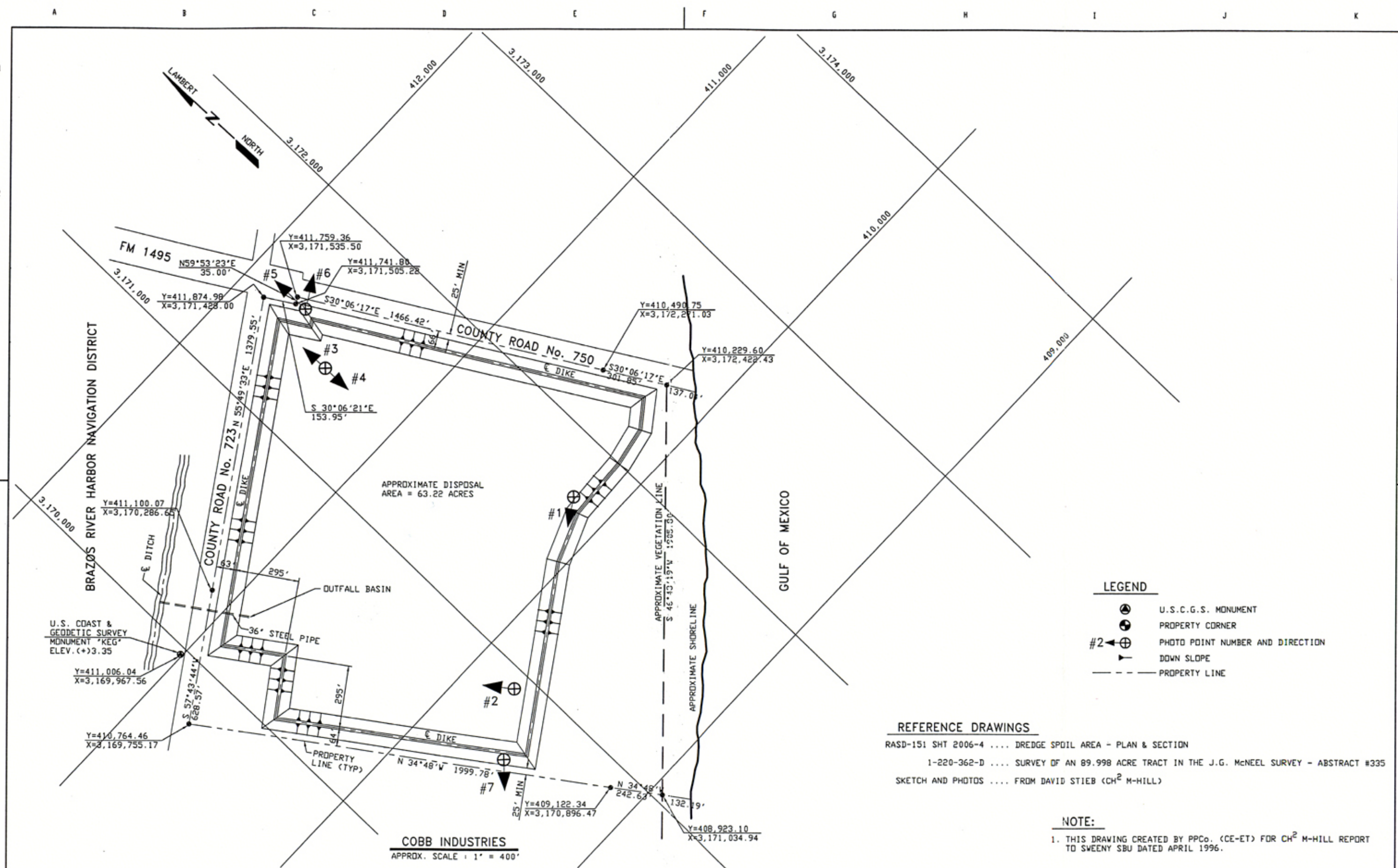


Figure 1. Location and Adjacent Land Use Map of Phillips Petroleum Co. Bryan Beach Property.





- LEGEND**
- ⊕ U.S.C.G.S. MONUMENT
  - PROPERTY CORNER
  - #2 ⊕ PHOTO POINT NUMBER AND DIRECTION
  - ▽ DOWN SLOPE
  - PROPERTY LINE

**REFERENCE DRAWINGS**

- RASD-151 SHT 2006-4 .... DREDGE SPILL AREA - PLAN & SECTION
- 1-220-362-D .... SURVEY OF AN 89.998 ACRE TRACT IN THE J.G. McNEEL SURVEY - ABSTRACT #335
- SKETCH AND PHOTOS .... FROM DAVID STIEB (CH<sup>2</sup> M-HILL)

**NOTE:**

1. THIS DRAWING CREATED BY PPCo. (CE-ET) FOR CH<sup>2</sup> M-HILL REPORT TO SWEENEY SBU DATED APRIL 1996.

**COBB INDUSTRIES**  
APPROX. SCALE : 1" = 400'

NO.	REVISION	BY	DATE	APP'D	FOR BIDS	FOR APPR	FOR CONST	PHILLIPS PETROLEUM COMPANY BARTLESVILLE, OKLAHOMA	DATE NO.	FILE CODE
								<b>FIGURE 2</b> PHILLIPS BRYAN BEACH PROPERTY SITE MAP	SCALE	
									1"=400'	
								FREEPORT II TERMINAL FREEPORT, TEXAS	DWG NO.	RDAS-92-VAR
									SH NO.	EV-6-0

Counter 15434

December 20, 1977, and October 28, 1987 (provided in Appendix A) were obtained as part of the records search. The photographs prior to 1980 show the undeveloped condition of the property prior to constructing the disposal facility. The photograph from 1987 delineates the volume of material placed on the property during the 1980 dredging operations. Also noted on the photograph was an area on the south berm showing erosion as depicted by the lighter area with no vegetation. Photograph 2 in Appendix A shows the condition of the eroded area on March 21, 1996. Observations made during the March 1996 site visit indicated the volume of the placed dredge material to be approximately the same as shown on the 1987 aerial photograph. Photographs 3, and 4 in Appendix A show the surface of the disposed material. Figure 2 shows the location and direction facing when each photograph was taken.

### **Adjacent Land Use**

The adjacent property to the north, between County Road 723 and the Intracoastal Waterway is an active Navigation District dredge disposal area. The disposal area extends from the northeast corner of the property to approximately 0.4 miles beyond the northwest property corner (Figure 1). The disposal area extends the approximately 0.2 miles between the property and the Intracoastal Waterway.

East of the property is an approximate 0.2 mile wide residential area extending from the Intracoastal Waterway, 0.2 miles to the north, to the dune line at the Gulf of Mexico (Figure 1). Two residences, and a convenience store, as illustrated on photographs 5 and 6, Appendix A, have been constructed adjacent to the northeast corner of the property. The remainder of the area has been undeveloped except for the boat canal leading to the Intracoastal Waterway. East of the residences is the Phillips' dredge disposal area originally approved under Permit No. 10863. The dredge disposal area extends from approximately 0.2 to 0.9 miles east of the property.

The southern property boundary is the Gulf of Mexico. Public access to Bryan Beach along the southern edge of the property is unrestricted. Use of the beach by the public has contributed to the erosion of the southern disposal area berm as evidenced by foot trails in the area.

The western adjoining property is undeveloped coastal prairie, as shown in photograph 7, Appendix A. The area is bisected by a transmission pipeline and gravel road approximately 0.4 miles west of the western property boundary.

## Section 3

### Records Review

CH2M HILL's subcontractor Environmental Data Resources, Inc. (EDR), performed a record search to identify any properties within a 1-mile radius of the site listed as having or potentially having environmental concerns. Included with the records search was a 50 year chain of title search, an aerial photograph search, a water well search, and a search of Sanborn Insurance Maps of the property.

#### Surrounding Facilities

EDR reviewed available environmental records which included the following databases:

- NPL
- Delisted NPL
- RCRIS-TSD
- State Hazardous Waste sites
- CERCLIS
- CERC-NFRAP
- CORRACTS
- State LF
- LUST
- UST
- AST
- RAATS
- RCRIS-SQG
- RCRIS-LQG
- HMIRS
- PADS
- ERNS
- FINDS
- TRIS
- NPL Liens
- TSCA
- MLTS
- RODS
- CONSENT
- TX Spills
- Coal Gas

The records search did not locate any plottable sites with environmental records within approximately 1-mile of the property boundary (refer to Appendix B for database search results). However, 32 sites were listed which lacked sufficient information to be located. During the site visit Phillips Freeport I Terminal, Freeport II Terminal (which Phillips recently sold to a joint venture company in which Phillips is a minority owner) and Dow Chemical Co. listed in the unplottable sites were identified between 0.8 and 1-mile northeast of the property. All three of these sites are located north of the Intracoastal Waterway. South of the Intracoastal Waterway no unplottable sites were identified or observed within 1-mile of the property.

#### Water Wells

Additionally, Appendix B includes the results of the water well search. No public water wells were identified within 1-mile of the property. The closest water supply well identified was greater than two-miles from the property. Two water level observation wells were identified north of the property from a search of Federal well records, both wells are located north of the Intracoastal Waterway. One well was listed as unused and the other

was listed as a livestock water well. A search of state records located two wells between one and two miles from the property. One well was located north of the Old Brazos River and the second was located directly east of the property. All four wells were completed to depths greater than 200 feet below the surface.

### **Chain of Title/Sanborn Maps**

Appendix C contains the results of the chain of title search and Sanborn Insurance Maps search. No Sanborn Maps for the property were located.

### **Environmental Permits**

The client records reviewed indicated the property was regulated by the Army Corps of Engineers through Permit No. 10863, as amended. Review of the permits indicated the Corps of Engineers solicited and received additional permit requirements from the U. S. Fish and Wildlife Service, Texas Water Commission ( now named the Texas Natural Resources Conservation Commission), Texas Historical Commission, National Marine Fisheries Service, and the Fort Point Area District Engineer. The U. S. Fish and Wildlife Service and National Marine Fisheries Service had no additional stipulations to the Corps permit. The Texas Water Commission required adherence to Section 401 of the Clean Water Act. The Texas Historical Commission had no objections to the permit following a survey that indicated operations would not impact the site of Old Quintana. The Fort Point Area District Engineer required prior notification to dredging operations as some of the disposal areas listed in the permit were under their control and use of these facilities would require coordination with other dredging activities.

## Section 4

### Site Reconnaissance and Interviews

On March 21, 1996 CH2M HILL interviewed Phillips's environmental representative of the site Mr. Glenn Bonin, and a retired Phillips employee, Mr. James Welch. Additionally, CH2M HILL performed a visual site inspection of the property and a windshield survey of adjacent properties.

#### Interviews

Phillips personnel interviewed indicated no hazardous substances were used or stored at the site to the best of their knowledge. They indicated the berms for the dredge disposal area had been constructed of native material from inside the disposal area. The dredge disposal facility had been constructed in 1980 on land that had not been previously developed for beneficial use. The facility was used for dredge spoiling only once, in 1980.

#### Site Reconnaissance

During the visual site inspection CH2M HILL observed conditions of the property from the dredge disposal area berms and also walked out onto the mound of disposed material from the 1980 dredging operations. No visual observations of stressed vegetation, stained soils, sheens on ponded water, visually stained or contaminated debris, or unusual odors were noted during the site visit.

A damaged polyethylene liner was observed along the south, east, and west berms of the disposal area. The liner was observed in areas where the berms had been eroded. The liner appeared to have been installed beneath approximately two feet of soil cover on the top and inside slope of the berms. Construction details of the liner were not located.

A windshield survey of the adjoining properties was performed following the site tour. The survey was conducted by driving along public roads and along the beach to confirm adjacent property uses, within one-mile of the property, depicted on the USGS Freeport 7.5 minute quad map and aerial photographs. The windshield survey identified the current adjacent properties as shown on Figure 1. The windshield survey did not identify any potential environmental impacts to the property from the adjacent properties.

## Section 5

### Findings and Conclusions

Information collected from a records search, interviews of Phillips's personnel, a site tour, and a windshield survey of adjacent properties did not identify any adverse environmental conditions with respect to the property. Observations of the surface conditions did not indicate that environmental impacts to groundwater had occurred from dredge spoiling operations on the property. Environmental impacts from surface sources on adjacent properties does not appear to have occurred. Potential sources of groundwater contamination from adjacent properties were not identified south of the Intracoastal Waterway or within one-quarter mile of the eastern and western property boundaries.

Review of the available records did not identify any violations, non-conformance issues, or other correspondence indicating Phillips had not conformed with all the requirements of the Army Corps of Engineers permit at this property. In accordance with the permit requirements for the disposal facility on the property a shallow ponded, wetlands area was observed in the southwest corner.

**Appendix A**

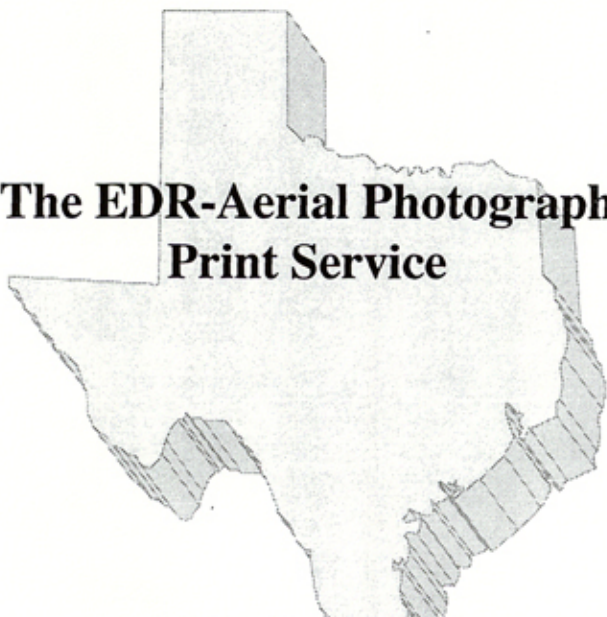
**Aerial and Site Reconnaissance Photographs**



**Environmental  
Data  
Resources, Inc.**

Creators of Toxicheck®

**The EDR-Aerial Photograph  
Print Service**



**Phillips Bryan Beach  
Farm Road 1495  
Freeport, TX 77541**

**February 20, 1996**

**Inquiry Number: 107417-6**

***The Source  
For Environmental  
Risk Management  
Data***

3530 Post Road  
Southport, Connecticut 06490

**Nationwide Customer Service**

Telephone: 1-800-352-0050  
FAX: 1-800-231-6802

*Counter 15443*



## The EDR-Aerial Photograph Print Service

The EDR-Aerial Photographs Print Service includes a search of local aerial photograph collections flown by state and federal agencies for the state of Texas. When available, select historical aerial photographs are included.

### Aerial Photographs

Aerial photographs are a valuable historical resource for documenting past land use and can be particularly helpful when other historical sources (such as city directories or fire insurance maps) are not reasonably ascertainable. ASTM E 1527-94 specifies that *"All obvious uses of the property must be identified from the present back to the property's obvious first developed use, or back to 1940, whichever is earlier."* (ASTM E 1527-94, Section 7.3.2, page 11.) EDR's proprietary database, which includes over 450 private and public aerial photography sources across the United States, identifies a photograph's flight date (dates range from the 1930s to the present), scale, cost, and shipping time. When available, digitally reproduced photographs are provided at ten year intervals. Additional photographs listed on the Aerial Photography Research Summary may be ordered separately.

Please call EDR Nationwide Customer Service at  
1-800-352-0050 (8am - 8pm ET)  
with questions or comments about your report.  
*Thank you for your business!*

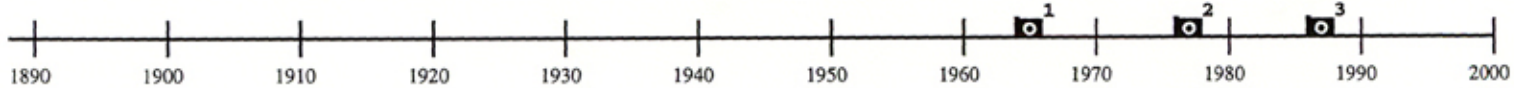
### Disclaimer

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# Prior Use Report™ Timeline

## Target Property

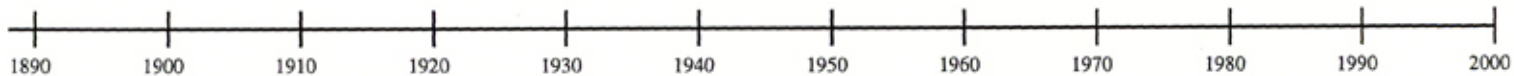


## Adjoining Property

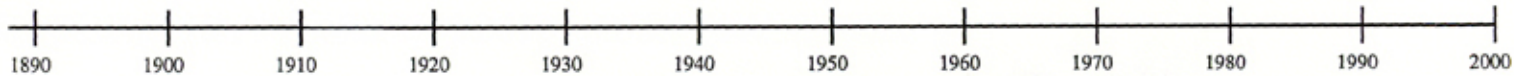
Front



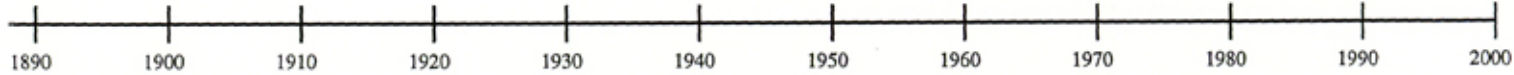
Back



Left



Right



### Legend:

= Residential (R)

**V** = Vacant

= Multiple Research Sources

= Aerial Photos Available \*

= Commercial or Industrial (C)

**O** = Other

= Multiple Types

= Aerial Photos Included (P) \*

= Residential with Commercial Use (RC)

*Superscript number corresponds to graph ID in text*

\* *Displayed on timeline when Aerial Photos or Research Summary are purchased*

**Target Property:** Phillips Bryan Beach  
**Address:** Farm Road 1495  
**City/State/Zip:** Freeport, TX 77541

**Customer:** CH2M Hill  
**Contact:** David Stieb  
**Inquiry #:** 107417-6  
**Date:** 02/20/96

Countdown 15445

#### 4. SUMMARY

- *Aerial Photographs:*

Local collections of aerial photographs flown by state and federal agencies for the state of Texas were searched and aerial photographs for the years spanning 1965 through 1987 (these years are not necessarily inclusive) are included. Digital copies are sent directly from the research source via regular mail, unless otherwise specified.

**Date EDR Searched Historical Sources:**  
Aerial Photography February 20, 1996

**Target Property:**  
Farm Road 1495  
Freeport, TX 77541

<u>PUR ID</u>		<u>Portion-Findings</u> <u>(FIM Information Only)</u>	<u>Source</u>
<u>Year</u>	<u>Uses</u>		
1 1965	Aerial Photograph. Scale: 1"=500'		ASCS
2 1977	Aerial Photograph. Scale: 1"=500'		TXDOT
3 1987	Aerial Photograph. Scale: 1"=500'		TXDOT

# *Glossary of Terms*

## **Address Change**

Indicates that a change of address has occurred; indicates new address. A change of address may occur when a city, street, or the address ranges of a street are restructured.

## **Address in Research Source**

Indicates that a property is listed at a different address than the one provided by the user. Generally occurs when a property is located on a corner or, when the physical address of a property is different than its mailing address.

## **Address Not Listed in Research Source**

Occurs when a specific site address is not listed in city directories and/or fire insurance maps.

## **Adjoining**

Any property that is contiguous, or a property that would be contiguous if not for a public thoroughfare, to the target property. *To differentiate from each adjoining property, stand at the target property's "front door" facing the street.*

## **Adjoining Back**

Property directly to the rear of the target property.

## **Adjoining Front**

Property directly in front of the target property.

## **Adjoining Left**

Property directly to the left of the target property.

## **Adjoining Right**

Property directly to the right of the target property.

## **Adjoining Surrounding Area**

Property that may adjoin the target property but due to lack of specific map information cannot be located precisely. This situation typically occurs when city directory information, but not fire insurance map information, is available.

## **Commercial**

Any property including, but not limited to, property used for industrial, retail, office, agricultural, other commercial, medical, or educational purposes; property used for residential purposes that has more than four residential dwelling units.

## **Commercial or Industrial**

Property that has either a commercial *or* an industrial use. Examples include retail stores, manufacturing facilities, factories, and apartment buildings.

## **Map Required Not Available in Local Collection**

Property is located on a fire insurance map sheet not available in local and/or microfilm collection.

## **Multiple Locations**

Indicates that there are two or more sites adjoining the target property's border.

## **No Return**

Indicates that site owner was unavailable at time of surveyor's contact. *Applies only to city directories.*

**No Structure Identified on Parcel**

Used when site boundaries and/or site address is indicated on a fire insurance map; no structure details exist.

**Other**

Occurs when the site's classification is different than EDR's standard categories. Examples may include undeveloped land and buildings with no specified function.

**Portion**

Refers to the fire insurance map information identified on the four quadrants of a target or adjoining property. The portions are referred to as *Frontright*, *Frontleft*, *Backright*, and *Backleft* and are determined as if one were facing the target property.

**Property Not Defined**

Used when property is not clearly demarcated on a fire insurance map.

**Residential**

Any property having fewer than five dwelling units used exclusively for residential purposes.

**Residential with Commercial Uses (a.k.a. Multiple Purpose Address)**

A business (firm) and residence at the same address. Examples include a doctor, attorney, etc. working out of his/her home.

**Site Not Mapped**

Occurs when an adjoining property has not been mapped by fire insurance map surveyors.

**Vacant**

May refer to an unoccupied structure or land. *Used only when fire insurance map or city directory specifies 'vacant.'*



Environmental Data Resources, Inc.  
3530 Post Road  
Southport, CT 06490

**Date: 02/21/96**

**Aerial photographs for inquiry number: 107417.6**

*Counter 15450*



32

+

35

51

684

Counter 15451





Counter 15452



Counter 15453



Photograph No. 1. View to the northwest of the low-lying, ponded wetlands area in the southwest corner of the disposal facility.



Photograph No. 2. View to the southwest showing an eroded section of the south berm and the damaged polyethylene liner.



Photograph No. 3. View to the north of the spoiled material from the 1980 dredging operation at the Freeport II Terminal.



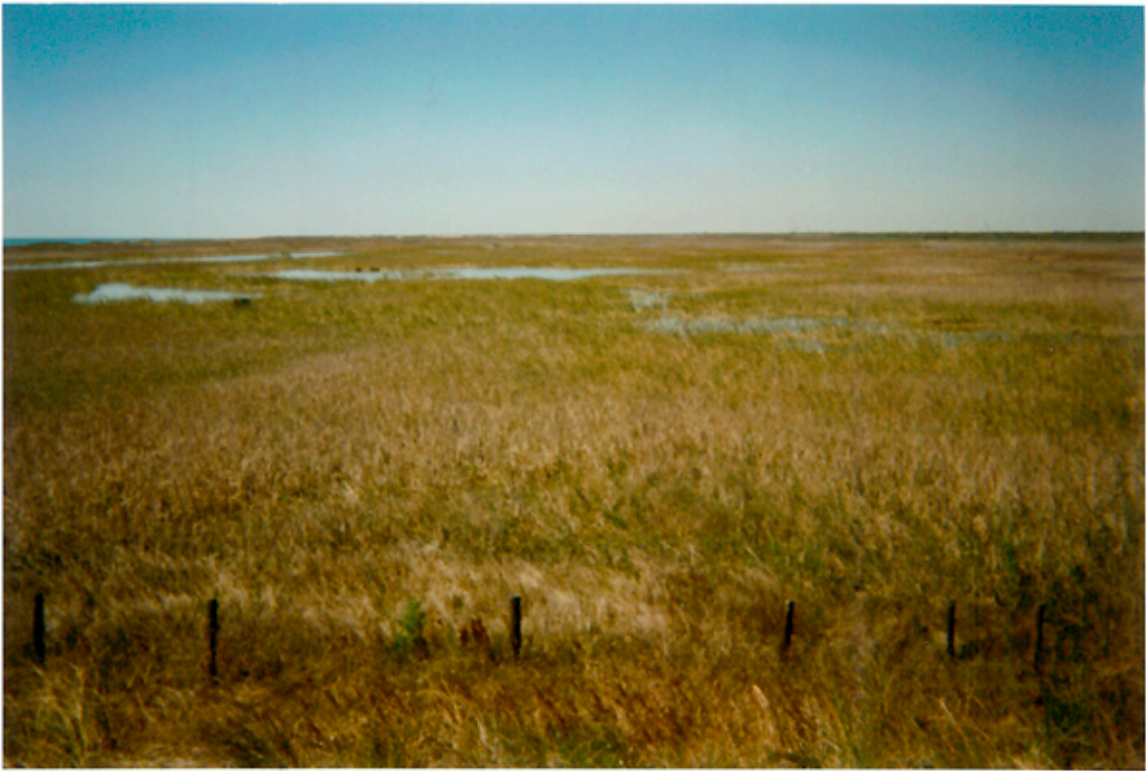
Photograph No. 4. View to the south of the spoiled material from the 1980 dredging operation at the Freeport II Terminal.



Photograph No. 5. View to the north of the two residences constructed adjacent to the Bryan Beach property.



Photograph No. 6. View to the east of a convenience store constructed adjacent to the Bryan Beach property. Note: Undeveloped residential area appears behind the convenience store.



Photograph No. 7. View to the southwest of the undeveloped coastal prairie adjacent to the west Bryan Beach property line.

**Appendix B**

**Environmental Database and Water Well Search Results**

## **The EDR-Radius Map with GeoCheck™**

**Phillips Bryan Beach  
Farm Road 1495  
Freeport, TX 77541**

**Inquiry Number: 107417.1s**

**February 16, 1996**

**EDR** Environmental  
Data  
Resources, Inc.  
Creators of Toxicheck/®

## ***The Source* For Environmental Risk Management Data**

3530 Post Road  
Southport, Connecticut 06490

**Nationwide Customer Service**

Telephone: 1-800-352-0050  
Fax: 1-800-231-6802

*Counter 15459*



## EXECUTIVE SUMMARY

A search of available environmental records was conducted by Environmental Data Resources, Inc. (EDR). The search met the specific requirements of ASTM Standard Practice for Environmental Site Assessments, E 1527-94, or custom distances requested by the user.

The address of the subject property for which the search was intended is:

FARM ROAD 1495  
FREEPORT, TX 77541

No mapped sites were found in EDR's search of available ( "reasonably ascertainable ") government records either on the subject property or within the ASTM E 1527-94 search radius around the subject property for the following Databases:

NPL:..... National Priority List  
Delisted NPL:..... NPL Deletions  
RCRIS-TSD:..... Resource Conservation and Recovery Information System  
State Haz. Waste:..... State Superfund Registry  
CERCLIS:..... Comprehensive Environmental Response, Compensation, and Liability Information System  
CERC-NFRAP:..... Comprehensive Environmental Response, Compensation, and Liability Information System  
CORRACTS:..... Corrective Action Report  
State LF:..... Permitted Solid Waste Facilities  
LUST:..... Leaking Petroleum Storage Tank Database  
UST:..... Petroleum Storage Tank Database  
AST:..... Petroleum Storage Tank Database  
RAATS:..... RCRA Administrative Action Tracking System  
RCRIS-SQG:..... Resource Conservation and Recovery Information System  
RCRIS-LQG:..... Resource Conservation and Recovery Information System  
HMIRS:..... Hazardous Materials Information Reporting System  
PADS:..... PCB Activity Database System  
ERNS:..... Emergency Response Notification System  
FINDS:..... Facility Index System  
TRIS:..... Toxic Chemical Release Inventory System  
NPL Liens:..... Federal Superfund Liens  
TSCA:..... Toxic Substances Control Act  
MLTS:..... Material Licensing Tracking System  
RODS:..... Records Of Decision  
CONSENT:..... Superfund (CERCLA) Consent Decrees  
TX Spills:..... Spills Database  
Coal Gas:..... Former Manufactured gas (Coal Gas) Sites

Unmapped (orphan) sites are not considered in the foregoing analysis.

### Search Results:

Search results for the subject property and the search radius, are listed below:

### Subject Property:

The subject property was not listed in any of the databases searched by EDR.

## EXECUTIVE SUMMARY

Due to poor or inadequate address information, the following sites were not mapped:

<u>Site Name</u>	<u>Database(s)</u>
DOW CHEMICAL CO USA OYSTER CRE	FINDS, RCRIS-LQG, RCRIS-TSD,
BIG THREE IND GAS	FINDS, RCRIS-LQG, TRIS,
HERCULES OFFSHORE DRILLING COMPANY	CERCLIS, FINDS, RCRIS-LQG,
INTERMEDICS INC	FINDS, RCRIS-LQG, RCRIS-TSD
NALCO CHEMICAL COMPANY PLANT NO 5	CERCLIS, RCRIS-SQG, FINDS, TRIS,
HERCULES OFFSHORE CORPORATION	CERCLIS, UST, AST
PHILLIPS PETROLEUM CO FREEPORT TER	FINDS, CERC-NFRAP
QUINTANA BEACH	CERC-NFRAP
Not Reported	
Not Reported	
CAPTAIN JOHNS	LUST
ROCHE VITAMINS & FINE CHEM	RCRIS-SQG, FINDS, UST
PIC & PAC GROCERY	UST
PALMER'S GROC & GAS	UST
SPAN OIL	UST
STOP N GO #2847	UST
BRYAN MOUND STRATEGIC PETROLEUM	UST, AST
FOUNDATION & CONSTRUCTION, INC	UST, AST
OFFSHORE OIL SERVICES INC	FINDS, RCRIS-LQG, UST, AST
KIRBY MARINA INC	UST
BASTROP MARINA	UST
FORMER CHEVRON SERVICE STATION	UST
PHILLIPS 66 FREEPORT TERMINAL 2	RCRIS-SQG, FINDS, TRIS
PHILLIPS 66 FREEPORT TERMINAL 1	RCRIS-SQG, FINDS
MOBIL PRODUCING TEXAS & NEW MEXICO	RCRIS-SQG, FINDS
CALGON CORPORATION	RCRIS-SQG, FINDS
ROWE PRODUCTS OF TEXAS INC	RCRIS-SQG, FINDS
D&L PAINTING CO	RCRIS-SQG, FINDS
MCCOLLISTER AUTO SALVAGE	RCRIS-SQG, FINDS
PHILLIPS PET CO JONES CREEK TERMIN	FINDS, RCRIS-LQG, TRIS
KILGORE MARINE INC-KI-KIV	RCRIS-LQG
BRYAN BEACH//DEPT OF ENERGY RIGHT	ERNS
BRYAN BEACH	ERNS
SAN BERNARD RIVER, DOWNSTREAM FROM	ERNS

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***Thank you for your business.***  
Please contact EDR at 1-800-352-0050  
with any questions or comments.

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TOPOGRAPHIC MAP - 107417.1s - CH2M Hill



Source: US Geological Survey 1-Degree Digital Elevation Model  
Compiled 09/15/92



- Major Roads
- Contour lines (25 foot interval unless otherwise shown)
- Waterways

- Earthquake epicenter, Richter 5 or greater.
- Closest well according to (F)ederal or (S)tate database in quadrant.
- Closest public water supply well.
- Indicates oil or gas wells (in certain Texas counties only)



TARGET PROPERTY: ADDRESS: CITY/STATE/ZIP: LAT/LONG:	Phillips Bryan Beach Farm Road 1495 Freeport TX 77541 28.9114 / 95.3388	CUSTOMER: CONTACT: INQUIRY #: DATE:	CH2M Hill David Stieb 107417.1s February 16, 1996
--	--	--	--

*Counter 15963*

# GEOCHECK VERSION 2.1 SUMMARY

## GEOLOGIC AGE IDENTIFICATION†

Geologic Code: Qh  
 Era: Cenozoic  
 System: Quaternary  
 Series: Holocene

## ROCK STRATIGRAPHIC UNIT‡

Category: Stratified Sequence

## GROUNDWATER FLOW INFORMATION

General Topographic Gradient: General SSE  
 General Hydrogeologic Gradient: The hydrogeologic data for this report indicates that groundwater flow generally is to the SW. However, because of the number and/or location of wells, the various depths of aquifers or other insufficient data, the direction of groundwater flow is uncertain.

Note: In a general way, the water table typically conforms to surface topography.‡

## USGS TOPOGRAPHIC MAP ASSOCIATED WITH THIS SITE

Target Property: 2428095-H3 FREEPORT, TX

## FEDERAL DATABASE WELL INFORMATION

<u>WELL QUADRANT</u>	<u>DISTANCE FROM TP</u>	<u>LITHOLOGY</u>	<u>DEPTH TO WATER TABLE</u>
North	1 - 2 Miles	Not Reported	132 ft.
West	1 - 2 Miles	Not Reported	145 ft.

## STATE WATER WELL INFORMATION

<u>DIRECTION FROM TP</u>	<u>DISTANCE FROM TP</u>	<u>DEPTH FEET</u>	<u>SOURCE</u>
Northern	1 - 2 Miles	260	TX State
Eastern	1 - 2 Miles	500	TX State

## STATE OIL/GAS WELL INFORMATION

DIRECTION FROM TP      DISTANCE FROM TP

NO WELLS FOUND

## PUBLIC WATER SUPPLY SYSTEM INFORMATION (EPA-FRDS)

Searched by Nearest Well.

Location Relative to TP: >2 Miles North  
 PWS Name: GALVESTON-FREEPORT KOA  
 R. R. 2 BOX 1345  
 FREEPORT, TX 77541

Well currently has or has had major violation(s): No

† Source: P.G. Schruben, R.E. Arndt and W.J. Bawiec, Geology of the Conterminous U.S. at 1:2,500,000 Scale - A digital representation of the 1974 P.B. King and H.M. Beikman Map, USGS Digital Data Series DDS - 11 (1994).

‡ U.S. EPA Ground Water Handbook, Vol 1: Ground Water and Contamination, Office of Research and development EPA/625/6-90/016a.Chapter 4, page 78, September 1990.

# GEOCHECK VERSION 2.1 SUMMARY

## AREA RADON INFORMATION

Zip Code: 77541

Number of sites tested: 3

<u>Area</u>	<u>Average Activity</u>	<u>% &lt;4 pCi/L</u>	<u>% 4-20 pCi/L</u>	<u>% &gt;20 pCi/L</u>
Living Area - 1st Floor	0.033 pCi/L	100%	0%	0%
Living Area - 2nd Floor	Not Reported	Not Reported	Not Reported	Not Reported
Basement	Not Reported	Not Reported	Not Reported	Not Reported

OVERVIEW MAP - 107417.1s - CH2M Hill



- ★ - Indicates TARGET PROPERTY.
- ▲ - Indicates sites at elevations higher than or equal to the target property.
- ◆ - Indicates sites at elevations lower than the target property.
- ⚙ - Coal Gasification Sites (if requested)
- ☐ - National Priority List Sites

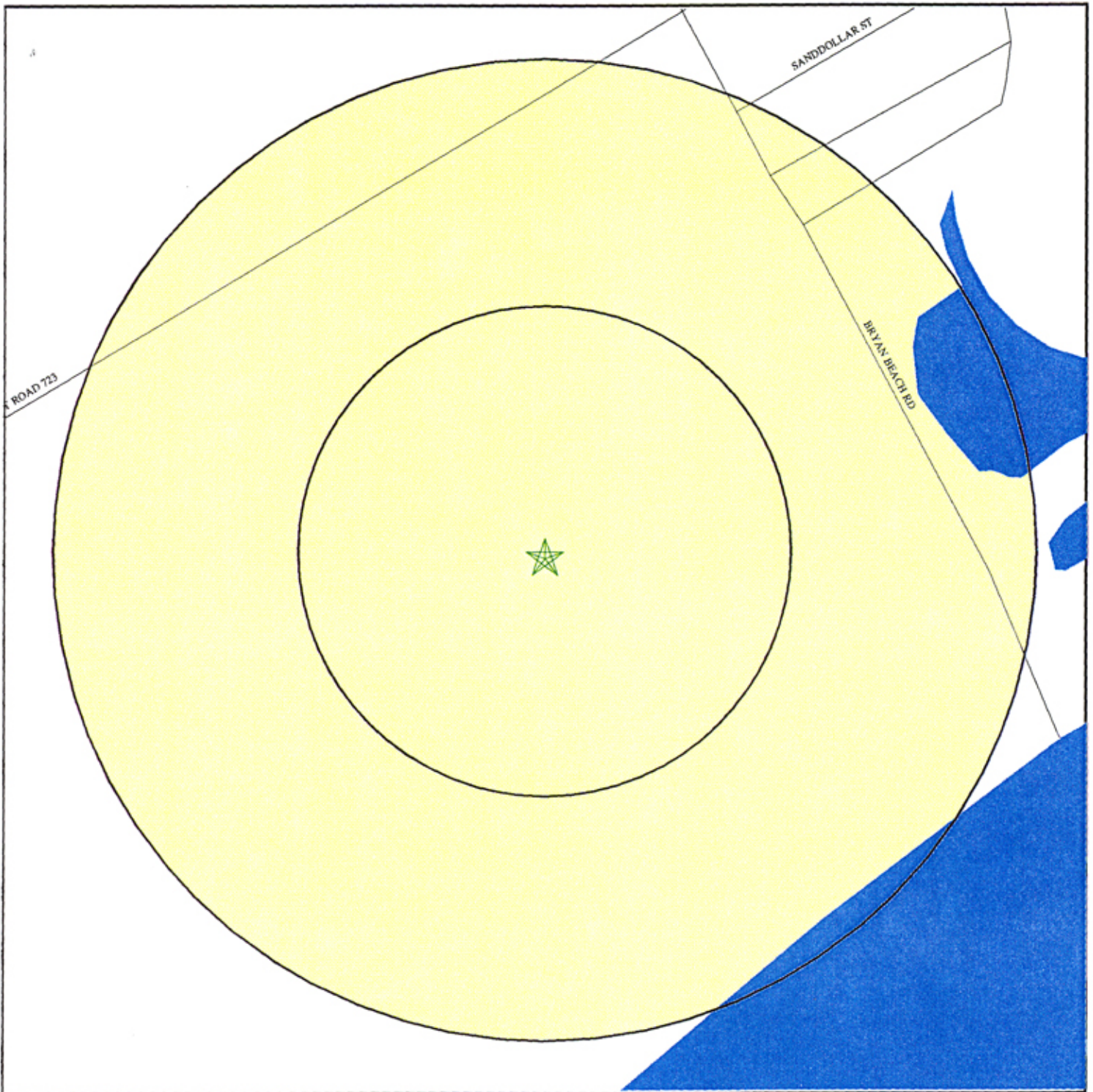


- Power transmission lines (USGS DLG, 1993)
- Oil & Gas pipelines (USGS DLG, 1993)

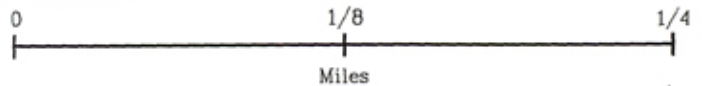
TARGET PROPERTY:	Phillips Bryan Beach	CUSTOMER:	CH2M Hill
ADDRESS:	Farm Road 1495	CONTACT:	David Stieb
CITY/STATE/ZIP:	Freeport TX 77541	INQUIRY #:	107417.1s
LAT/LONG:	28.9114 / 95.3388	DATE:	February 16, 1996

*Counter 15466*

DETAIL MAP - 107417.1s - CH2M Hill



- ★ - Indicates TARGET PROPERTY.
- ▲ - Indicates sites at elevations higher than or equal to the target property.
- ◆ - Indicates sites at elevations lower than the target property.
- ⚡ - Coal Gasification Sites (if requested)
- 🏠 - Sensitive Receptors
- 📦 - National Priority List Sites



- ⚡ - Power transmission lines (USGS DLG, 1993)
- 🛢️ - Oil & Gas pipelines (USGS DLG, 1993)

<p>TARGET PROPERTY: Phillips Bryan Beach                  ADDRESS: Farm Road 1495                  CITY/STATE/ZIP: Freeport TX 77541                  LAT/LONG: 28.9114 / 95.3388</p>	<p>CUSTOMER: CH2M Hill                  CONTACT: David Stieb                  INQUIRY #: 107417.1s                  DATE: February 16, 1996</p> <p style="text-align: right;"><i>Counter 15467</i></p>
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## MAP FINDINGS SUMMARY SHOWING ALL SITES

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
NPL		1.250	0	0	0	0	0	0
Delisted NPL	TP		NR	NR	NR	NR	NR	0
RCRIS-TSD		1.250	0	0	0	0	0	0
State Haz. Waste		1.250	0	0	0	0	0	0
CERCLIS		0.750	0	0	0	0	NR	0
CERC-NFRAP	TP		NR	NR	NR	NR	NR	0
CORRACTS		1.250	0	0	0	0	0	0
State Landfill		0.750	0	0	0	0	NR	0
LUST		0.750	0	0	0	0	NR	0
UST		0.500	0	0	0	NR	NR	0
AST		0.125	0	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
RCRIS Sm. Quan. Gen.		0.500	0	0	0	NR	NR	0
RCRIS Lg. Quan. Gen.		0.500	0	0	0	NR	NR	0
HMIRS	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ERNS	TP		NR	NR	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
NPL Liens	TP		NR	NR	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
Texas Spills	TP		NR	NR	NR	NR	NR	0
WasteMgt	TP		NR	NR	NR	NR	NR	0
ROD		1.250	0	0	0	0	0	0
CONSENT		1.250	0	0	0	0	0	0
Coal Gas		1.000	0	0	0	0	NR	0

TP = Target Property

NR = Not Requested at this Search Distance

\* Sites may be listed in more than one database

**MAP FINDINGS SUMMARY SHOWING  
ONLY SITES HIGHER THAN OR THE SAME ELEVATION AS TP**

Database	Target Property	Search Distance (Miles)	< 1/8	1/8 - 1/4	1/4 - 1/2	1/2 - 1	> 1	Total Plotted
NPL		1.250	0	0	0	0	0	0
Delisted NPL	TP		NR	NR	NR	NR	NR	0
RCRIS-TSD		1.250	0	0	0	0	0	0
State Haz. Waste		1.250	0	0	0	0	0	0
CERCLIS		0.750	0	0	0	0	NR	0
CERC-NFRAP	TP		NR	NR	NR	NR	NR	0
CORRACTS		1.250	0	0	0	0	0	0
State Landfill		0.750	0	0	0	0	NR	0
LUST		0.750	0	0	0	0	NR	0
UST		0.500	0	0	0	NR	NR	0
AST		0.125	0	NR	NR	NR	NR	0
RAATS	TP		NR	NR	NR	NR	NR	0
RCRIS Sm. Quan. Gen.		0.500	0	0	0	NR	NR	0
RCRIS Lg. Quan. Gen.		0.500	0	0	0	NR	NR	0
HMIRS	TP		NR	NR	NR	NR	NR	0
PADS	TP		NR	NR	NR	NR	NR	0
ERNS	TP		NR	NR	NR	NR	NR	0
FINDS	TP		NR	NR	NR	NR	NR	0
TRIS	TP		NR	NR	NR	NR	NR	0
NPL Liens	TP		NR	NR	NR	NR	NR	0
TSCA	TP		NR	NR	NR	NR	NR	0
MLTS	TP		NR	NR	NR	NR	NR	0
Texas Spills	TP		NR	NR	NR	NR	NR	0
WasteMgt	TP		NR	NR	NR	NR	NR	0
ROD		1.250	0	0	0	0	0	0
CONSENT		1.250	0	0	0	0	0	0
Coal Gas		1.000	0	0	0	0	NR	0

TP = Target Property

NR = Not Requested at this Search Distance

\* Sites may be listed in more than one database

MAP FINDINGS

Map ID  
Direction  
Distance  
Elevation

Site

Database(s)

EDR ID Number  
EPA ID Number

Coal Gas Site Search: No site was found in a search of Real Property Scan's ENVIROHAZ database.

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NO SITES FOUND

ORPHAN SUMMARY

City	EDR ID	Site Name	Site Address	Zip	Database(s)	Facility ID
FREEPORT	94260940	BRYAN BEACH//DEPT OF ENERGY RIGHT		77541	ERNS	
FREEPORT	94257320	BRYAN BEACH		77541	ERNS	
FREEPORT	9200812	SAN BERNARD RIVER, DOWNSTREAM FROM		77541	ERNS	
FREEPORT	S101397888				SWF/LF	
FREEPORT	S101397893				SWF/LF	
FREEPORT	1000454706	PHILLIPS 66 FREEPORT TERMINAL 2	FM 1495 @ EDGE OF C LIMITS	77541	RCRIS-SQG, FINDS, TRIS	
FREEPORT	1000454705	PHILLIPS 66 FREEPORT TERMINAL 1	FM 1495 .25M SW	77541	RCRIS-SQG, FINDS	
FREEPORT	1000253845	MOBIL PRODUCING TEXAS & NEW MEXICO	2311 FM 1495	77541	RCRIS-SQG, FINDS	
FREEPORT	1000229775	ROCHE VITAMINS & FINE CHEM	1000 RT 227	77541	RCRIS-SQG, FINDS, UST	0016281
FREEPORT	U001266751	PIC & PAC GROCERY	RT 3 2301 HWY 523	77541	UST	0033616
FREEPORT	1000289385	PHILLIPS PET CO JONES CREEK TERMIN	HIGHWAY 36 WEST	77541	FINDS, RCRIS-LQG, TRIS	
FREEPORT	U001273309	PALMER'S GROC & GAS	10931 HWY 36 RT 3	77541	UST	0040852
FREEPORT	U001290352	SPAN OIL	7116 HWY 36 - RT 1	77541	UST	0060684
FREEPORT	1000236225	CALGON CORPORATION	FM 504 S OF HWY 332	77541	RCRIS-SQG, FINDS	
FREEPORT	1000106793	DOW CHEMICAL CO USA OYSTER CRE	HWY 523 & HWY 332	77541	FINDS, RCRIS-LQG, RCRIS-TSD, TSCA, CERC-NFRAP	
FREEPORT	1000133860	BIG THREE IND GAS	1819 HWY 523	77541	FINDS, RCRIS-LQG, TRIS, RCRIS-TSD	
FREEPORT	1000198224	ROWE PRODUCTS OF TEXAS INC	HWY 523	77541	RCRIS-SQG, FINDS	
FREEPORT	U001238014	STOP N GO #2847	331 SOUTH A AVE	77541	UST	0000732
FREEPORT	U001283944	BRYAN MOUND STRATEGIC PETROLEUM	PO BOX 2276	77541	UST, AST	
FREEPORT	1000127312	D&L PAINTING CO	907 COUNTY RD 223	77541	RCRIS-SQG, FINDS	
FREEPORT	1000884641	KILGORE MARINE INC-KI-KIV	2511 COUNTY RD 1495 MOBIL DOCK	77541	RCRIS-LQG	
FREEPORT	U001285011	FOUNDATION & CONSTRUCTION, INC	603 COUNTY 227 RD	77541	UST, AST	
FREEPORT	1000175559	NALCO CHEMICAL COMPANY PLANT NO 5	COUNTY ROAD 229	77541	CERCLIS, RCRIS-SQG, FINDS, TRIS, TSCA	
FREEPORT	1000238075	HERCULES OFFSHORE DRILLING COMPANY	COUNTY ROAD 756	77541	CERCLIS, FINDS, RCRIS-LQG, RCRIS-TSD	
FREEPORT	1000876872	MCCOLLISTER AUTO SALVAGE	326 HANLEY RD RT 1	77541	RCRIS-SQG, FINDS	
FREEPORT	1000381808	OFFSHORE OIL SERVICES INC	S LOOP 288 AT HWY 36	77541	FINDS, RCRIS-LQG, UST, AST	
FREEPORT	1000483330	HERCULES OFFSHORE CORPORATION	906 MARLIN AVENUE	77541	CERCLIS, UST, AST	
FREEPORT	1000289391	PHILLIPS PETROLEUM CO FREEPORT TER	QUINTANA ROAD	77541	FINDS, CERC-NFRAP	
FREEPORT	U001292372	KIRBY MARINA INC	R. RT 2 BOX 14	77541	UST	0063300
FREEPORT	1000216161	INTERMEDICS INC	240 TARPON INN VILLAGE	77541	FINDS, RCRIS-LQG, RCRIS-TSD	
FREEPORT	U001241640	BASTROP MARINA	4515 TRAMMEL RD/COUNTY RD 4	77541	UST	0004999
FREEPORT	1000707440	QUINTANA BEACH	UNKNOWN	77541	CERC-NFRAP	
JONES CREEK	U001287292	FORMER CHEVRON SERVICE STATION	6335 S STATE HWY 36	77541	UST	0057367
OYSTER CREEK	S101117193	CAPTAIN JOHNS	2902 HWY 523	77541	LUST	0034101

Count 15471

# GEOCHECK VERSION 2.1 ADDENDUM FEDERAL DATABASE WELL INFORMATION

Well Closest to Target Property (North Quadrant)

## BASIC WELL DATA

Site ID:	285607095210701	Distance from TP:	1 - 2 Miles
Site Type:	Single well, other than collector or Ranney type		
Year Constructed:	1953	County:	Brazoria
Altitude:	2.00 ft.	State:	Texas
Well Depth:	252.00 ft.	Topographic Setting:	Not Reported
Depth to Water Table:	131.80 ft.	Prim. Use of Site:	Observation
Date Measured:	02281967	Prim. Use of Water:	Unused

## LITHOLOGIC DATA

Geologic Age ID (Era/System/Series):	Cenozoic-Quaternary-Pleistocene
Principal Lithology of Unit:	Not Reported
Further Description:	Not Reported

## WATER LEVEL VARIABILITY

Water Level: 111.40 ft.	Water Level: 115.60 ft.	Water Level: 121.20 ft.	Water Level: 112.50 ft.
Date Measured: 12/28/53	Date Measured: 05/04/54	Date Measured: 08/09/54	Date Measured: 05/10/55
Water Level: 119.30 ft.	Water Level: 126.00 ft.	Water Level: 132.50 ft.	Water Level: 134.30 ft.
Date Measured: 08/11/55	Date Measured: 05/01/56	Date Measured: 09/05/56	Date Measured: 04/26/57
Water Level: 127.50 ft.	Water Level: 107.80 ft.	Water Level: 101.80 ft.	Water Level: 105.70 ft.
Date Measured: 09/01/57	Date Measured: 05/01/58	Date Measured: 01/01/59	Date Measured: 09/01/59
Water Level: 97.50 ft.	Water Level: 109.00 ft.	Water Level: 97.50 ft.	Water Level: 93.20 ft.
Date Measured: 01/01/60	Date Measured: 09/01/60	Date Measured: 05/01/61	Date Measured: 10/01/61
Water Level: 94.30 ft.	Water Level: 105.20 ft.	Water Level: 105.20 ft.	Water Level: 113.00 ft.
Date Measured: 05/01/62	Date Measured: 09/27/62	Date Measured: 05/31/63	Date Measured: 09/30/63
Water Level: 109.20 ft.	Water Level: 113.90 ft.	Water Level: 118.40 ft.	Water Level: 123.80 ft.
Date Measured: 05/01/64	Date Measured: 09/01/64	Date Measured: 06/02/65	Date Measured: 10/25/65
Water Level: 126.80 ft.	Water Level: 137.40 ft.	Water Level: 136.20 ft.	Water Level: 151.50 ft.
Date Measured: 05/31/66	Date Measured: 09/30/66	Date Measured: 05/31/67	Date Measured: 09/28/67
Water Level: 141.20 ft.	Water Level: 139.60 ft.	Water Level: 133.70 ft.	Water Level: 141.10 ft.
Date Measured: 10/31/67	Date Measured: 11/30/67	Date Measured: 12/28/67	Date Measured: 01/30/68
Water Level: 143.30 ft.	Water Level: 145.40 ft.	Water Level: 143.90 ft.	Water Level: 145.60 ft.
Date Measured: 02/23/68	Date Measured: 03/28/68	Date Measured: 04/29/68	Date Measured: 05/28/68
Water Level: 144.80 ft.	Water Level: 141.80 ft.	Water Level: 140.00 ft.	Water Level: 135.80 ft.
Date Measured: 06/26/68	Date Measured: 07/30/68	Date Measured: 08/27/68	Date Measured: 09/25/68
Water Level: 131.70 ft.	Water Level: 130.40 ft.	Water Level: 122.60 ft.	Water Level: 120.40 ft.
Date Measured: 10/28/68	Date Measured: 11/29/68	Date Measured: 12/31/68	Date Measured: 01/30/69
Water Level: 119.60 ft.	Water Level: 120.60 ft.	Water Level: 125.40 ft.	Water Level: 126.00 ft.
Date Measured: 02/27/69	Date Measured: 03/26/69	Date Measured: 04/28/69	Date Measured: 05/28/69
Water Level: 132.60 ft.	Water Level: 138.60 ft.	Water Level: 138.80 ft.	Water Level: 138.80 ft.
Date Measured: 06/27/69	Date Measured: 07/28/69	Date Measured: 08/28/69	Date Measured: 09/30/69
Water Level: 134.70 ft.	Water Level: 132.80 ft.	Water Level: 128.20 ft.	Water Level: 131.80 ft.
Date Measured: 10/31/69	Date Measured: 11/25/69	Date Measured: 12/26/69	Date Measured: 01/28/70
Water Level: 124.10 ft.	Water Level: 123.10 ft.	Water Level: 123.48 ft.	Water Level: 129.10 ft.
Date Measured: 02/25/70	Date Measured: 04/24/70	Date Measured: 05/28/70	Date Measured: 06/30/70
Water Level: 133.30 ft.	Water Level: 137.90 ft.	Water Level: 138.80 ft.	Water Level: 131.50 ft.
Date Measured: 07/31/70	Date Measured: 08/27/70	Date Measured: 10/30/70	Date Measured: 12/02/70
Water Level: 127.40 ft.	Water Level: 129.30 ft.	Water Level: 125.20 ft.	Water Level: 124.50 ft.
Date Measured: 12/29/70	Date Measured: 01/29/71	Date Measured: 02/24/71	Date Measured: 03/29/71
Water Level: 128.60 ft.	Water Level: 129.40 ft.	Water Level: 130.20 ft.	Water Level: 140.70 ft.
Date Measured: 04/28/71	Date Measured: 05/25/71	Date Measured: 06/30/71	Date Measured: 07/30/71

## GEOCHECK VERSION 2.1 FEDERAL DATABASE WELL INFORMATION

Well Closest to Target Property (North Quadrant, Continued)

### WATER LEVEL VARIABILITY (Continued)

Water Level: 137.20 ft. Date Measured: 08/30/71	Water Level: 137.80 ft. Date Measured: 09/27/71	Water Level: 137.30 ft. Date Measured: 11/01/71	Water Level: 136.40 ft. Date Measured: 12/01/71
Water Level: 134.80 ft. Date Measured: 01/01/72	Water Level: 128.10 ft. Date Measured: 02/01/72	Water Level: 124.80 ft. Date Measured: 03/01/72	Water Level: 130.40 ft. Date Measured: 04/01/72
Water Level: 132.80 ft. Date Measured: 05/01/72	Water Level: 135.80 ft. Date Measured: 07/01/72	Water Level: 127.20 ft. Date Measured: 09/01/72	Water Level: 124.60 ft. Date Measured: 10/01/72
Water Level: 118.80 ft. Date Measured: 12/01/72	Water Level: 122.10 ft. Date Measured: 01/01/73	Water Level: 122.80 ft. Date Measured: 02/01/73	Water Level: 126.80 ft. Date Measured: 03/01/73
Water Level: 126.80 ft. Date Measured: 04/01/73	Water Level: 129.20 ft. Date Measured: 05/01/73	Water Level: 130.80 ft. Date Measured: 06/01/73	Water Level: 139.20 ft. Date Measured: 07/01/73
Water Level: 141.00 ft. Date Measured: 09/01/73	Water Level: 139.30 ft. Date Measured: 10/01/73	Water Level: 135.20 ft. Date Measured: 11/01/73	Water Level: 133.00 ft. Date Measured: 12/01/73
Water Level: 128.20 ft. Date Measured: 03/29/74	Water Level: 140.30 ft. Date Measured: 08/01/74	Water Level: 142.70 ft. Date Measured: 09/30/74	Water Level: 140.30 ft. Date Measured: 10/31/74
Water Level: 138.10 ft. Date Measured: 11/26/74	Water Level: 137.10 ft. Date Measured: 12/01/74	Water Level: 138.00 ft. Date Measured: 01/01/75	Water Level: 136.20 ft. Date Measured: 02/01/75
Water Level: 137.20 ft. Date Measured: 03/01/75	Water Level: 135.00 ft. Date Measured: 05/01/75	Water Level: 140.50 ft. Date Measured: 06/01/75	Water Level: 132.40 ft. Date Measured: 08/01/75
Water Level: 130.50 ft. Date Measured: 09/01/75	Water Level: 128.60 ft. Date Measured: 10/01/75	Water Level: 126.20 ft. Date Measured: 11/02/75	Water Level: 119.20 ft. Date Measured: 12/04/75
Water Level: 127.30 ft. Date Measured: 01/01/76	Water Level: 119.90 ft. Date Measured: 02/01/76	Water Level: 112.60 ft. Date Measured: 03/01/76	Water Level: 110.80 ft. Date Measured: 04/01/76
Water Level: 112.20 ft. Date Measured: 05/01/76	Water Level: 111.10 ft. Date Measured: 06/01/76	Water Level: 118.00 ft. Date Measured: 07/01/76	Water Level: 122.10 ft. Date Measured: 08/01/76
Water Level: 123.00 ft. Date Measured: 09/01/76	Water Level: 116.30 ft. Date Measured: 10/01/76	Water Level: 118.40 ft. Date Measured: 11/01/76	Water Level: 116.60 ft. Date Measured: 12/01/76
Water Level: 117.50 ft. Date Measured: 01/01/77	Water Level: 106.90 ft. Date Measured: 02/01/77	Water Level: 105.50 ft. Date Measured: 03/01/77	Water Level: 107.60 ft. Date Measured: 04/01/77
Water Level: 105.20 ft. Date Measured: 05/01/77	Water Level: 107.20 ft. Date Measured: 06/01/77	Water Level: 111.20 ft. Date Measured: 07/01/77	Water Level: 108.40 ft. Date Measured: 08/01/77
Water Level: 105.10 ft. Date Measured: 09/01/77	Water Level: 103.30 ft. Date Measured: 10/01/77	Water Level: 97.50 ft. Date Measured: 11/01/77	Water Level: 95.20 ft. Date Measured: 12/01/77
Water Level: 104.70 ft. Date Measured: 01/01/78	Water Level: 99.50 ft. Date Measured: 02/01/78	Water Level: 91.00 ft. Date Measured: 03/01/78	Water Level: 90.50 ft. Date Measured: 04/01/78
Water Level: 100.70 ft. Date Measured: 05/01/78	Water Level: 98.50 ft. Date Measured: 06/01/78	Water Level: 107.60 ft. Date Measured: 07/01/78	Water Level: 110.10 ft. Date Measured: 08/01/78
Water Level: 115.10 ft. Date Measured: 09/01/78	Water Level: 116.40 ft. Date Measured: 10/01/78	Water Level: 112.90 ft. Date Measured: 11/01/78	Water Level: 114.80 ft. Date Measured: 12/01/78
Water Level: 109.40 ft. Date Measured: 01/01/79	Water Level: 105.00 ft. Date Measured: 02/01/79	Water Level: 105.40 ft. Date Measured: 03/01/79	Water Level: 104.10 ft. Date Measured: 04/01/79
Water Level: 104.70 ft. Date Measured: 05/01/79	Water Level: 104.90 ft. Date Measured: 06/01/79	Water Level: 104.50 ft. Date Measured: 07/01/79	Water Level: 106.20 ft. Date Measured: 08/01/79
Water Level: 112.40 ft. Date Measured: 09/01/79	Water Level: 104.90 ft. Date Measured: 10/01/79	Water Level: 102.30 ft. Date Measured: 11/01/79	Water Level: 99.40 ft. Date Measured: 12/01/79
Water Level: 96.50 ft. Date Measured: 01/01/80	Water Level: 98.80 ft. Date Measured: 02/01/80	Water Level: 95.90 ft. Date Measured: 03/01/80	Water Level: 95.00 ft. Date Measured: 04/01/80
Water Level: 95.50 ft. Date Measured: 05/01/80	Water Level: 96.10 ft. Date Measured: 06/01/80	Water Level: 101.50 ft. Date Measured: 07/01/80	Water Level: 108.40 ft. Date Measured: 08/01/80

**GEOCHECK VERSION 2.1  
FEDERAL DATABASE WELL INFORMATION**

Well Closest to Target Property (North Quadrant, Continued)

**WATER LEVEL VARIABILITY (Continued)**

Water Level: 109.00 ft. Date Measured: 09/01/80	Water Level: 110.30 ft. Date Measured: 10/01/80	Water Level: 110.80 ft. Date Measured: 11/01/80	Water Level: 108.10 ft. Date Measured: 12/01/80
Water Level: 95.40 ft. Date Measured: 01/01/81	Water Level: 93.30 ft. Date Measured: 02/01/81	Water Level: 91.80 ft. Date Measured: 03/01/81	Water Level: 94.40 ft. Date Measured: 04/01/81
Water Level: 90.60 ft. Date Measured: 05/01/81	Water Level: 104.30 ft. Date Measured: 06/01/81	Water Level: 107.30 ft. Date Measured: 07/01/81	Water Level: 108.50 ft. Date Measured: 08/01/81
Water Level: 106.40 ft. Date Measured: 09/01/81	Water Level: 103.70 ft. Date Measured: 10/01/81	Water Level: 102.30 ft. Date Measured: 11/01/81	Water Level: 98.90 ft. Date Measured: 12/01/81
Water Level: 107.30 ft. Date Measured: 01/01/82	Water Level: 98.80 ft. Date Measured: 02/01/82	Water Level: 97.00 ft. Date Measured: 03/01/82	Water Level: 96.10 ft. Date Measured: 04/01/82
Water Level: 105.40 ft. Date Measured: 06/01/82	Water Level: 106.30 ft. Date Measured: 09/01/82		

## GEOCHECK VERSION 2.1 FEDERAL DATABASE WELL INFORMATION

Well Closest to Target Property (West Quadrant)

### BASIC WELL DATA

Site ID:	285537095214001	Distance from TP:	1 - 2 Miles
Site Type:	Single well, other than collector or Ranney type		
Year Constructed:	1943	County:	Brazoria
Altitude:	7.00 ft.	State:	Texas
Well Depth:	224.00 ft.	Topographic Setting:	Not Reported
Depth to Water Table:	144.57 ft.	Prim. Use of Site:	Withdrawal of water
Date Measured:	05041967	Prim. Use of Water:	Stock

### LITHOLOGIC DATA

Geologic Age ID (Era/System/Series):	Cenozoic-Quaternary-Pleistocene
Principal Lithology of Unit:	Not Reported
Further Description:	Not Reported

### WATER LEVEL VARIABILITY

Water Level: 114.20 ft. Date Measured: 02/04/58	Water Level: 117.10 ft. Date Measured: 09/01/58	Water Level: 107.50 ft. Date Measured: 01/01/59	Water Level: 108.10 ft. Date Measured: 09/01/59
Water Level: 99.80 ft. Date Measured: 01/01/60	Water Level: 97.40 ft. Date Measured: 05/01/60	Water Level: 112.70 ft. Date Measured: 09/01/60	Water Level: 92.80 ft. Date Measured: 10/01/60
Water Level: 95.10 ft. Date Measured: 05/01/62	Water Level: 109.20 ft. Date Measured: 09/27/62	Water Level: 104.30 ft. Date Measured: 05/26/63	Water Level: 118.30 ft. Date Measured: 09/30/63
Water Level: 118.10 ft. Date Measured: 06/01/64	Water Level: 115.30 ft. Date Measured: 09/01/64	Water Level: 118.30 ft. Date Measured: 06/02/65	Water Level: 123.30 ft. Date Measured: 10/25/65
Water Level: 128.20 ft. Date Measured: 05/31/66	Water Level: 139.00 ft. Date Measured: 09/30/66	Water Level: 146.40 ft. Date Measured: 07/17/67	Water Level: 146.70 ft. Date Measured: 10/31/67
Water Level: 155.60 ft. Date Measured: 11/30/67	Water Level: 137.60 ft. Date Measured: 12/28/67	Water Level: 143.08 ft. Date Measured: 01/23/68	Water Level: 147.60 ft. Date Measured: 02/23/68
Water Level: 148.30 ft. Date Measured: 03/28/68	Water Level: 147.80 ft. Date Measured: 04/29/68	Water Level: 146.00 ft. Date Measured: 05/28/68	Water Level: 142.60 ft. Date Measured: 06/26/68
Water Level: 143.50 ft. Date Measured: 07/30/68	Water Level: 144.09 ft. Date Measured: 08/08/68	Water Level: 137.20 ft. Date Measured: 09/25/68	Water Level: 133.20 ft. Date Measured: 10/28/68
Water Level: 130.40 ft. Date Measured: 11/29/68	Water Level: 121.50 ft. Date Measured: 12/31/68	Water Level: 118.93 ft. Date Measured: 01/30/69	Water Level: 117.60 ft. Date Measured: 02/27/69
Water Level: 121.00 ft. Date Measured: 03/26/69	Water Level: 126.20 ft. Date Measured: 04/28/69	Water Level: 127.10 ft. Date Measured: 05/28/69	Water Level: 132.50 ft. Date Measured: 06/27/69
Water Level: 138.50 ft. Date Measured: 07/28/69	Water Level: 139.29 ft. Date Measured: 08/13/69	Water Level: 139.60 ft. Date Measured: 08/28/69	Water Level: 139.50 ft. Date Measured: 09/30/69
Water Level: 135.40 ft. Date Measured: 10/31/69	Water Level: 133.60 ft. Date Measured: 11/25/69	Water Level: 129.80 ft. Date Measured: 12/26/69	Water Level: 133.09 ft. Date Measured: 01/27/70
Water Level: 126.00 ft. Date Measured: 02/25/70	Water Level: 123.50 ft. Date Measured: 04/24/70	Water Level: 124.20 ft. Date Measured: 05/28/70	Water Level: 129.60 ft. Date Measured: 06/30/70
Water Level: 132.80 ft. Date Measured: 07/31/70	Water Level: 135.25 ft. Date Measured: 08/11/70	Water Level: 139.20 ft. Date Measured: 09/29/70	Water Level: 137.10 ft. Date Measured: 10/30/70
Water Level: 132.90 ft. Date Measured: 12/02/70	Water Level: 129.30 ft. Date Measured: 12/29/70	Water Level: 128.60 ft. Date Measured: 01/20/71	Water Level: 126.50 ft. Date Measured: 02/24/71
Water Level: 125.70 ft. Date Measured: 03/29/71	Water Level: 130.00 ft. Date Measured: 04/28/71	Water Level: 131.50 ft. Date Measured: 05/25/71	Water Level: 132.60 ft. Date Measured: 06/30/71
Water Level: 141.60 ft. Date Measured: 07/30/71	Water Level: 139.38 ft. Date Measured: 08/11/71	Water Level: 138.50 ft. Date Measured: 09/27/71	Water Level: 137.30 ft. Date Measured: 11/01/71
Water Level: 136.80 ft. Date Measured: 12/01/71	Water Level: 133.16 ft. Date Measured: 01/20/72	Water Level: 130.66 ft. Date Measured: 02/01/72	Water Level: 126.90 ft. Date Measured: 03/01/72



## GEOCHECK VERSION 2.1 FEDERAL DATABASE WELL INFORMATION

Well Closest to Target Property (West Quadrant, Continued)

**WATER LEVEL VARIABILITY (Continued)**

Water Level: 131.00 ft. Date Measured: 04/01/72	Water Level: 134.20 ft. Date Measured: 05/01/72	Water Level: 137.52 ft. Date Measured: 08/10/72	Water Level: 129.60 ft. Date Measured: 09/01/72
Water Level: 125.10 ft. Date Measured: 10/01/72	Water Level: 121.10 ft. Date Measured: 12/01/72	Water Level: 121.48 ft. Date Measured: 01/17/73	Water Level: 124.00 ft. Date Measured: 03/01/73
Water Level: 128.10 ft. Date Measured: 04/01/73	Water Level: 130.90 ft. Date Measured: 05/01/73	Water Level: 130.70 ft. Date Measured: 06/01/73	Water Level: 139.10 ft. Date Measured: 07/01/73
Water Level: 140.25 ft. Date Measured: 08/08/73	Water Level: 142.90 ft. Date Measured: 09/01/73	Water Level: 140.40 ft. Date Measured: 10/01/73	Water Level: 138.30 ft. Date Measured: 11/01/73
Water Level: 136.30 ft. Date Measured: 12/01/73	Water Level: 136.11 ft. Date Measured: 01/17/74	Water Level: 130.00 ft. Date Measured: 03/29/74	Water Level: 141.14 ft. Date Measured: 08/07/74
Water Level: 140.66 ft. Date Measured: 01/22/75	Water Level: 142.07 ft. Date Measured: 08/06/75	Water Level: 122.89 ft. Date Measured: 01/15/76	Water Level: 117.78 ft. Date Measured: 01/07/77
Water Level: 112.31 ft. Date Measured: 08/02/77	Water Level: 100.95 ft. Date Measured: 03/06/78	Water Level: 104.56 ft. Date Measured: 03/05/79	Water Level: 109.02 ft. Date Measured: 08/07/79
Water Level: 107.58 ft. Date Measured: 03/13/80	Water Level: 108.13 ft. Date Measured: 08/25/80	Water Level: 108.02 ft. Date Measured: 01/27/81	Water Level: 109.81 ft. Date Measured: 08/14/81
Water Level: 111.13 ft. Date Measured: 02/19/82	Water Level: 109.74 ft. Date Measured: 08/26/82	Water Level: 112.16 ft. Date Measured: 03/10/83	Water Level: 81.52 ft. Date Measured: 08/11/83
Water Level: 80.91 ft. Date Measured: 02/15/84	Water Level: 78.10 ft. Date Measured: 01/15/85	Water Level: 81.23 ft. Date Measured: 11/19/85	Water Level: 79.40 ft. Date Measured: 04/29/86

## GEOCHECK VERSION 2.1 STATE DATABASE WELL INFORMATION

### Water Well Information:

#### Well Within 1 - 2 Miles of Target Property (Northern Quadrant)

PW Supply ID:	0200027	Water Source Code:	G0200027D
Info Source:	TX State		
Last Data Update:	21-JUN-93		
Latitude:	28 56 08	Longitude:	95 19 42
Owner Designation:	18	State Well #	81065
Location Accuracy:	Good	FIPS County #:	039
Date Drilled:	Not Reported	Hydrologic Unit Code:	Not Reported
TWC Segment:	Not Reported	Remarks:	False
Water body:	Not Reported	Initials:	JLT
Quadrangle #:	2895-434	Well Status:	Operational
Location Agency:	Texas Water Commission		
Location Method:	Map Interpolation via Digital Source, Method 1; Well Locations were plotted on USGS 7.5-minute Topographic Quadrangles and subsequently digitized		
Geodetic Datum:	North American Datum 1927 (NAD 27)		
Spatial Ref:	7.5' X 7.5' (1:24,000)		
Well Depth (Feet):	260		
Depth Agency:	Texas Water Commission		
Aquifer:	Not Reported		
Depth Source:	Unknown		
Aquifer Method:	Not Reported		
Aquifer Agency:	Not Reported		
Aquifer Porosity:	Not Reported		
Aquifer Type:	Not Reported		

#### Well Within 1 - 2 Miles of Target Property (Eastern Quadrant)

PW Supply ID:	0200393	Water Source Code:	G0200393A
Info Source:	TX State		
Last Data Update:	14-JAN-92		
Latitude:	28 55 21	Longitude:	95 19 33
Owner Designation:	1	State Well #	81065
Location Accuracy:	Fair	FIPS County #:	039
Date Drilled:	Not Reported	Hydrologic Unit Code:	Not Reported
TWC Segment:	Not Reported	Remarks:	False
Water body:	Not Reported	Initials:	Not Reported
Quadrangle #:	2895-434	Well Status:	Operational
Location Agency:	Texas Water Commission		
Location Method:	Map Interpolation via Digital Source, Method 1; Well Locations were plotted on USGS 7.5-minute Topographic Quadrangles and subsequently digitized		
Geodetic Datum:	North American Datum 1927 (NAD 27)		
Spatial Ref:	7.5' X 7.5' (1:24,000)		
Well Depth (Feet):	500		
Depth Agency:	Texas Water Commission		
Aquifer:	112GLFC		
Depth Source:	Unknown		
Aquifer Method:	Unknown		
Aquifer Agency:	Texas Water Commission		
Aquifer Porosity:	Not Reported		
Aquifer Type:	Not Reported		

**GEOCHECK VERSION 2.1**  
**PUBLIC WATER SUPPLY SYSTEM INFORMATION**

Searched by Nearest Well.

**PWS SUMMARY:**

PWS ID:	TX0200074	PWS Status:	Active	Distance from TP:	>2 Miles
Date Initiated:	June / 1977	Date Deactivated:	Not Reported	Dir relative to TP:	North
PWS Name:	GALVESTON-FREEPORT KOA R. R. 2 BOX 1345 FREEPORT, TX 77541				

Addressee / Facility Type:	Not Reported
Facility Name:	Not Reported

Facility Latitude:	28 57 14	Facility Longitude:	095 21 33
City Served:	Not Reported:		
Treatment Class:	Treated	Population Served:	Under 101 Persons

Well currently has or has had major violation(s): No

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

To maintain currency of the following federal and state databases, EDR contacts the appropriate governmental agency on a monthly or quarterly basis, as required.

**Elapsed ASTM days:** Provides confirmation that this EDR report meets or exceeds the 90-day updating requirement of the ASTM standard.

## FEDERAL ASTM RECORDS:

**CERCLIS:** Comprehensive Environmental Response, Compensation, and Liability Information System

Source: EPA/NTIS

Telephone: 703-416-0702

CERCLIS: CERCLIS contains data on potentially hazardous waste sites that have been reported to the USEPA by states, municipalities, private companies and private persons, pursuant to Section 103 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). CERCLIS contains sites which are either proposed to or on the National Priorities List (NPL) and sites which are in the screening and assessment phase for possible inclusion on the NPL.

Date of Government Version: 08/31/95

Date Made Active at EDR: 12/04/95

Date of Data Arrival at EDR: 11/02/95

Elapsed ASTM days: 32

**ERNS:** Emergency Response Notification System

Source: EPA/NTIS

Telephone: 202-260-2342

ERNS: Emergency Response Notification System. ERNS records and stores information on reported releases of oil and hazardous substances.

Date of Government Version: 12/31/94

Date Made Active at EDR: 05/25/95

Date of Data Arrival at EDR: 04/11/95

Elapsed ASTM days: 44

**NPL:** National Priority List

Source: EPA

Telephone: 703-603-8852

NPL: National Priorities List (Superfund). The NPL is a subset of CERCLIS and identifies over 1,200 sites for priority cleanup under the Superfund Program. NPL sites may encompass relatively large areas. As such, it is EDR's policy to plot NPL sites greater than approximately 500 acres in size as areas (polygons). Sites smaller in size are point-geocoded at the site's address.

Date of Government Version: 09/01/95

Date Made Active at EDR: 10/25/95

Date of Data Arrival at EDR: 10/17/95

Elapsed ASTM days: 8

**RCRIS:** Resource Conservation and Recovery Information System

Source: EPA/NTIS

Telephone: 703-308-7907

RCRIS: Resource Conservation and Recovery Information System. RCRIS includes selective information on sites which generate, transport, store, treat and/or dispose of hazardous waste as defined by the Resource Conservation and Recovery Act (RCRA).

Date of Government Version: 10/31/95

Date Made Active at EDR: 01/12/96

Date of Data Arrival at EDR: 12/15/95

Elapsed ASTM days: 28

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## FEDERAL NON-ASTM RECORDS:

### CONSENT: Superfund (CERCLA) Consent Decrees

Source: EPA Regional Offices

Telephone: Varies

Major legal settlements that establish responsibility and standards for cleanup at NPL (Superfund) sites. Released periodically by United States District Courts after settlement by parties to litigation matters.

Date of Government Version: Varies

Date of Next Scheduled Update: 09/01/95

### CORRACTS: Corrective Action Report

Source: EPA

Telephone: 703-308-7907

CORRACTS: CORRACTS identifies hazardous waste handlers with RCRA corrective action activity.

Date of Government Version: 04/10/95

Date of Next Scheduled Update: 03/18/96

### FINDS: Facility Index System

Source: EPA/NTIS

Telephone: 800-908-2493

FINDS: Facility Index System. FINDS contains both facility information and "pointers" to other sources that contain more detail. These include: RCRIS, PCS (Permit Compliance System), AIRS (Aerometric Information Retrieval System), FATES (FIFRA [Federal Insecticide Fungicide Rodenticide Act] and TSCA Enforcement System, FTTS [FIFRA/TSCA Tracking System]), CERCLIS, DOCKET (Enforcement Docket used to manage and track information on civil judicial enforcement cases for all environmental statutes), FURS (Federal Underground Injection Control), FRDS (Federal Reporting Data System), SIA (Surface Impoundments), CICIS (TSCA Chemicals in Commerce Information System), PADS, RCRA-J (medical waste transporters/disposers), TRIS and TSCA.

Date of Government Version: 09/30/95

Date of Next Scheduled Update: 04/08/96

### HMIRS: Hazardous Materials Information Reporting System

Source: U.S. Department of Transportation

Telephone: 202-366-4555

HMIRS: Hazardous Materials Incident Report System. HMIRS contains hazardous material spill incidents reported to DOT.

Date of Government Version: 12/31/94

Date of Next Scheduled Update: 04/30/96

### MLTS: Material Licensing Tracking System

Source: Nuclear Regulatory Commission

Telephone: 301-415-7169

MLTS is maintained by the Nuclear Regulatory Commission and contains a list of approximately 8,100 sites which possess or use radioactive materials and which are subject to NRC licensing requirements. To maintain currency, EDR contacts the Agency on a quarterly basis.

Date of Government Version: 08/01/95

Date of Next Scheduled Update: 04/15/96

### NPL LIENS: Federal Superfund Liens

Source: EPA

Telephone: 202-260-8969

NPL LIENS: Federal Superfund Liens. Under the authority granted the USEPA by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner receives notification of potential liability. USEPA compiles a listing of filed notices of Superfund Liens.

Date of Government Version: 10/15/91

Date of Next Scheduled Update: 02/26/96

### PADS: PCB Activity Database System

Source: EPA

Telephone: 202-260-3992

PADS: PCB Activity Database. PADS Identifies generators, transporters, commercial storers and/or brokers and disposers of PCB's who are required to notify the EPA of such activities.

Date of Government Version: 10/14/94

Date of Next Scheduled Update: 02/19/96

## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

**RAATS:** RCRA Administrative Action Tracking System

Source: EPA

Telephone: 202-564-4104

RAATS: RCRA Administration Action Tracking System. RAATS contains records based on enforcement actions issued under RCRA pertaining to major violators and includes administrative and civil actions brought by the EPA.

Date of Government Version: 04/17/95

Date of Next Scheduled Update: 03/18/96

**ROD:** Records Of Decision

Source: NTIS

Telephone: 703-416-0703

Record of Decision. ROD documents mandate a permanent remedy at an NPL (Superfund) site containing technical and health information to aid in the cleanup.

Date of Government Version: 03/31/95

Date of Next Scheduled Update: 03/04/96

**TRIS:** Toxic Chemical Release Inventory System

Source: EPA/NTIS

Telephone: 202-260-2320

TRIS: Toxic Release Inventory System. TRIS identifies facilities which release toxic chemicals to the air, water and land in reportable quantities under SARA Title III Section 313.

Date of Government Version: 12/31/92

Date of Next Scheduled Update: 04/12/96

**TSCA:** Toxic Substances Control Act

Source: EPA/NTIS

Telephone: 202-260-1444

TSCA: Toxic Substances Control Act. TSCA identifies manufacturers and importers of chemical substances included on the TSCA Chemical Substance Inventory list. It includes data on the production volume of these substances by plant site. USEPA has no current plan to update and/or re-issue this database.

Date of Government Version: 01/31/95

Date of Next Scheduled Update: 03/18/96

# GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

## STATE OF TEXAS ASTM RECORDS:

### LUST: Leaking Petroleum Storage Tank Database

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-0986

LUST: Leaking Underground Storage Tank Incident Reports. LUST records contain an inventory of reported leaking underground storage tank incidents. Not all states maintain these records, and the information stored varies by state.

Date of Government Version: 12/15/95  
Date Made Active at EDR: 01/22/96

Date of Data Arrival at EDR: 01/02/96  
Elapsed ASTM days: 20

### SHWS: State Superfund Registry

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-5680

SHWS: State Hazardous Waste Sites. State hazardous waste site records are the states' equivalent to CERCLIS. These sites may or may not already be listed on the federal CERCLIS list. Priority sites planned for cleanup using state funds (state equivalent of Superfund) are identified along with sites where cleanup will be paid for by potentially responsible parties. Available information varies by state.

Date of Government Version: 09/30/95  
Date Made Active at EDR: 12/20/95

Date of Data Arrival at EDR: 11/27/95  
Elapsed ASTM days: 23

### SWF/LS: Permitted Solid Waste Facilities

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-6067

SWF/LS: Solid Waste Facilities/Landfill Sites. SWF/LS type records typically contain an inventory of solid waste disposal facilities or landfills in a particular state. Depending on the state, these may be active or inactive facilities or open dumps that failed to meet RCRA Section 2004 criteria for solid waste landfills or disposal sites.

Date of Government Version: 10/01/95  
Date Made Active at EDR: 12/05/95

Date of Data Arrival at EDR: 11/06/95  
Elapsed ASTM days: 29

### UST: Petroleum Storage Tank Database

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-0986

UST: Registered Underground Storage Tanks. UST's are regulated under Subtitle I of the Resource Conservation and Recovery Act (RCRA) and must be registered with the state department responsible for administering the UST program. Available information varies by state program.

Date of Government Version: 11/01/95  
Date Made Active at EDR: 12/20/95

Date of Data Arrival at EDR: 11/27/95  
Elapsed ASTM days: 23

## STATE OF TEXAS NON-ASTM RECORDS:

### AST: Petroleum Storage Tank Database

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-0986

AST: Registered Aboveground Storage Tanks.

Date of Government Version: 11/01/95

Date of Next Scheduled Update: 03/25/96

### SPILLS: Spills Database

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-0983

Date of Government Version: 07/01/95

Date of Next Scheduled Update: 04/01/96

### WASTEMGT: Commercial Hazardous & Solid Waste Management Facilities

Source: Texas Natural Resource Conservation Commission  
Telephone: 512-239-2920

WASTEMGT: This list contains commercial recycling facilities and facilities permitted or authorized (interim status) by the Texas Natural Resource Conservation Commission.

Date of Government Version: 11/01/93

Date of Next Scheduled Update: 02/12/96

## Historical and Other Database(s)

Depending on the geographic area covered by this report, the data provided in these specialty databases may or may not be complete. For example, the existence of wetlands information data in a specific report does not mean that all wetlands in the area covered by the report are included. Moreover, the absence of any reported wetlands information does not necessarily mean that wetlands do not exist in the area covered by the report.

**Former Manufactured Gas (Coal Gas) Sites:** The existence and location of Coal Gas sites is provided exclusively to EDR by Real Property Scan, Inc. ©Copyright 1993 Real Property Scan, Inc. For a technical description of the types of hazards which may be found at such sites, contact your EDR customer service representative.

## Disclaimer Provided by Real Property Scan, Inc.

The information contained in this report has predominantly been obtained from publicly available sources produced by entities other than Real Property Scan. While reasonable steps have been taken to insure the accuracy of this report, Real Property Scan does not guarantee the accuracy of this report. Any liability on the part of Real Property Scan is strictly limited to a refund of the amount paid. No claim is made for the actual existence of toxins at any site. This report does not constitute a legal opinion.

### **DELISTED NPL:** Delisted NPL Sites

Source: EPA  
Telephone: 703-603-8769

**DELISTED NPL:** The National Oil and Hazardous Substances Pollution Contingency Plan (NCP) establishes the criteria that the EPA uses to delete sites from the NPL. In accordance with 40 CFR 300.425.(e), sites may be deleted from the NPL where no further response is appropriate.

### **NFRAP:** No Further Remedial Action Planned

Source: EPA/NTIS  
Telephone: 703-416-0702

**NFRAP:** As of February 1995, CERCLIS sites designated "No Further Remedial Action Planned" (NFRAP) have been removed from CERCLIS. NFRAP sites may be sites where, following an initial investigation, no contamination was found, contamination was removed quickly without the need for the site to be placed on the NPL, or the contamination was not serious enough to require Federal Superfund action or NPL consideration. EPA has removed approximately 25,000 NFRAP sites to lift the unintended barriers to the redevelopment of these properties and has archived them as historical records so EPA does not needlessly repeat the investigations in the future. This policy change is part of the EPA's Brownfields Redevelopment Program to help cities, states, private investors and affected citizens to promote economic redevelopment of unproductive urban sites.

### **FRDS:** Federal Reporting Data System

Source: EPA/Office of Drinking Water  
Telephone: 202-260-2805

**FRDS** provides information regarding public water supplies and their compliance with monitoring requirements, maximum contaminant levels (MCL's), and other requirements of the Safe Drinking Water Act of 1986.

**Area Radon Information:** The National Radon Database has been developed by the U.S. Environmental Protection Agency (USEPA) and is a compilation of the EPA/State Residential Radon Survey and the National Residential Radon Survey. The study covers the years 1986 - 1992. Where necessary data has been supplemented by information collected at private sources such as universities and research institutions.

**Oil/Gas Pipelines/Electrical Transmission Lines:** This data was obtained by EDR from the USGS in 1994. It is referred to by USGS as GeoData Digital Line Graphs from 1:100,000-Scale Maps. It was extracted from the transportation category including some oil, but primarily gas pipelines and electrical transmission lines.

**Sensitive Receptors:** There are individuals who, due to their fragile immune systems, are deemed to be especially sensitive to environmental discharges. These typically include the elderly, the sick, and children. While the exact location of these sensitive receptors cannot be determined, EDR indicates those facilities, such as schools, hospitals, day care centers, and nursing homes, where sensitive receptors are likely to be located.



## GOVERNMENT RECORDS SEARCHED / DATA CURRENCY TRACKING

**USGS Water Wells:** In November 1971 the United States Geological Survey (USGS) implemented a national water resource information tracking system. This database contains descriptive information on sites where the USGS collects or has collected data on surface water and/or groundwater. The groundwater data includes information on more than 900,000 wells, springs, and other sources of groundwater.

**Flood Zone Data:** This data, available in select counties across the country, was obtained by EDR in 1994 from the Federal Emergency Management Agency (FEMA). Data depicts 100-year and 500-year flood zones as defined by FEMA.

**Epicenters:** World earthquake epicenters, Richter 5 or greater  
Source: Department of Commerce, National Oceanic and Atmospheric Administration

**Water Dams:** National Inventory of Dams  
Source: Federal Emergency Management Agency  
Telephone: 202-646-2801  
WATER DAMS: National computer database of more than 74,000 dams maintained by the Federal Emergency Management Agency.

**Texas Oil and Gas Wells:** Inventory of oil and gas wells in select Texas counties  
Source: Texas Railroad Commission

**Texas Public Water Supply Database on Ground and Surface Water**  
Source: Texas Natural Resource Conservation Commission

**Texas Harris-Galveston Coastal Subsidence District Water Well Database**  
Source: Harris-Galveston Coastal Subsidence District

**Appendix C**

**50 Year Chain-of-Title and Sanborn Maps**



Telephone: (713) 223-1333  
FAX: (713) 223-1334

February 21, 1996

TR No. 2614

Mr. David Stieb  
CH2M HILL  
Center Plaza Bldg.  
45 NE Loop 410  
San Antonio, TX 78216

CH2M HILL  
FEB 26 1996

Dear Mr. Stieb,

Pursuant to your request, the following represents a fifty (50) year chain of title activity including, but not limited to, Deeds, Easements, Right-of-Ways and Leases affecting the Surface Estate of the following Real Property:

113.45 ACRES  
OUT OF THE J.G. MCNEEL SURVEY, A-335  
BRAZORIA COUNTY, TEXAS

Please find on the following pages a chronological listing and description of instruments filed of record in the Office of the Clerk of Brazoria County, Texas.

The information contained herein, is to our best knowledge and belief, a correct showing of Deeds, Easements, Right-of-Ways and Leases of record affecting the surface estate of the subject property. This information is not an opinion of title. This information is provided to the client (addressee) for the client's sole use and benefit and may not be used or relied upon by any other party. By accepting this report, the client agrees that Realty Data Services will not assume any financial responsibility beyond the fee received for issuance of said report, nor does Realty Data Services accept responsibility for any inconsistencies or incorrect posting or errors on the part of the County Clerk of said County.

REPORT EFFECTIVE DATE: February 14, 1996 at 8:00 A.M.

EXAMINED BY:



GARY T. CRUMP

Page 1 of 3

TR No. 2614

LEGAL DESCRIPTION: 113.45 acres of land out of the J.G. McNeel Survey, A-335, Brazoria County, Texas; known as Phillips Bryan Beach located at the southwest corner of FM 1495 and county road 723, south of the intercoastal waterway, Freeport, Texas.

OWNER OF RECORD: Phillips 66 Co.

DATE: 12/5/86  
INSTRUMENT: Warranty Deed  
GRANTEE: Phillips 66 Co.  
GRANTOR: Phillips Petroleum Co.  
REFERENCE: 88365/22  
COMMENTS: 113.4531 acres, et al.

DATE: 10/24/84  
INSTRUMENT: Warranty Deed  
GRANTEE: Phillips Petroleum Co.  
GRANTOR: Seaway Pipeline, Inc.  
REFERENCE: 8465/285  
COMMENTS: 113.4531 acres

DATE: 11/13/78  
INSTRUMENT: Warranty Deed  
GRANTEE: Seaway Pipeline, Inc.  
GRANTOR: J.T. Suggs and James F. Crews  
REFERENCE: 1431/939  
COMMENTS: 113.4531 acres

DATE: 12/22/76  
INSTRUMENT: Trustee's Deed  
GRANTEE: J.T. Suggs and James F. Crews  
GRANTOR: Bryan Beach, Ltd.  
REFERENCE: 1320/318  
COMMENTS: 113.4531 acres

DATE: 8/21/73  
INSTRUMENT: Warranty Deed  
GRANTEE: Bryan Beach, Ltd.  
GRANTOR: J.T. Suggs and James F. Crews  
REFERENCE: 1173/496  
COMMENTS: 113.4531 acres

DATE: 8/23/71  
INSTRUMENT: Warranty Deed  
GRANTEE: J.T. Suggs and James F. Crews  
GRANTOR: Sharon Equipment Co.  
REFERENCE: 1096/270  
COMMENTS: 113.583 acres

TR No. 2614

DATE: 1/12/68  
INSTRUMENT: Warranty Deed  
GRANTEE: Sharon Equipment Co.  
GRANTOR: J.P. Bryan, W.Joel Bryan et ux Opal L. Bryan, and  
Gretchen Chandler  
REFERENCE: 992/496  
COMMENTS: 113.583 acres

DATE: 3/4/67  
INSTRUMENT: Partition Deed  
GRANTEE: J.P. Bryan, Gretchen Smith Bryan, and W.Joel Bryan  
GRANTOR: Everett B. Lewis, Thomas E. Lewis, Terese Lewis  
Learned, J.P. Bryan, Gretchen Smith Bryan and W.Joel  
Bryan  
REFERENCE: 963/944  
COMMENTS: 198 acres

DATE: 3/27/29  
INSTRUMENT: Probated Will  
GRANTEE: Terese Bryan Robbins, Daisy Bryan Lewis, William  
Joel Bryan and James Perry Bryan, Jr.  
GRANTOR: The Estate of Octavia L. Bryan, deceased  
REFERENCE: 2/416 Probate  
COMMENTS: 755 acres, et al.

EASEMENTS, RIGHT-OF-WAYS AND SURFACE LEASES AFFECTING THE SUBJECT  
PROPERTY:

None found

02/20/96

Environmental Data Resources, Inc.  
3530 Boston Post Road  
Southport, CT 06490

Phone: (203) 255-6606  
Fax : (203) 255-1976

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Sanborn Map Search

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Customer Information

ORDER# 107417-3

Order Date : 02/16/96

David Stieb  
CH2M Hill  
7600 West Tidwell  
Suite 400  
Houston, TX 77040  
Phone#:713-462-0169  
Fax #:713-462-0165

SPECS FOR SANBORN MAP SEARCH:

Site Name & Address:

Phillips Bryan Beach  
Farm Road 1495  
  
Freeport, TX 77541

Account # : 1382163  
Account Exec : MIK

Cross Street : South of Intracoastal Waterway  
Intersection : County Road 723  
County : Brazoria

---

No Sanborn maps were found for the site searched.

Counter 15489

**Appendix D**  
**Contributor Records Reviewed**

VIEW THE NOTE

E20

From: #5EG --BVOV1

Date and time 03/22/96 09:20:11

To: GPBONIN --ZZMAIL G P Bonin

FROM: James H. Welch  
PTRE&C, Houston, Texas  
(713) 669-3679

SUBJECT: Bryan Beach Spoil Site

By copy of this note I am forwarding Dave Stieb with the information he requested with the exception of Permit 10863(01) which I did not find. If it is determined that (01) is necessary let me know and I can get a copy from the Corps.

James H. Welch

E N D O F N O T E

PF1 Alternate PFs PF2 Copy to PF3 Keep PF4 Erase PF5 Forward Note  
PF6 Reply PF7 Resend PF8 Print PF9 Help PF10 Next PF11 Previous PF12 Return

CH2M HILL  
MAR 25 1996

Counter 15491





DEPARTMENT OF THE ARMY  
 GALVESTON DISTRICT, CORPS OF ENGINEERS  
 P.O. BOX 1229  
 GALVESTON, TEXAS 77553-1229

PHILLIPS PETROLEUM COMPANY  
 PROPERTY TAXES  
 REAL ESTATE & CLAIMS  
 HOUSTON REGION

SEP 16 '93

REPLY TO  
 ATTENTION OF:

SEP 13 1993

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

South Evaluation Section

SUBJECT: Permit - 10863(06)

Phillips Petroleum Company  
 P.O. Box 1967  
 Houston, Texas 77251-1967

Gentlemen:

Your request to amend Permit 10863, dated September 23, 1992, is approved. This amendment provides authorization to retain a disposal area located adjacent to and on the west side of County Road 750, approximately .75 mile south of the Gulf Intracoastal Waterway, State tract 378, Freeport, Brazoria County, Texas.

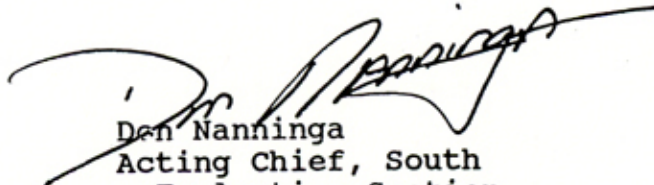
The original permit provided authorization to Seaway Pipeline, Inc. to perform a dredging operation and to construct a tanker and barge handling facility. Amendment (01) provided authorization to revise the alignment of a disposal area levee for the purpose of enlarging the area. A second authorization under Amendment (01) authorized an extension of time until December 31, 1983. Amendment (02) authorized the addition of a maintenance dredging operation and the deepening of a berth. Amendment (03) was issued to transferee Phillips 66 Company (now Phillips Petroleum Company), authorizing an extension of time until December 31, 1991 for maintenance dredging and the use of Corps of Engineers (COE) Disposal Area Numbers 2, 3, and 85. Amendment (04) authorized the addition of COE Disposal Area Number 7. Amendment (05) authorized the addition of a dredging operation in an existing terminal basin, the addition of COE Disposal Area Numbers 1 and 8, an extension of time until December 31, 1994 to complete the project, and an extension of time until December 31, 2001 for maintenance dredging operations.

The enclosed plan in one sheet, dated October 7, 1992, will now become part of the permit. All conditions to which the work is made subject remain in full force and effect, including the time limits authorized in Amendment (05). In addition, the following special condition is added to the permit:

Counter 15492

g. The applicant shall coordinate the dredging activities and use of disposal areas with the Area Engineer, Fort Point Area Office (address below).

FOR THE DISTRICT ENGINEER:

  
Den Nanninga  
Acting Chief, South  
Evaluation Section

Enclosures

Copies Furnished:

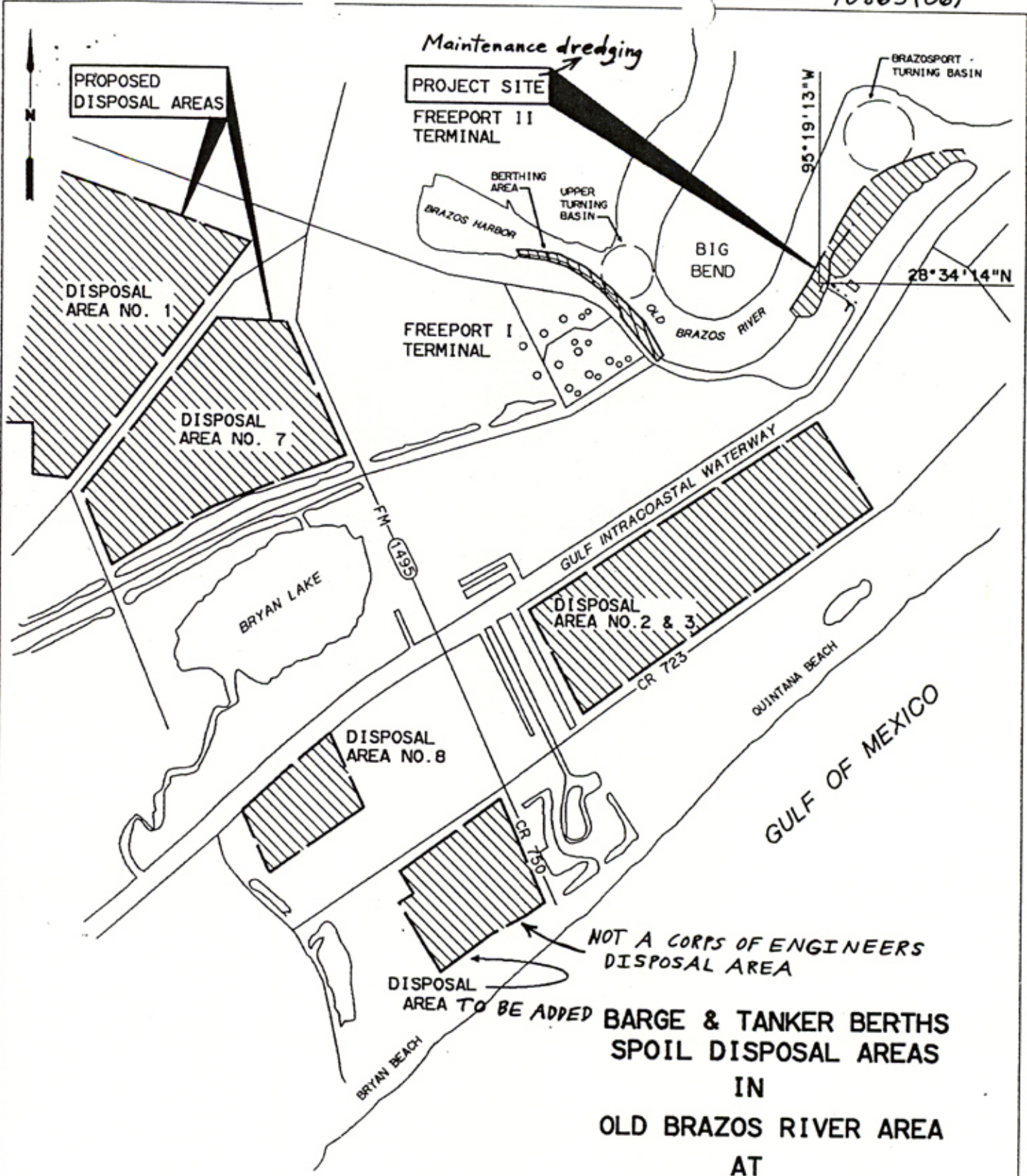
Commander, Eighth Coast Guard District, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, Louisiana 70130-3396

Director, Atlantic Marine Center, National Ocean Survey, Hydrographic Processing Unit, ATTN: N/CG2442x1, 439 West York Street, Norfolk, Virginia 23510-1114

Director, Coastal Division, Land Resources Program, Texas General Land Office, 1700 North Congress, Austin, Texas 78701

Field Representative, Texas General Land Office, La Porte Field Office, 118 South 5th, La Porte, Texas 77571-5048

Area Engineer, Fort Point Area Office, P.O. Box 1229, Galveston, Texas 77553-1229



Existing disposal area levee will be used.



GRAPHIC SCALE

NOT A CORPS OF ENGINEERS  
DISPOSAL AREA

DISPOSAL  
AREA TO BE ADDED

BARGE & TANKER BERTHS  
SPOIL DISPOSAL AREAS  
IN  
OLD BRAZOS RIVER AREA  
AT

FREEPORT, TEXAS  
application by

PHILLIPS PETROLEUM COMPANY  
Bartlesville, Oklahoma

27 MAY 1993

Steve

PENNY STURDIVANT  
FLOODPLAIN ADMINISTRATOR



PHONE: 849-5711  
EXT. 1295

131 E. Live Oak, Room 104

## BRAZORIA COUNTY

ANGLETON, TEXAS 77515

May 24, 1993

U. S. Corps of Engineer  
P. O. Box 1229  
Galveston, Texas 77553-1229

Attn: Mr. Don Nanninga  
Acting Chief, South Evaluation Section

RE: Permit Application No. 10863(06)  
Phillips Petroleum Company

Dear Mr. Nanninga:

As you requested, the Brazoria County Sand Dune Protection Committee has reviewed the above referenced application.

The Committee feels that even though the levee of the spoil site falls within our jurisdiction and it is an existing levee, there will be no action taken at this time. The Committee does request that when the levee receives maintenance, there should be additional vegetation placed on and in front of the levee.

If you have any questions concerning this information, please call my office.

Yours truly,

*Penny Sturdivant*  
Penny Sturdivant  
Floodplain Administrator

Copy: Mr. Jim Welch  
Phillips Petroleum Company

Counter 15495

Memo to the File:

31 December 1979  
Sisselman/ehl/382  
*BL* SWGCO-RP

Subject: Assessment of Environmental  
Impact

Permit Application - 10863(02)

Prior to Issuance of Public Notice

1. Seaway Pipeline, Inc., 346 Phillips Building Annex, Bartlesville, Oklahoma 74004 proposes to perform maintenance dredging and deepen a berth in Freeport Harbor, in the Old Brazos River, at Brazosport Turning Basin, in Freeport, Texas. Approximately 308,000 cubic yards of sand, silt and clay will be hydraulically dredged to a depth of 40 feet below MLT at the applicant's T-head dock and to a depth of 42 feet below MLT at the applicant's finger pier. Two alternate routes are planned for the dredge disposal pipelines leading to two different disposal areas. The effluent from the disposal areas will be controlled with adjustable weirs to prevent siltation of the Gulf Intracoastal Waterway.

2. Area Involved - Navigation channel.

3. Following is a preliminary discussion of potential environmental impacts of this action on various parameters:

Air Pollution - This project is not likely to result in emission of harmful substances into the air.

Water Pollution - Temporary turbidity is probable during dredging operations resulting in minimal damage to fish and wildlife habitat and other biota. No lasting water pollution will occur.

Natural Resources - Minimal damage to the fish and wildlife habitat will occur during dredging operations. Benthic organisms will be temporarily disturbed, however, they and the habitat will reestablish through natural processes. Except for temporary turbidity, aesthetics will not be affected.

Endangered Species - No known endangered species or their critical habitat will be affected by the proposed work.

Man-made Resources - No known archaeological or historic values or adjacent structures will be damaged.

*Counter 15996*

4. This application will be coordinated with the following:

- U.S. Fish and Wildlife Service, Albuquerque, N.M.
- U.S. Fish and Wildlife Service, Galveston
- National Marine Fisheries Service, Galveston
- Environmental Protection Agency, Dallas
- Texas Parks and Wildlife Department, Austin
- Texas Parks and Wildlife Department, LaPorte
- General Land Office, Austin
- National Ocean Survey, Atlantic Marine Center, Norfolk, Va.
- American Waterways Operators, New Orleans, La.
- Brazos River Harbor Navigation District
- Adjacent Property Owners

5. Based on the foregoing preliminary environmental assessment, it is determined that this proposed project may have an adverse effect on the quality of the human environment. After a careful analysis of the benefits of the proposed alteration weighed against the potential damage to the wetlands resource, a determination will be made whether it is in the public interest to issue the permit. After a review of the public response to the public notice, an environmental impact statement may be required.

Date: 9 Jan 80

MARCOS DE LA ROSA  
Chief, Permit Branch



STATEMENT OF FINDINGS

1. This is concerning the amendment of Department of the Army permit under Section 10 of the River and Harbor Act of March 3, 1899 and Section 404 of the Clean Water Act to Seaway Pipeline, Inc., 346 Phillips Building Annex, Bartlesville, Oklahoma 74004 to perform maintenance dredging and deepen a berth in Freeport Harbor, in the Old Brazos River, at Brazosport Turning Basin, in Freeport, Texas.

2. I have reviewed and evaluated, in light of the overall public interest, the documents and factors concerning this permit application, as well as the stated views of other interested Federal and non-Federal agencies and the concerned public, relative to the proposed work in navigable waters of the United States. This evaluation is in accordance with the guidelines contained in 40 C.F.R. 230 pursuant to Section 404 (b) of the Clean Water Act.

3. The possible consequences of this proposed work have been studied for environmental, social well-being, the public interests and in accordance with regulations published in 33 C.F.R. 320-329. Factors bearing on my review include: conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and, in general, the needs and welfare of the people.

4. In evaluation of this work and consideration of comments received from coordination of Public Notice Number 10863(02) dated 22 January 1980, the following points are considered pertinent:

a. Federal Agencies.

(1) The U.S. Fish and Wildlife Service offered a letter of no objection dated 6 February 1980. The National Marine Fisheries Service offered a letter of no objection dated 4 February 1980. The Fort Point Area Office offered comments dated 12 March 1980 stating that the 112 acre disposal area is now being used by a Government contractor and will not be available for use by the applicant until completion of the contract, which is

set for 18 May 1980. The following special condition will be incorporated into the permit: "That the permittee shall notify the Area Engineer, Fort Point Area Office, and make the necessary arrangements prior to the commencement of any work in the area."

(2) No other Federal agency comments were received.

b. State and Local Agencies.

(1) The Texas Parks and Wildlife Department offered a letter dated 7 February 1980 objecting to the issuance of the permit until the applicant obtains the required State authorization to purchase State-owned dredge material. The Texas Parks and Wildlife objection is considered non-substantive as a Department of the Army permit does not convey any property rights, either in real estate or material, or any exclusive privileges nor does it authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations; nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized by the Department of the Army permit.

(2) In letter dated 22 February 1980, the Texas Historical Commission requested that the discharge pipe routes and the disposal areas be surveyed because the work could affect a known cultural resource, the site of Old Quintana, which has been determined to be eligible for inclusion within the National Register of Historic Places. A survey was conducted on 28 February 1980 by the District Archeologist in accordance with the National Historic Preservation Act. No cultural resources were identified in the permit area by surface inspection. The area was found to be heavily disturbed by dredging activities and highway construction. It is highly unlikely that significant, intact cultural remains will be affected by amendment of this permit. The results of the survey were forwarded to the Texas Historical Commission on 6 March 1980. In letter dated 19 March 1980, the Texas Historical Commission concluded that the proposal should not affect sites on the National Register of Historic Places nor any site presently in the process of submission to the National Register. However, the survey of sites which could be eligible for inclusion within the National Register has not been completed. Therefore, the following special condition will be incorporated into the permit: "That the permittee, upon discovery of cultural resources during the prosecution of the work, shall notify the District Engineer."



(3) Texas Department of Water Resources certification was issued on 23 January 1980. No other State or local agency comments were received.

c. Individual or Organized Groups. No individual or organized group comments were received. This proposal is not considered to be contrary to the public interest.

d. Other Considerations. The proposed work should not be seriously affected by flooding and will have no significant effects on beach erosion or accretion. There have been no significant adverse environmental effects identified resulting from the proposed work. The impact of this proposed activity on aspects affecting the quality of the environment has been evaluated and it is determined that this action does not require an environmental statement.

5. I find that the decision to amend this permit as prescribed by regulations published in 33 C.F.R. 320-329 is based on thorough analysis and evaluation of the various factors enumerated above; that there have been no identified significant adverse environmental effects related to the work; that the amendment of this permit is consonant with National policy, statutes, and administrative directives; and that on balance the total public interest should best be served by the amendment of a Department of the Army permit for the proposed work.

10 Apr 80  
(date)

*[Signature]*  
for JAMES M. SIGLER  
Colonel, CE  
District Engineer

- CH, ~~PROCESSING SEC~~ \_\_\_\_\_
- CH, PERMIT BR MAR \_\_\_\_\_
- ASST CH, CONST-OPR DIV BS \_\_\_\_\_
- CH, CONST-OPR DIV com \_\_\_\_\_
- DIST COUNSEL HmK \_\_\_\_\_
- DEPUTY DIST ENGINEER \_\_\_\_\_



DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1229  
GALVESTON, TEXAS 77553-1229

REPLY TO  
ATTENTION OF:

December 6, 1991

Evaluation Section

SUBJECT: Permit - 10863(05)

Phillips 66 Company  
P.O. Box 1967  
Houston, Texas 77251-1967

Gentlemen:

Your request dated June 14, 1991 to extend the time and to amend Permit 10863(04) is approved. This amendment authorizes a dredging operation in a terminal basin and the addition of Corps Disposal Area Numbers 1, 2, 3, 7, and 8. The time limit for completing the work is December 31, 1994 and until December 31, 2001 for maintenance dredging.

The original permit provided authorization to Seaway Pipeline, Inc. to construct a tanker and barge handling facility in the Old Brazos River, Brazosport Turning Basin, south of Freeport, Brazoria County, Texas. Amendment (01) authorized an extension of time until December 31, 1983. Amendment (02) authorized the addition of a maintenance dredging operation. Amendment (03) authorized an extension of time for maintenance dredging until December 31, 1991. On September 29, 1988, the permit was transferred to Phillips 66 Company. Amendment (04) provided authorization to add Corps Disposal Area Number 7.

The enclosed plans in three sheets, dated June 14, 1991, will now become part of the permit. All conditions to which the work is made subject, except for the time limit, remain in full force and effect. In addition, the following special conditions are added to the permit:

- d. The permittee shall coordinate all discharge actions with the Port of Freeport and the Fort Point Area Office prior to disposing of dredge material into Disposal Area Numbers 1, 7, and 8.

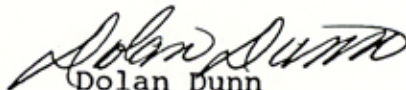
*OUR Spoil site was deleted from PLAT*

*Counter 15501*

e. Disposal Area Numbers 2 and 3 are not available for usage.

f. The work will be performed in compliance with the attached water quality certification from the Texas Water Commission.

FOR THE DISTRICT ENGINEER:



Dolan Dunn  
Chief, Evaluation Section

Enclosures

Copies Furnished:

Commander, Eighth Coast Guard District, Hale Boggs Federal Building, 501 Magazine Street, New Orleans, Louisiana 70130-3396

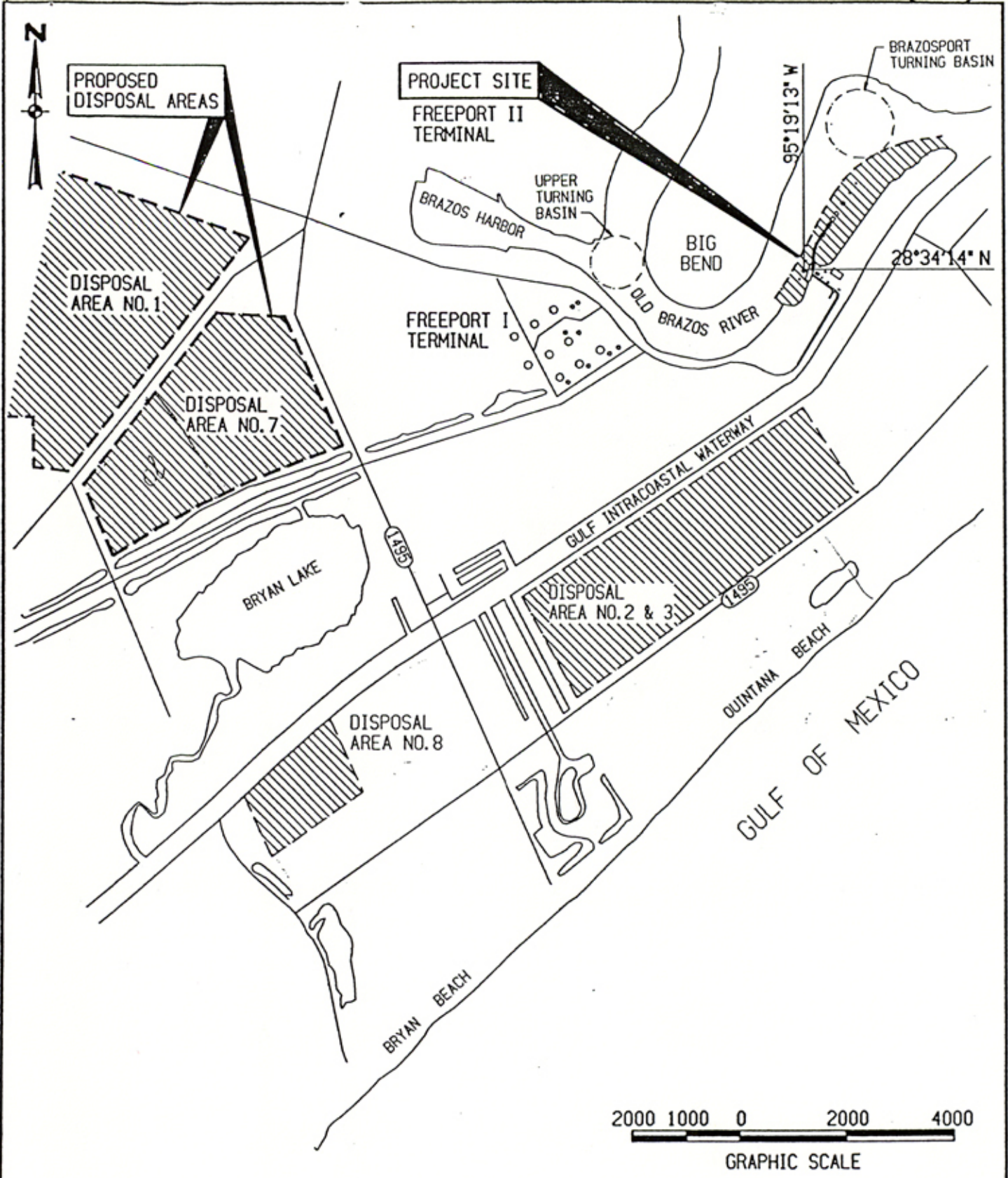
Director, Atlantic Marine Center, National Ocean Survey, Hydrographic Processing Unit, ATTN: N/CG2442x1, 439 West York Street, Norfolk, Virginia 23510-1114

Director, Coastal Division, Land Resources Program, Texas General Land Office, 1700 North Congress, Austin, Texas 78701

Field Representative, General Land Office, 105 San Jacinto, La Porte, Texas 77571

Area Engineer, Fort Point Area Office, P.O. Box 1229, Galveston, Texas 77553-1229


*Counter 15502*



APPLICANT: PHILLIPS 66 COMPANY  
 LOCATION: FREEPORT II TERMINAL  
 COUNTIES: BRAZORIA  
 STATE: TEXAS  
 DATE: 14 JUN 1991  
 SHEET 1 OF 3

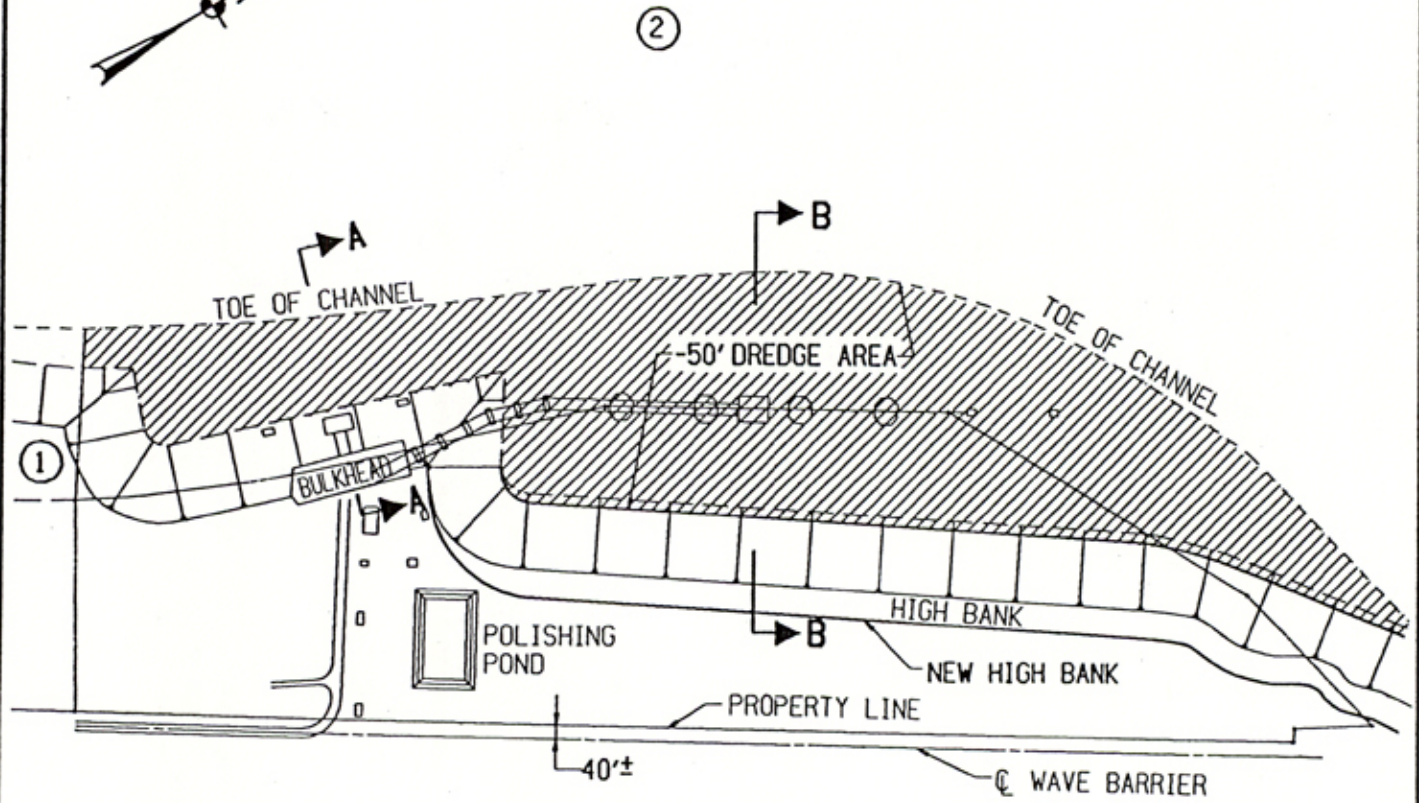
**DEEPENING OF BERTHING FACILITY  
GENERAL LOCATION PLAN**

**JOHNSON**  
ENGINEERS  
ARCHITECTS  
PLANNERS



**BERNARD JOHNSON INCORPORATED**  
ENGINEERS • ARCHITECTS • PLANNERS  
5050 WESTHEIMER  
HOUSTON TEXAS 77056

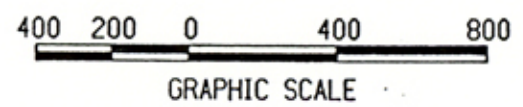
**NOTE:** APPROXIMATELY 1,100,000 C. YD. OF CONGLOMERATE MIXTURE OF CLAYS, SANDY CLAYS & SILTY SANDS WILL BE HYDRAULICALLY DREDGED & DISPOSED OF AT THE CORPS OF ENGINEERS DISPOSAL AREAS NO.1 & 7 LOCATED NORTH OF BRYAN LAKE IN FREEPORT, BRAZORIA COUNTY, TEXAS.



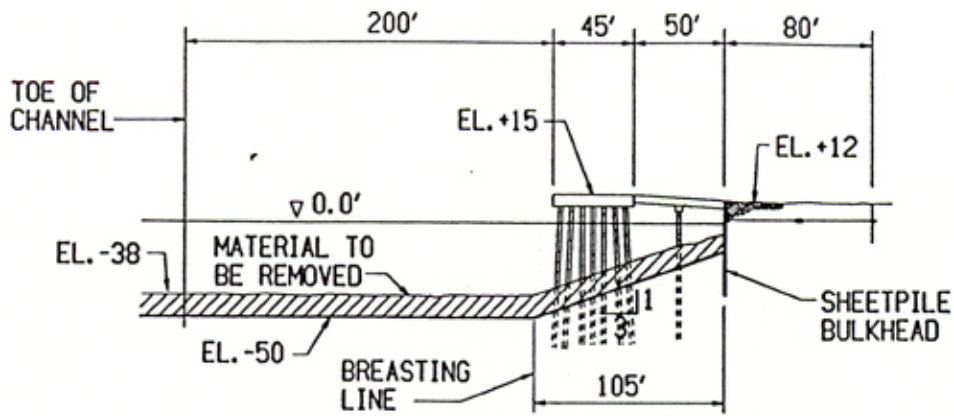
**PLAN VIEW**

DATUM: MEAN LOW TIDE  
 ADJACENT PROPERTY OWNERS:

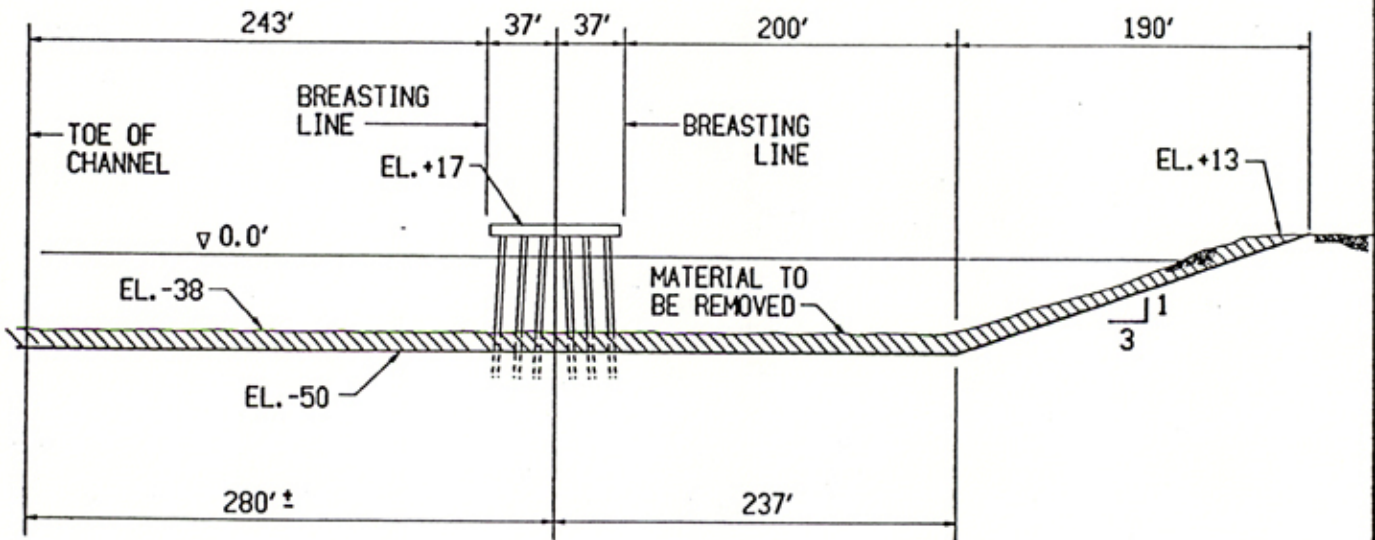
- ① BRAZOS RIVER HARBOR NAV DISTRICT
- ② DOW CHEMICAL CO.



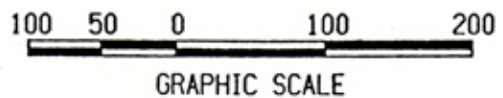
APPLICANT: PHILLIPS 66 COMPANY LOCATION: FREEPORT II TERMINAL COUNTIES: BRAZORIA STATE: TEXAS	DATE: 14 JUN 1991  SHEET 2 OF 3	<p style="text-align: center;"><b>DEEPENING OF BERTHING FACILITY                  DREDGING LOCATION PLAN</b></p> <div style="display: flex; justify-content: space-between;"> <div data-bbox="836 1848 966 1974"> <p><b>JOHNSON</b> ENGINEERS ARCHITECTS PLANNERS</p> </div> <div data-bbox="990 1858 1461 1974"> <p><b>BERNARD JOHNSON INCORPORATED</b>                      ENGINEERS • ARCHITECTS • PLANNERS                      5050 WESTHEIMER                      HOUSTON TEXAS 77056</p> </div> </div>
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**SECTION A-A**



**SECTION B-B**



<p>APPLICANT: PHILLIPS 66 COMPANY          LOCATION: FREEPORT II TERMINAL          COUNTIES: BRAZORIA          STATE: TEXAS</p>	<p>DATE:          14 JUN 1991</p> <p>SHEET 3 OF 3</p>	<p><b>TYPICAL SECTIONS</b></p> <p><b>JOHNSON</b>  <small>ENGINEERS ARCHITECTS PLANNERS</small></p> <p><b>BERNARD JOHNSON INCORPORATED</b>  <small>ENGINEERS • ARCHITECTS • PLANNERS</small>          5050 WESTHEIMER          HOUSTON TEXAS 77056</p>
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John Hall, Chairman  
B. J. Wynne, III, Commissioner  
John E. Birdwell, Commissioner



20 SEP 1991

## TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

September 16, 1991

Mr. Mark King  
Galveston District SWGCO-RP  
Corps of Engineers  
P.O. Box 1229  
Galveston, Texas 77553

RE: USCOE Permit No. 10863(05)

County: Brazoria  
Watercourse: Segment No. 1201

Dear Mr. King:

In response to the Joint Public Notice or copy of the application for the referenced permit dated July 22, 1991, this certification is issued pursuant to the provisions of Section 401 of the Clean Water Act. Contingent upon completion of the project as described (summarized in Attachment 1) and within the provisions included in Attachment 1, we certify that the project will not cause a violation of established Texas Water Quality Standards. This certification is limited to those water quality considerations under the jurisdiction of this agency according to the various statutes which this agency administers.

Our review has been primarily of the information provided by the applicant or the Public Notice. No review of property rights, location of property lines, nor the distinction between public and private ownership has been made and this certification may not be used in any way with regard to questions of ownership.

We appreciate your cooperation in this matter, and if we can be of additional assistance, please contact Mr. Charles Eanes of the Wastewater Permits Section at 512/463-8245.

Sincerely,

A handwritten signature in cursive script, appearing to read "Allen Beinke".

Allen Beinke  
Executive Director

Attachment No. 1

cc: Phillips 66 Company  
P.O. Box 1967  
Houston, Texas 77271-1967

TEXAS WATER COMMISSION  
RE: USCOE Permit No. 10863(05)  
Phillips 66 Company  
Attachment 1, Dredge and Fill Certification  
September 16, 1991

WORK DESCRIPTION: As described in public notice dated July 22, 1991.

SPECIAL PROVISIONS: None.

GENERAL: This certification is contingent upon the completion of the work as described in the public notice or application for water quality certification, does not authorize dredging, excavation, or spoil disposal other than as detailed in public notice or application and requires the operation to be conducted in accordance with the below listed standard provisions. This certification is valid for any extension of time, minor revision or maintenance dredging subsequent to the original U.S. Army Corps of Engineers (COE) permit but expires concurrently with the final expiration of the applicable COE permit. However, the Commission reserves the right to require full notice and Section 401 certification on an individual basis when deemed necessary to protect State Surface Water Quality Standards. Significant changes in the method of dredging, location of dredging or location of spoil disposal will require a person to obtain a current Section 401 water quality certification.

STANDARD PROVISIONS: These provisions below apply to the permittee or any contractor employed by the permittee to accomplish work under the authority of a Corps permit.

1. Permittee will employ measures to control spills of fuels, lubricants, or any other materials used in construction to prevent them from entering the watercourse. All spills will be promptly reported to the Commission at 1-800-633-9363.
2. (a) Sanitary wastes must be retained for disposal in some legal manner.  
(b) Marinas and similar operations which harbor boats equipped with marine sanitation devices shall provide adequate holding facilities for ultimate disposal at an approved treatment facility or provide treatment facilities which are approved and permitted by the Commission.
4. Materials resulting from the destruction of existing structures shall be removed from the water or areas adjacent to the water and disposed of in some legal manner.
5. Waste discharges shall not cause substantial and persistent changes from ambient conditions of turbidity or color. The use of silt screens or other appropriate methods is encouraged to confine suspended particulate. This includes dredge material, decant, and fill materials.
6. All areas utilized for spoil disposal must be approved by the COE and/or appropriate state resource agencies. The placement of any material in a watercourse or wetlands shall be avoided and placed there only with the approval of the Corps when no other reasonable alternative is available. If work within a wetland is unavoidable, heavy equipment shall be placed on mats, if necessary, to protect the substrate from gouging and rutting.

Counter 15507



7. Dredge Material Placement:

(a) Hydraulically dredged materials placed in a leveed disposal area(s) shall have a minimum of one hour residence time provided for the spoil's liquid phase. Materials pumped to the area shall be introduced at a point calculated to maximize settlement prior to overflow from a controlled spillway. Liquid overflowing the spillway shall be generally returned to the channel or area being dredged. Hydraulic dredge pipelines shall be inspected periodically during pumping for leaks and repaired before continuing operations.

(b) Mechanically dredged sediments shall be placed in such a manner as to prevent any sediment runoff (a) onto any adjacent property not owned by the applicant, (2) into wetland or (3) into waters in the state. Liquid runoff from the disposal area shall be retained on-site or shall be filtered and returned to the watercourse from which the dredged materials were removed.

8. If contaminated spoil, that was not anticipated or provided for in the permit application, is encountered during dredging, dredging operations will be immediately terminated and the Texas Water Commission, Wastewater Permits Section shall be contacted at (512) 463-8201 during business hours. A written report shall be submitted within 10 days. The report will include a description of the metals and toxic organics found in the spoil and the location of where the contaminated spoil was encountered. Dredging activities will not be resumed until authorized by the Commission.
9. Contaminated runoff from any storage area or spill shall not be allowed to enter a watercourse. Noncontaminated stormwater from impervious surfaces shall be controlled to prevent the washing of debris into the waterway.
10. Upon completion of earthwork operations all temporary fills shall be removed from the watercourse/wetland and areas disturbed during construction shall be seeded, riprapped, or given some other type of protection to minimize subsequent soil erosion. Any fill material will be clean and of such composition that it will not adversely effect the biological, chemical or physical properties of the receiving waters.
11. Removal of mature riparian vegetation not directly associated with project construction is prohibited. The natural vegetation shall be maintained, where possible and restored when disturbed or eroded.
12. Where the control of weeds, insects and other undesirable species is deemed necessary by the permittee, control methods which are nontoxic to aquatic life or human health shall be employed when the activity is located in or in close proximity to a waterway/wetland.

13. Disposal site(s) will be located outside of the vicinity of a public water supply intake, where possible, otherwise the operator of the water supply system shall be notified at least 72 hours prior to discharge.
14. Concentrations of taste and odor producing substances shall not interfere with the production of potable water by reasonable water treatment methods, impart unpalatable flavor to food fish including shellfish, result in offensive odors arising from the water, or otherwise interfere with reasonable use of the water in the state.
15. Surface water shall be essentially free of floating debris and suspended solids that are conducive to producing adverse responses in aquatic organisms or putrescible sludge deposits or sediment layers which adversely affect benthic biota or any lawful uses.
16. Surface waters shall be essentially free of settleable solids conducive to changes in flow characteristics of stream channels or the untimely filling of reservoirs, lakes and bays.
17. The work of the applicant shall be conducted such that surface waters are maintained in an aesthetically attractive condition, foaming or frothing of a persistent nature is avoided and surface waters shall be maintained so that oil, grease, or related residue will not produce a visible film of oil or globules of grease on the surface or coat the banks or bottoms of the watercourse.
18. The applicant shall not engage in any activity which will cause surface waters to be toxic to man, or to terrestrial or aquatic life.
19. Anyone discharging wastewater which would constitute a new source of pollution or an increased source of pollution from any industrial, public, or private project or development will be required to provide a level of wastewater treatment consistent with the provisions of the Texas Water Code and the Clean Water Act.
20. The water quality of wetlands will be maintained in accordance with all applicable provisions of the Texas Surface Water Quality Standards including the General, Narrative and Numerical Criteria.
21. This certification shall not be deemed as fulfilling the applicant's/permittee's responsibility to obtain additional authorization/approval from other local, state or federal regulatory agencies having special/specific authority to preserve and/or protect resources within the area where the work will occur.

*Counter 15509*



DEPARTMENT OF THE ARMY  
 GALVESTON DISTRICT, CORPS OF ENGINEERS  
 P.O. BOX 1229  
 GALVESTON, TEXAS 77553-1229

REPLY TO  
 ATTENTION OF:

October 31, 1990

Regulatory Branch

SUBJECT: Permit - 10863(04)

*Freeport II*

Phillips 66 Company  
 Box 1967  
 Houston, Texas 77251-1967

Gentlemen:

Your request dated September 4, 1990 to amend Permit 10863 is approved. This amendment provides authorization to add Corps of Engineers Disposal Area Number 7, located north of Bryan Lake, in Freeport, Brazoria County, Texas.

The original permit provided authorization to perform a dredging operation and to construct a docking facility in the Gulf Intracoastal Waterway, south of Freeport, Brazoria County, Texas. Amendment (01) authorized an extension of time until December 31, 1983. Amendment (02) authorized a maintenance dredging operation and the deepening of a berth. Amendment (03) authorized an extension of time until December 31, 1991 and added Corps of Engineers Disposal Area Numbers 2, 3, and 85 to the permit.

Enclosed Sheet 3 of 7, dated September 4, 1990, will now become part of the permit. All conditions to which the work is made subject remain in full force and effect.

FOR THE DISTRICT ENGINEER:

*for Bruce H. Bennett*  
 Dolan Dunn  
 Chief, Evaluation Section

Enclosures

Copies Furnished:  
 See page 2

RECEIVED  
 HOUSTON, TEXAS  
 NOV 2 1990

PROPERTY TAXES, REAL  
 ESTATE & CLAIMS

<input type="checkbox"/> JCT	<input checked="" type="checkbox"/> JHW	<input type="checkbox"/> DD
<input type="checkbox"/> FPC	<input type="checkbox"/> JW	<input type="checkbox"/> VYB
<input type="checkbox"/> RC	<input type="checkbox"/> JD	<input type="checkbox"/> KP
<input type="checkbox"/> EPK	<input type="checkbox"/> PJR	<input type="checkbox"/> CM
<input type="checkbox"/> GFP	<input type="checkbox"/> LRB	<input type="checkbox"/>
<input type="checkbox"/> RLG	<input type="checkbox"/> MRG	<input type="checkbox"/> FILE

*Counter 15510*

Copies Furnished:

Commander (oan), Eighth Coast Guard District, Hale Boggs  
Federal Building, 501 Magazine Street, New Orleans, Louisiana  
70130-3396

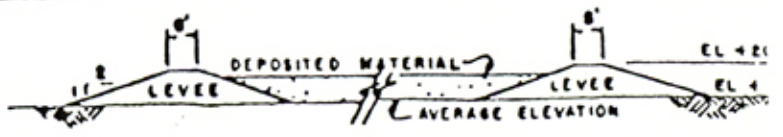
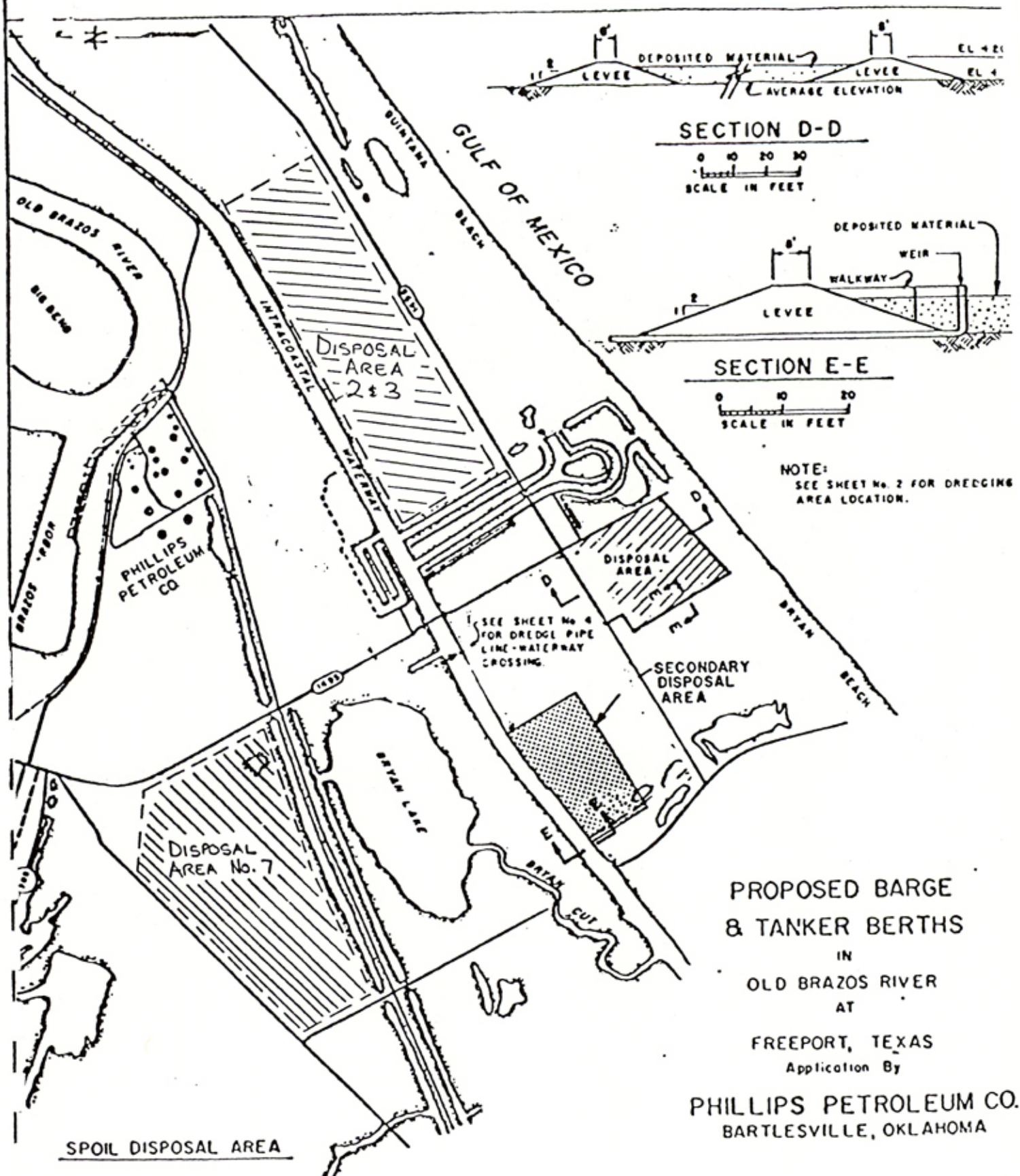
Director, National Ocean Service, Atlantic Marine Center,  
Hydrographic Processing Unit, ATTN: N/CG2442x1, 439 West York  
Street, Norfolk, Virginia 23510-1114

Director, Coastal Division, Land Resources Program, Texas  
General Land Office, 1700 North Congress, Austin, Texas 78701

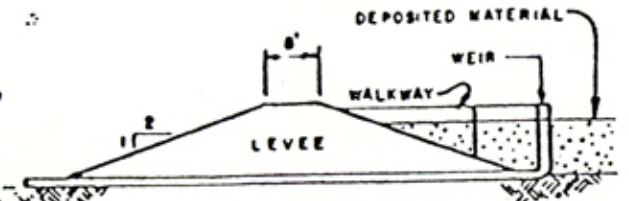
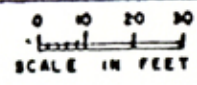
Field Representative, General Land Office, 105 San Jacinto,  
La Porte, Texas 77571

Area Engineer, Fort Point Area Office, P.O. Box 1229,  
Galveston, Texas 77553-1229

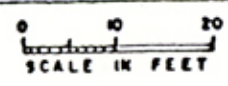
# SPECIFICATION DRAWING 10863(04)



SECTION D-D



SECTION E-E



NOTE:  
 SEE SHEET No. 2 FOR DREDGING  
 AREA LOCATION.

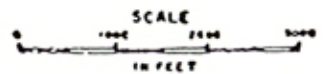
SEE SHEET No. 4  
 FOR DREDGE PIPE  
 LINE-WATERWAY  
 CROSSING

PROPOSED BARGE  
 & TANKER BERTHS  
 IN  
 OLD BRAZOS RIVER  
 AT

FREEPORT, TEXAS  
 Application By

PHILLIPS PETROLEUM CO.  
 BARTLESVILLE, OKLAHOMA

SPOIL DISPOSAL AREA



Sep. 4, 1990

Sheet 3 of 7

Counter 15512



DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1229  
GALVESTON, TEXAS 77553-1229

REPLY TO  
ATTENTION OF:

JUL 13 1988

Regulatory Branch

SUBJECT: Permit - 10863(03)

Phillips 66 Company  
P.O. Box 1967  
Houston, Texas 77251-1967

Gentlemen:

Your request dated June 30, 1988 to extend the time and to amend Permit 10863 is approved. The time for completing the authorized work is extended to December 31, 1991 for maintenance dredging. The amendment provides authorization to add Corps of Engineers Disposal Areas 2, 3, and 85. The original permit authorized a dredging operation and the construction of docking facilities. Amendment (01) authorized the disposal areas to be increased. Amendment (02) authorized an extension of time for a maintenance dredging operation and the deepening of an authorized boat basin in the Old Brazos River in Freeport Harbor, Freeport, Brazoria County, Texas.

The enclosed plans in four sheets, dated June 30, 1988, will now become part of the permit. All conditions to which the work is made subject, except for the time limit, remain in full force and effect including the special condition which reads as follows:

That at least 6 months prior to performing maintenance dredging operations, the applicant will contact the Port Point Area Office and the Brazos Harbor Navigation District to coordinate use of the Federal disposal areas.

FOR THE DISTRICT ENGINEER:

Dolan Dunn  
Chief, Processing Section

Enclosures

Copies Furnished:  
See page 2

Counter 15513

Copies Furnished:

Commander, Eighth Coast Guard District, Room 1330, Hale Boggs  
Federal Building, 500 Camp Street, New Orleans, Louisiana 70130

Director, Atlantic Marine Center, National Ocean Survey, ATTN:  
MOA232X1, 439 West York Street, Norfolk, Virginia 23510-1114

Director, Coastal Division, Land Resources Program, Texas  
General Land Office, 1700 North Congress, Austin, Texas 78701

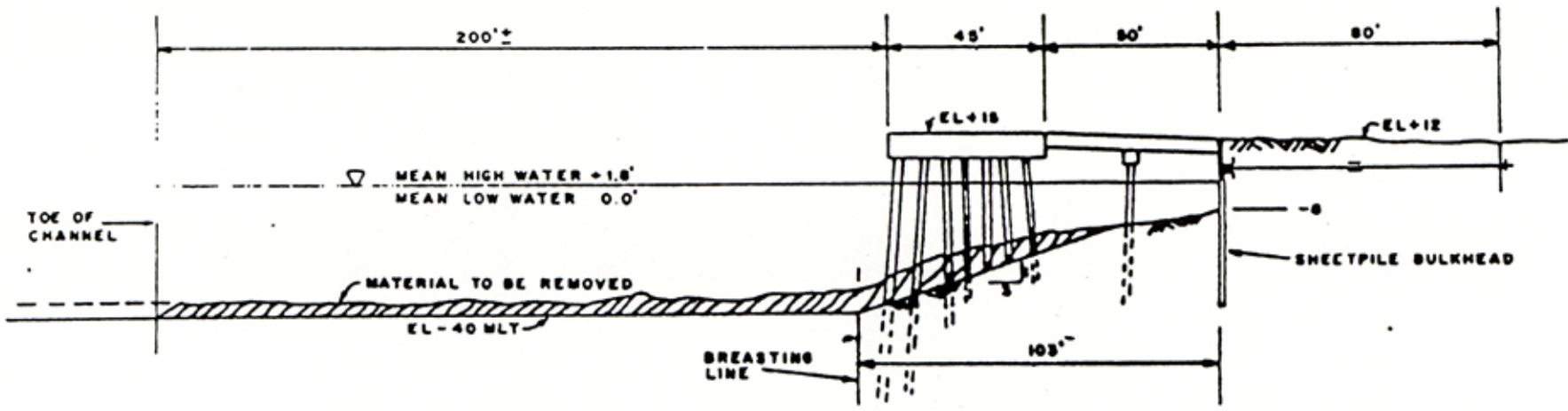
Field Representative, General Land Office, 105 San Jacinto,  
La Porte, Texas 77571

Area Engineer, Fort Point Area Office, P.O. Box 1229,  
Galveston, Texas 77902-2470

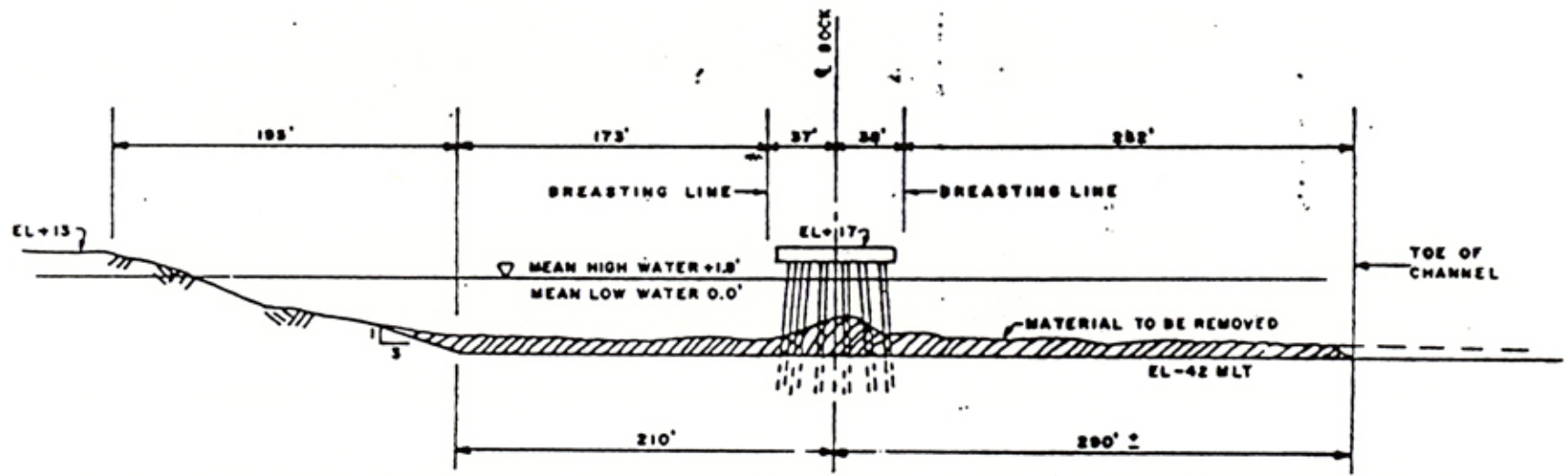
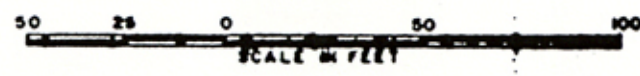
*Counter 15514*

10863 (03)

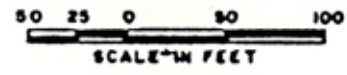
Counter 15515



SECTION D-D



SECTION C-C



Phillips  
 DREDGING AT DOCKS IN OLD BRAZOS RIVER AT  
 BRAZOSPORT TURNING BASIN COUNTY OF BRAZORIA,  
 STATE OF TEXAS. APPLICATION BY Phillips 66 Company

6/30/58

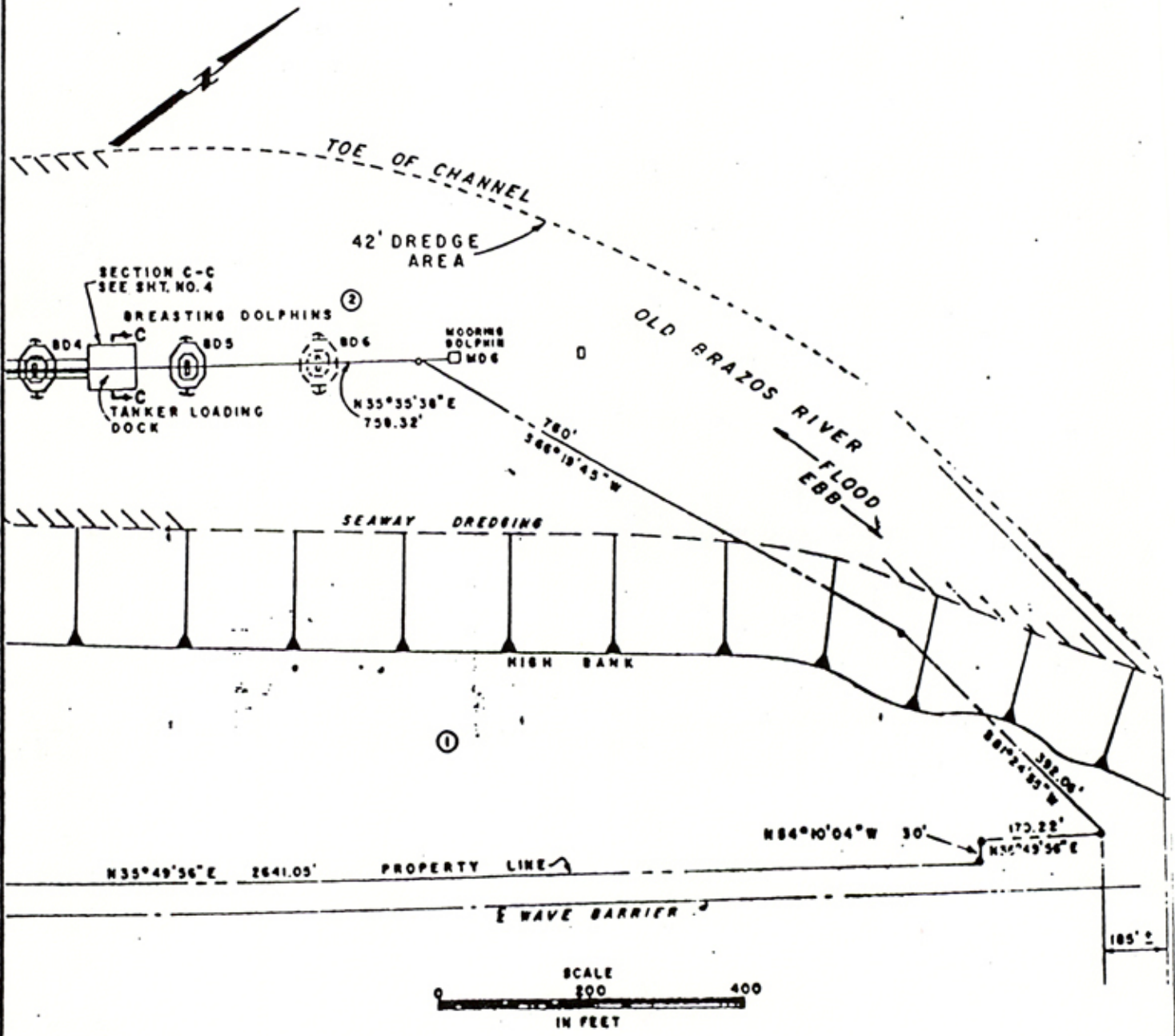


Phillips DOCKS

PURPOSE - DREDGING AT  
DATUM: MEAN SEA LEVEL  
ADJACENT PROPERTY OWNERS

IN OLD BRAZOS RIVER AT  
BRAZOSPORT TURNING BASIN  
COUNTY OF BRAZORIA, STATE OF  
TEXAS, APPLICATION BY  
Phillips 66 Company

- ② BRAZOS RIVER HARBOR NAV. DISTRICT
- ③ DOW CHEMICAL CO.



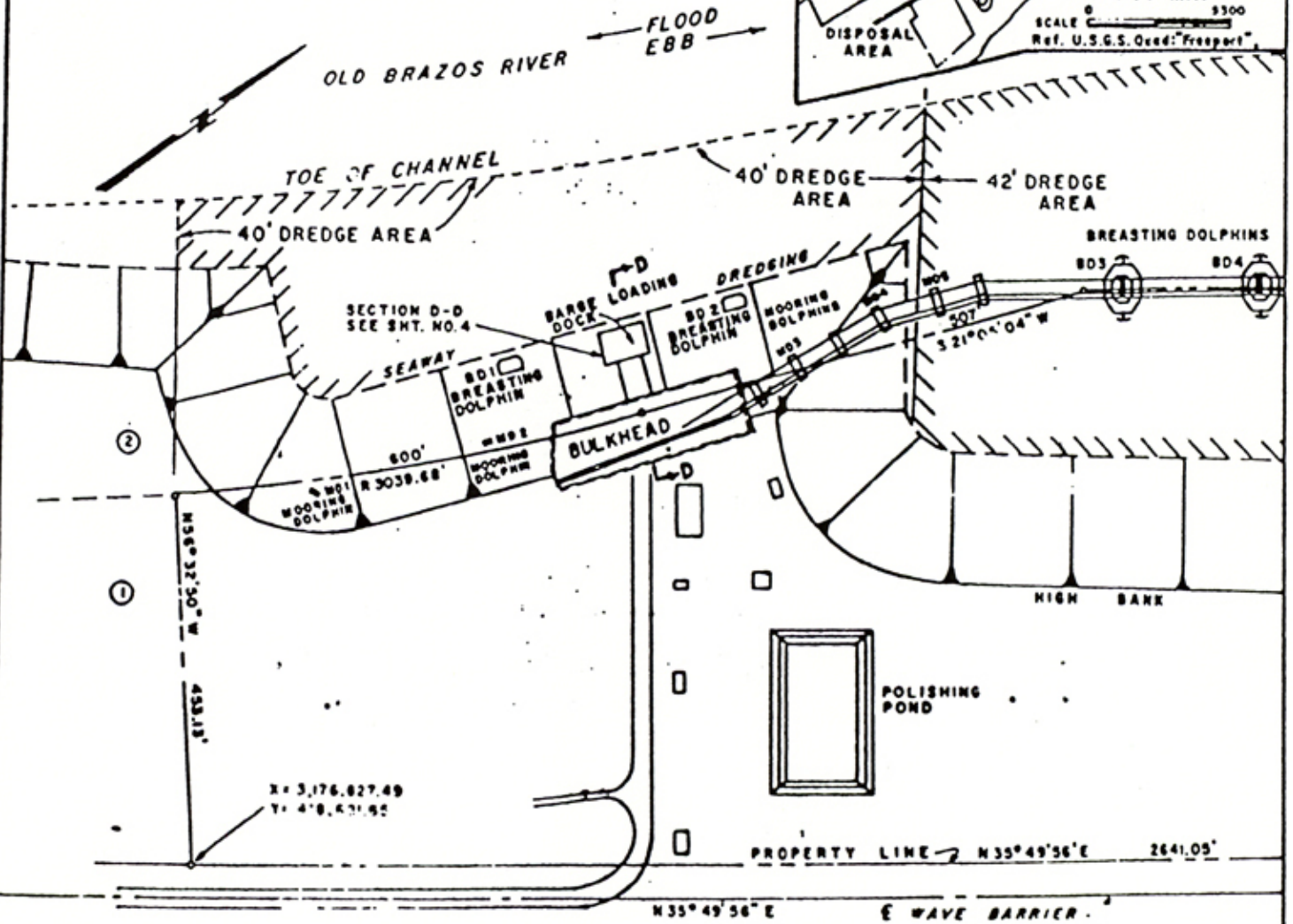
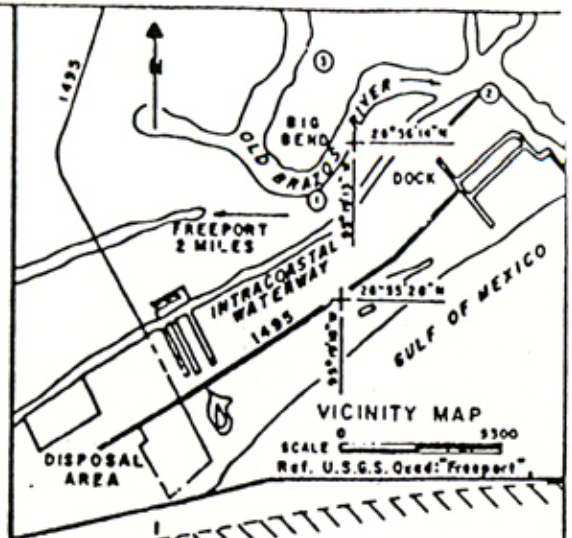
10863(03)

Phillips  
DOCKS  
P.H. POSE - DREDGING AT  
DATUM: MEAN SEA LEVEL  
ADJACENT PROPERTY OWNERS

- ② BRAZOS RIVER HARBOR NAV DISTRICT
- ③ DOW CHEMICAL CO.

IN OLD BRAZOS RIVER AT  
BRAZOSPORT TURNING BASIN  
COUNTY OF BRAZORIA, STATE OF  
TEXAS. APPLICATION BY  
Phillips 66 Company

NOTE:  
APPROXIMATELY 25,000 CU YDS. OF  
SILTS TO BE HYDRAULICALLY DREDGED AND PLACED  
IN SPOIL AREA SHOWN ON SHEET 1.



6/30/88  
Sheet 2 of 4  
Counter 15517



REPLY TO  
ATTENTION OF:

DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 1229  
GALVESTON, TEXAS 77553

SWGCO-RP

21 APR 1980

SUBJECT: PERMIT 10863(02)

Seaway Pipeline, Inc.  
346 Phillips Building Annex  
Bartlesville, Oklahoma 74004

Gentlemen:

In accordance with your written request dated 7 December 1979, the revised Sheets 1 through 5, hereto attached to perform maintenance dredging and deepen a berth are approved as an addition to the plans authorized by the Secretary of the Army in permit dated 28 October 1975 from the District Engineer at Galveston, Texas, to "dredge and construct a tanker and barge handling facility in Freeport Harbor, Old Brazos River, at Brazosport Turning Basin, central to a point approximately  $\frac{1}{4}$  mile south southeast from Freeport, Texas."

The conditions to which the authority is made subject remain in full force and effect, except for the addition of special conditions (a) and (b) which read as follows:

(a) That the permittee shall notify the Area Engineer, Fort Point Area Office, and make the necessary arrangements prior to the commencement of any work in the area.

(b) That the permittee, upon discovery of cultural resources during the prosecution of the work, shall notify the District Engineer.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR COLONEL JAMES M. SIGLER, DISTRICT ENGINEER:

MARCOS DE LA ROSA  
Chief, Permit Branch

Dwgs in sheets (5)  
dtd 30 Nov 79 attached

Copies furnished:

Commander, Eighth Coast Guard District (oan), Room 1330, Hale Boggs Federal Building, 500 Camp Street, New Orleans, Louisiana 70130

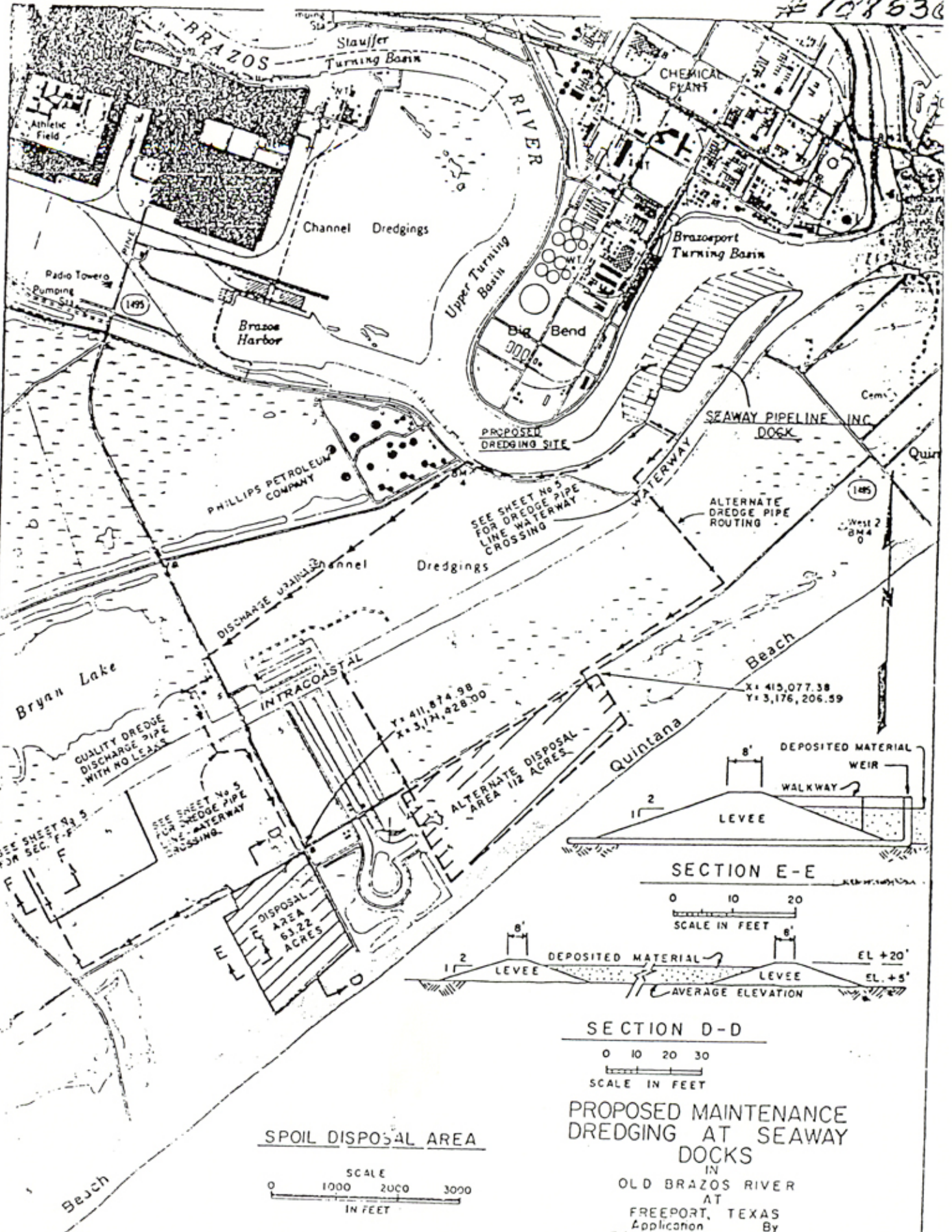
Director, Atlantic Marine Center, National Ocean Survey, ATTN: CAM04, 439 West York Street, Norfolk, Virginia 23510

Area Engineer, Fort Point Area Office, P.O. Box 1229, Galveston, Texas 77553

*Added our spoil site*

*Counter 15518*

#108630



PURPOSE - DREDGING AT SEAWAY DOCK...

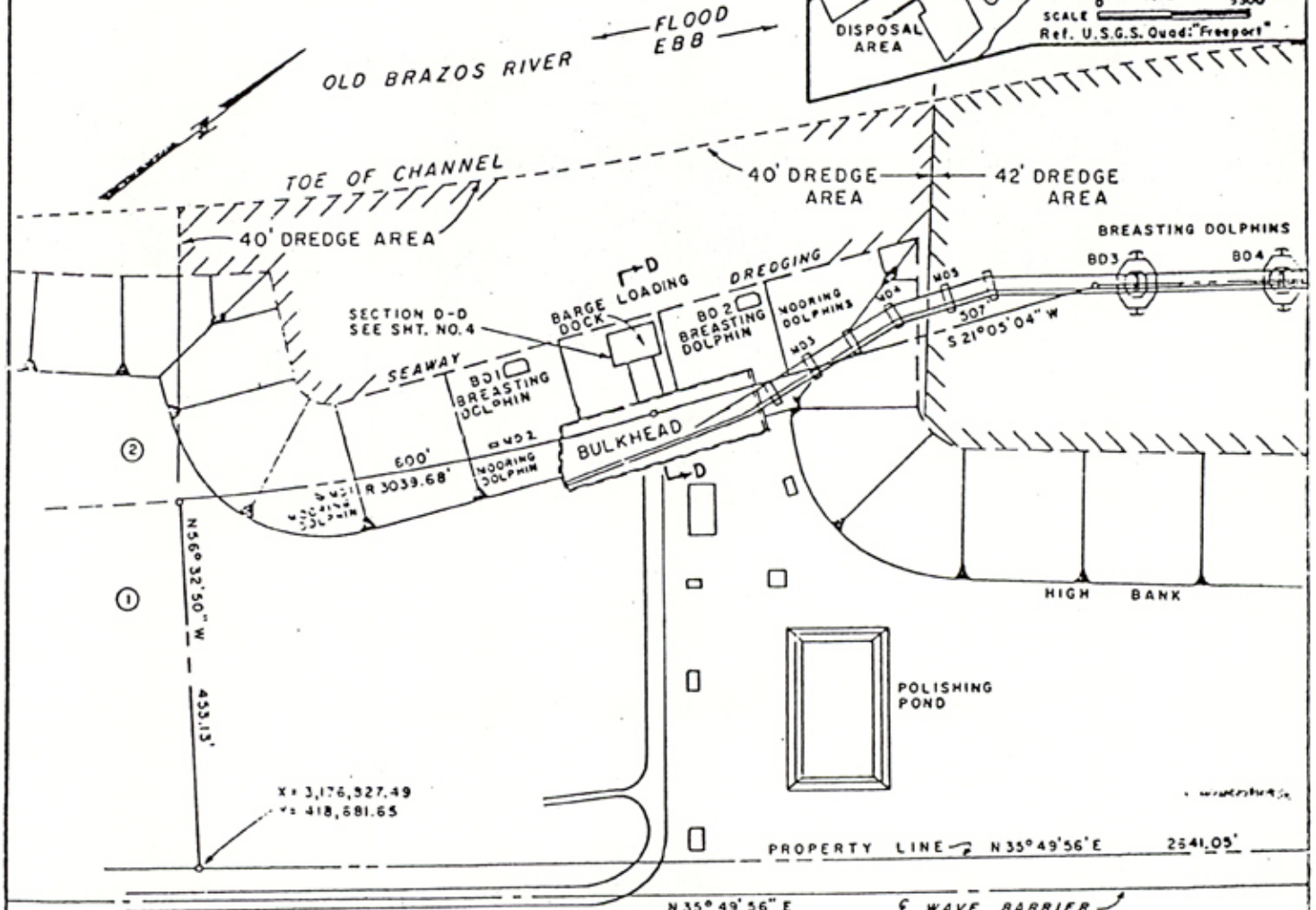
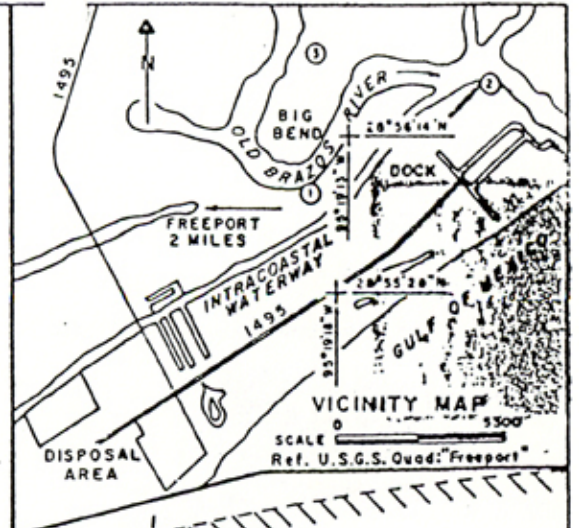
DATUM: MEAN SEA LEVEL  
ADJACENT PROPERTY OWNERS

- ① FREEPORT MINERALS
- ② BRAZOS RIVER HARBOR NAV. DISTRICT
- ③ DOW CHEMICAL CO.

IN OLD BRAZOS RIVER AT  
BRAZOSPORT TURNING BASIN  
COUNTY OF BRAZORIA, STATE OF  
TEXAS. APPLICATION BY SEAWAY  
PIPELINE INC.

NOTE:

APPROXIMATELY 325,000 CU. YDS. OF CLAYS, SANDY CLAYS  
AND SILTS TO BE HYDRAULICALLY DREDGED AND PLACED  
IN SPOIL AREA SHOWN ON SHEET 1.



NOVEMBER 30, 1979

SHEET NO 2 OF 5

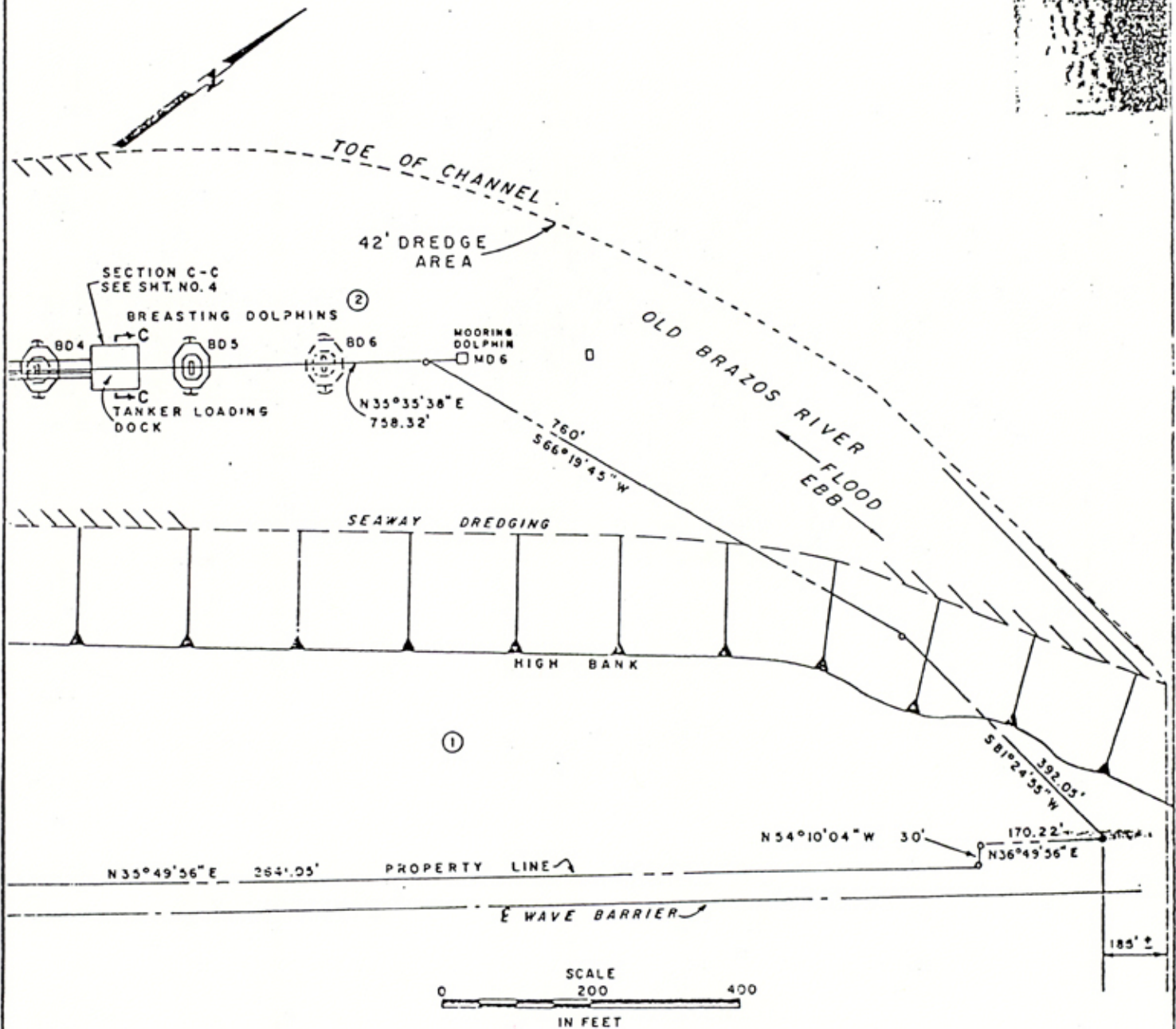
Counter 15520

PURPOSE = DREDGING AT SEAWAY DOCKS

DATUM: MEAN SEA LEVEL  
ADJACENT PROPERTY OWNERS

- ① FREEPORT MINERALS
- ② BRAZOS RIVER HARBOR NAV. DISTRICT
- ③ DOW CHEMICAL CO.

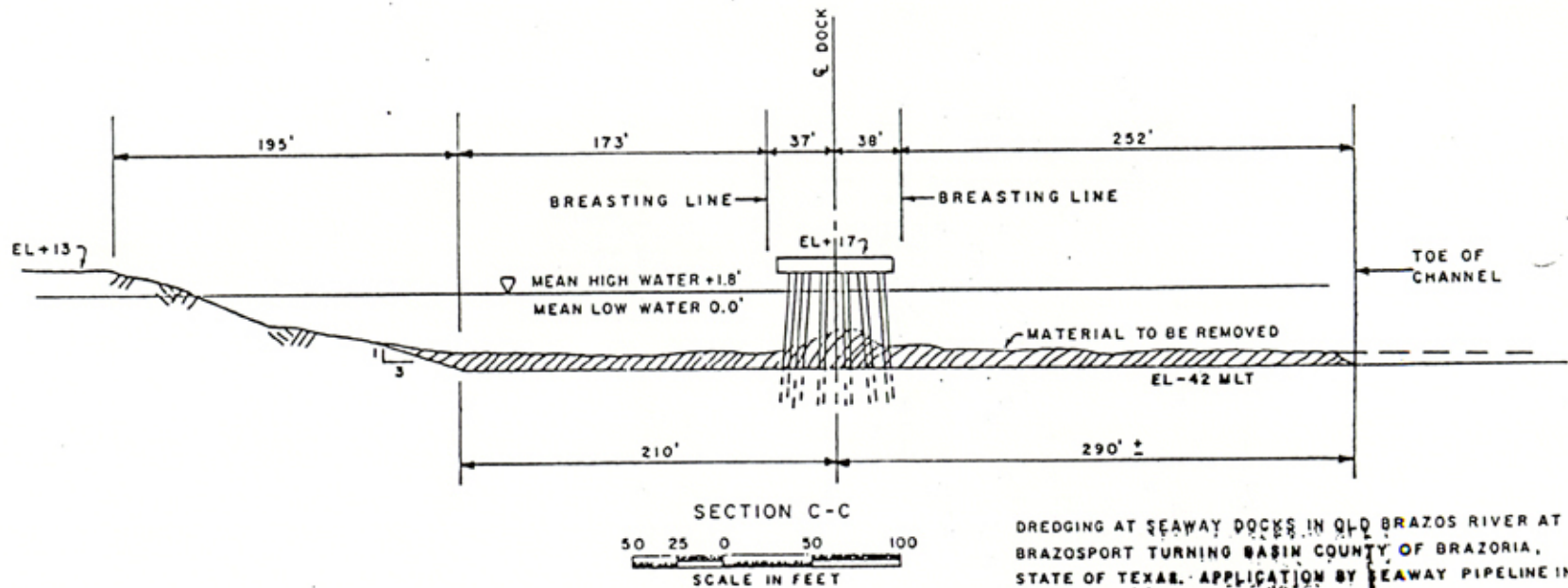
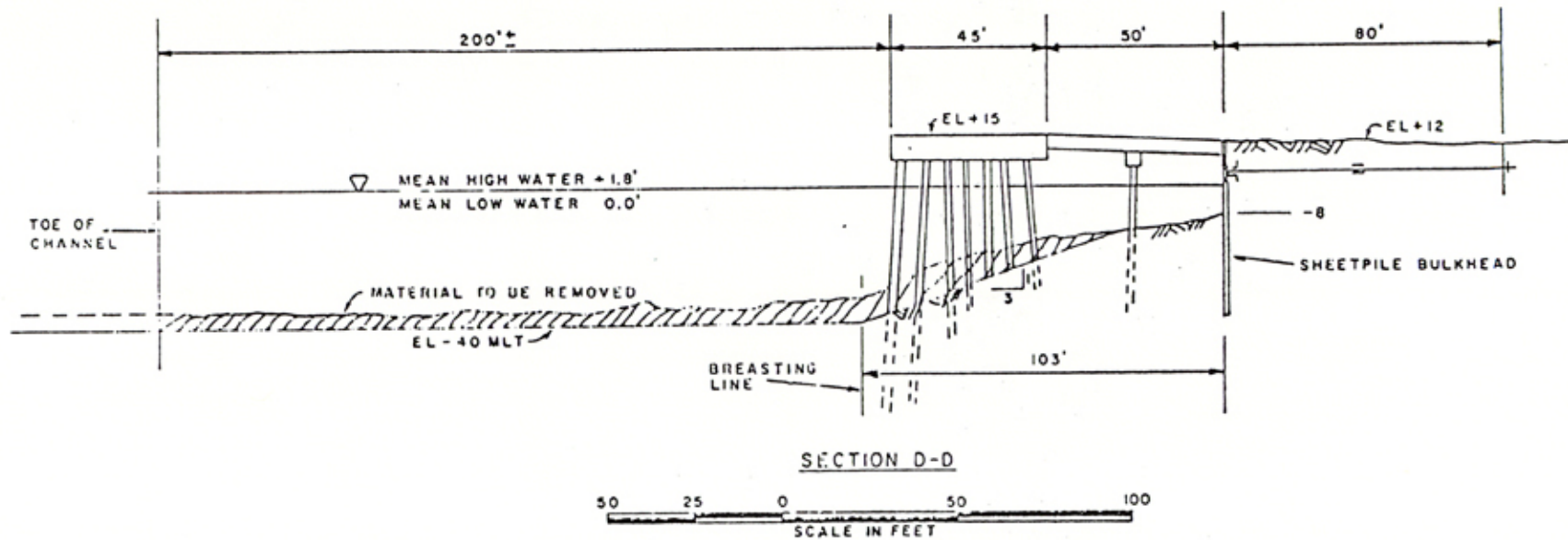
IN OLD BRAZOS RIVER AT  
BRAZOSPORT TURNING BASIN  
COUNTY OF BRAZORIA, STATE OF  
TEXAS. APPLICATION BY SEAWAY  
PIPELINE INC.



NOVEMBER 30, 1973

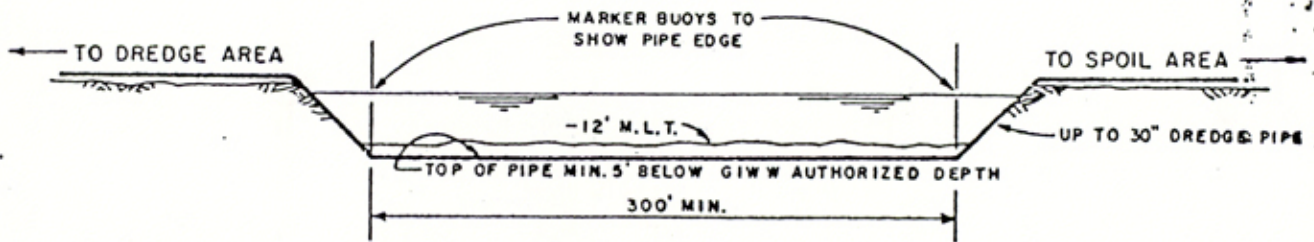
SHEET NO 3 OF 5

Counter 15521

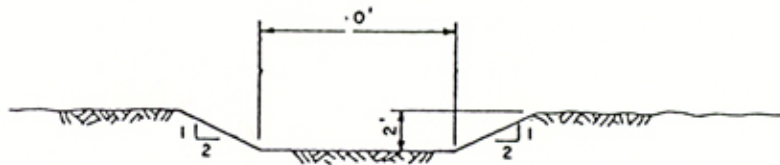


DREDGING AT SEAWAY DOCKS IN OLD BRAZOS RIVER AT  
 BRAZOSPORT TURNING BASIN COUNTY OF BRAZORIA,  
 STATE OF TEXAS. APPLICATION BY SEAWAY PIPELINE INC  
 NOVEMBER 20, 1978 SHEET NO. 4 OF 7

Counter 15522



PIPELINE CROSSING INTRACOASTAL WATERWAY



SECTION F-F



DREDGING AT SEAWAY DOCKS IN OLD  
 BRAZOS RIVER AT BRAZOSPORT  
 TURNING BASIN COUNTY OF BRAZORIA,  
 STATE OF TEXAS. APPLICATION BY  
 SEAWAY PIPELINE INC.





DEPARTMENT OF THE ARMY  
GALVESTON DISTRICT CORPS OF ENGINEERS  
P. O. BOX 1228  
GALVESTON, TEXAS 77553

REPLY TO  
ATTENTION OF:

SWGCO-RP, PERMIT-10863

15 Nov 78

Seaway Pipeline, Inc.  
361 Phillips Building Annex  
Bartlesville, Oklahoma 74004

Gentlemen:

In accordance with your written request dated 24 August 1978 the authorization granted by the Secretary of the Army, in letter dated 28 October 1975, from the District Engineer at Galveston, Texas to "drudge and construct a tanker and barge handling facility in Freeport Harbor, Old Brazos River, at Brazosport Turning Basin, central to a point approximately 1/4 mile south southeast from Freeport, Texas," is hereby specifically extended to 31 December 1983.

The conditions to which the authorization is made subject, excepting the time limit for completion, remain in full force and effect.

If the structures and work authorized are not completed on or before the date herein specified, the authorization, if not previously revoked or specifically further extended, will cease and become null and void.

You are requested to acknowledge receipt of this instrument.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR COLONEL JON C. VANDEN BOSCH, DISTRICT ENGINEER,

MARCOS DE LA ROSA  
Chief, Permit Branch

Copies furnished:  
See page 2

Counter 15524 EM



DEPARTMENT OF THE ARMY  
 GALVESTON DISTRICT, CORPS OF ENGINEERS  
 P. O. BOX 1229  
 GALVESTON, TEXAS 77553

REPLY TO  
 ATTENTION OF:

SWCCO-RP, PERMIT-10863

12 AUG 1976

Seaway Pipeline, Inc.  
 202-B Frank Phillips Bldg.  
 Bartlesville, Oklahoma 74004

Gentlemen:

In accordance with written request dated 30 July, the revised Sheet 5 of 6 hereto attached are approved as an addition to the plans for the work authorized by the Secretary of the Army in letter dated 28 Oct. 1975 from the District Engineer at Galveston, Texas, to dredge and construct a tanker and barge handling facility in Freeport Harbor, Old Brazos River, at Brazosport Turning Basin, central to a point approximately 1/4 mile southeast from Freeport, Texas.

The conditions to which the work is made subject remain in full force and effect.

You are requested to acknowledge receipt of this instrument.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

FOR COLONEL JON C. VANDEN BOSCH, DISTRICT ENGINEER:

J.E. FATE, JR.  
 Chief, Permit Branch

1 drawing attached

Copies furnished:

Commander, Eighth Coast Guard District (can), Room 1140, Hale Boggs Federal Building, 500 Camp Street, New Orleans, Louisiana 70130 w/incl 1

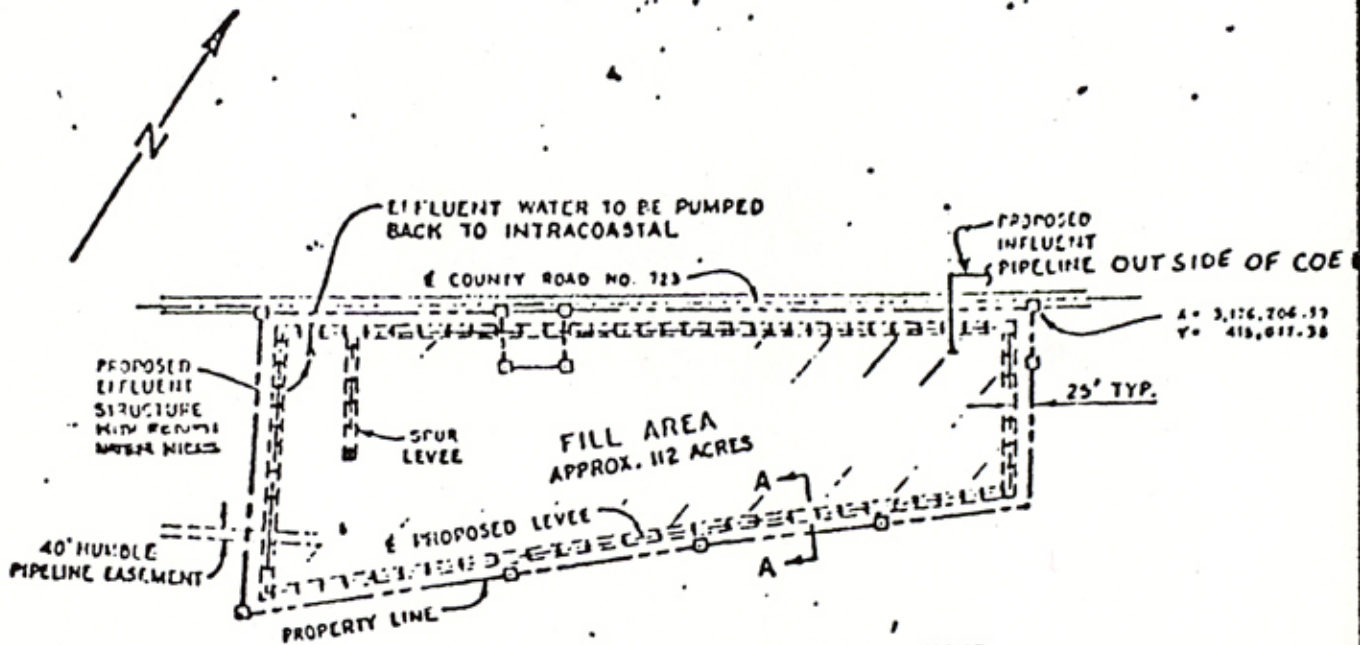
Field Supervisor, Division of River Basin Studies, Bureau of Sport Fisheries and Wildlife, U. S. Customhouse, Room 327, Galveston, Texas 77550

Director, Atlantic Marine Center, National Ocean Survey, ATTN: CAMO4 439 West York Street, Norfolk, Virginia 23510

Area Engineer, Fort Point Area Office, P. O. Box 1229, Galveston, Texas 77553



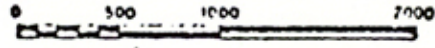
Counter 15525



A = 3,176,204.59  
 Y = 419,017.38

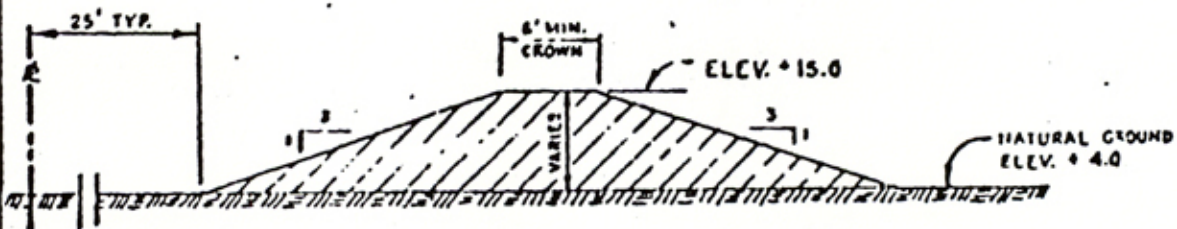
**PLAN**

SCALE - FEET



**NOTE**

FILL TO BE APPROXIMATELY 1,500,000 CUBIC YARDS OF CONGLOMERATE MIXTURE OF CLAYS, SANDY CLAYS, SILTY SANDS, AND HYDRAULIC FILL. ALL FILL TO BE PLACED ABOVE MEAN HIGH WATER LEVEL.



**SECTION A-A**

NO SCALE

PROPOSED SPOIL FACILITIES  
 FOR  
 SEAWAY PIPELINE, INC.  
 FREEPORT, TEXAS  
 NEAR BRAZOSPORT TURNING BASIN

Application No

10063

Name of Applicant

Seaway Pipeline, Inc.

Effective Date

28 OCT 1975

Expiration Date (if applicable)

31 December 1978

DEPARTMENT OF THE ARMY  
PERMIT

Referring to written request dated **6 August 1975** for a permit to

(X) Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403).

(X) Discharge dredged or fill material into navigable waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (28 Stat. 816, P.L. 92-500).

( ) Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Pollution, Research and Sanctuaries Act of 1972 (86 Stat. 1052, P.L. 92-532).

(Here insert the full name and address of the permittee)

Seaway Pipeline, Inc.  
202-B Frank Phillips Bldg.  
Bartlesville, Oklahoma 74004

is hereby authorized by the Secretary of the Army

to dredge and construct a tanker and barge handling facility

(Here describe the proposed structure or activity, and its intended use. In the case of an application for a PU permit, describe the structures, if any, proposed to be erected on the fill. In the case of an application for the discharge of dredged or fill material into navigable waters or the transportation for discharge in ocean waters of dredged material, describe the type and quantity of material to be discharged.)

in Freeport Harbor, Old Brazos River,

(Here to be named the ocean, river, harbor, or waterway concerned.)

at Brazosport Turning Basin, central to a point approximately 1/4 mile south-south-east from Freeport, Texas,

(Here to be named the nearest well-known locality—preferably a town or city—and the distance in miles and tenths from some definite point in the same, stating whether above or below or giving direction by points of compass.)

In accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks)

in seven sheets, sheet 1 of which is entitled

"PURPOSE: DOCKING FACILITIES & DREDGING IN OLD BRAZOS RIVER AT BRAZOSPORT TURNING BASIN, COUNTY OF BRAZORIA STATE TEXAS,"

subject to the following conditions:

1. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto, and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

Counter 15527

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or other waters, be in a manner consistent with applicable water quality standards, effluent limitations and standards of performance, pretreatment standards, and pretreatment standards established pursuant to Sections 101, 102, 106 and 302 of the Federal Water Pollution Control Act of 1972 (P.L. 92-193 (49 Stat. 816)) or pursuant to applicable State and local law.

c. That, when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards or as directed by an implementation plan contained in such revised or modified standards or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representatives or designees to make periodic inspections at any time or as often as necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges, and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer, that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether the permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit, or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

b. That all activities authorized herein shall, if they involve a discharge or deposit into navigable waters or riparian waters, be at all times consistent with applicable water quality standards, effluent limitations and standard of performance, prohibition and pretreatment standards established pursuant to Sections 301, 302, 306 and 307 of the Federal Water Pollution Control Act of 1972 (P.L. 92-500, 86 Stat. 816), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge or deposit of dredged or fill material into navigable waters, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementation plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the permittee agrees to make every reasonable effort to prosecute the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values.

e. That the permittee agrees to prosecute the work authorized herein in a manner so as to minimize any degradation of water quality.

f. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

g. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

h. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges, and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

i. That this permit does not authorize the interference with any existing or proposed Federal project and that the permittee shall not be entitled to compensation for damage or injury to the structures or work authorized herein which may be caused by or result from existing or future operations undertaken by the United States in the public interest.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate eminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30 day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; (2) within the aforesaid 30 day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

o. That if the activity authorized herein is not ~~started~~ **started** on or before **the first** day of **November** 19 **76** (one year from its date of issuance of this permit unless otherwise specified) and is not completed on or before **thirty-first** day of **December** 19 **76** (three years from the date of issuance of this permit unless otherwise specified) this permit, if not previously revoked or specifically extended, shall automatically expire.

p. That no attempt shall be made by the permittee to prevent the full and free use by the public of all navigable waters at or adjacent to the activity authorized by this permit.

q. That if the display of lights and signals on any structure or work authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.

r. That this permit does not authorize or approve the construction of particular structures, the authorization or approval of which may require authorization by the Congress or other agencies of the Federal Government.

s. That if and when the permittee desires to abandon the activity authorized herein, unless such abandonment is part of a transfer procedure by which the permittee is transferring his interests herein to a third party pursuant to General Condition v hereof, he must restore the area to a condition satisfactory to the District Engineer.

t. That if the recording of this permit is possible under applicable State or local law, the permittee shall take such action as may be necessary to record this permit with the Register of Deeds or other appropriate official charged with the responsibility for maintaining records of title to and interests in real property.

u. That there shall be no unreasonable interference with navigation by the existence or use of the activity authorized herein.

v. That this permit may not be transferred to a third party without prior written notice to the District Engineer, either by the transferee's written agreement to comply with all terms and condition of this permit or by the transferee subscribing to this permit in the specs provided below and thereby agreeing to comply with all terms and conditions of this permit. In addition, if the permittee transfers the interests authorized herein by conveyance of realty, the deed shall reference this permit and the terms and conditions specified herein and this permit shall be recorded along with the deed with the Register of Deeds or other appropriate official.

The following Special Conditions will be applicable when appropriate:

**STRUCTURES FOR SMALL BOATS** That permittee hereby recognizes the possibility that the structure permitted herein may be subject to damage by wave wash from passing vessels. The issuance of this permit does not relieve the permittee from taking all proper steps to insure the integrity of the structure permitted herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.

**DISCHARGE OF DREDGED MATERIAL INTO OCEAN WATERS.** That the permittee shall place a copy of this permit in a conspicuous place in the vessel to be used for the transportation and/or dumping of the dredged material as authorized herein.

**ERECTION OF STRUCTURE IN OR OVER NAVIGABLE WATERS:** That the permittee, upon receipt of a notice of revocation of this permit or upon its expiration before completion of the authorized structure or work, shall, without expense to the United States and in such time and manner as the Secretary of the Army or his authorized representative may direct, restore the waterway to its former conditions. If the permittee fails to comply with the direction of the Secretary of the Army or his authorized representative, the Secretary or his designee may restore the waterway to its former condition, by contract or otherwise, and recover the cost thereof from the permittee.

MAINTENANCE DREDGING (1) That when the work authorized herein includes periodic maintenance dredging, it may be performed under this permit for 1 years from the date of issuance of this permit (ten years unless otherwise indicated), and (2) That the permittee will advise the District Engineer in writing at least two weeks before he intends to undertake any maintenance dredging.

II. Special Conditions (Here list conditions relating specifically to the proposed structure or work authorized by this permit):

This permit shall become effective on the date of the District Engineer's signature.

Permittee hereby accepts and agrees to comply with the terms and conditions of this permit.

*H. V. Christensen*

October 22, 1975

**H. V. Christensen** PERMITTEE VICE PRESIDENT  
**SEAWAY PIPELINE, INC.**

DATE

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

*J. E. Pate, Jr.*  
**J. E. PATE, JR., Chief, Permit Branch**  
**FOR COLONEL DON S. MOODY**  
**DISTRICT ENGINEER,**  
**U.S. ARMY, CORPS OF ENGINEERS**

28 OCT 1975

DATE

Transferee hereby agrees to comply with the terms and conditions of this permit.

TRANSFEEB

DATE



PURPOSE: DOCKING FACILITIES & DREDGING

STATUS: MEAN SEA LEVEL

ADJACENT PROPERTY OWNERS

FREDRICK MINERALS

7 BRAZOS RIVER NUMBER 1 WY. DISTRICT

3 DON CHEMICAL CO.

IN OLD BRAZOS RIVER

AT BRAZOSPORT TURNING BASIN

COUNTY OF BRAZORIA STATE TEXAS

APPLICATION BY BRADAY PIPELINE INC.



OLD BRAZOS RIVER

FLOOD  
EAD

CHANNEL AFTER BEND BASIN

TOP OF CHANNEL AFTER BEND BASIN (36' PROJ.)

TOP OF CHANNEL AFTER 45 FOOT PROJ.

PROPOSED BOTTOM  
OF CHANNEL  
PREEXISTING  
CHANNEL

BARGE/TANKER DOCK

300  
R  
300

MEAN HIGH WATER  
MEAN LOW WATER

WASTE  
COLLECTOR

PROPOSED  
NEW BANK

PROPOSED ROAD

EDGES OF PROPERTY LEASED  
TO BRADAY PIPELINE INC.

20400' CONTINUOUS  
11 30' 00" 20'

N 88° 00' 00" W 20'

SCALE IN FEET

Counter 15532  
SHEET 1 OF 2, CASE 81418

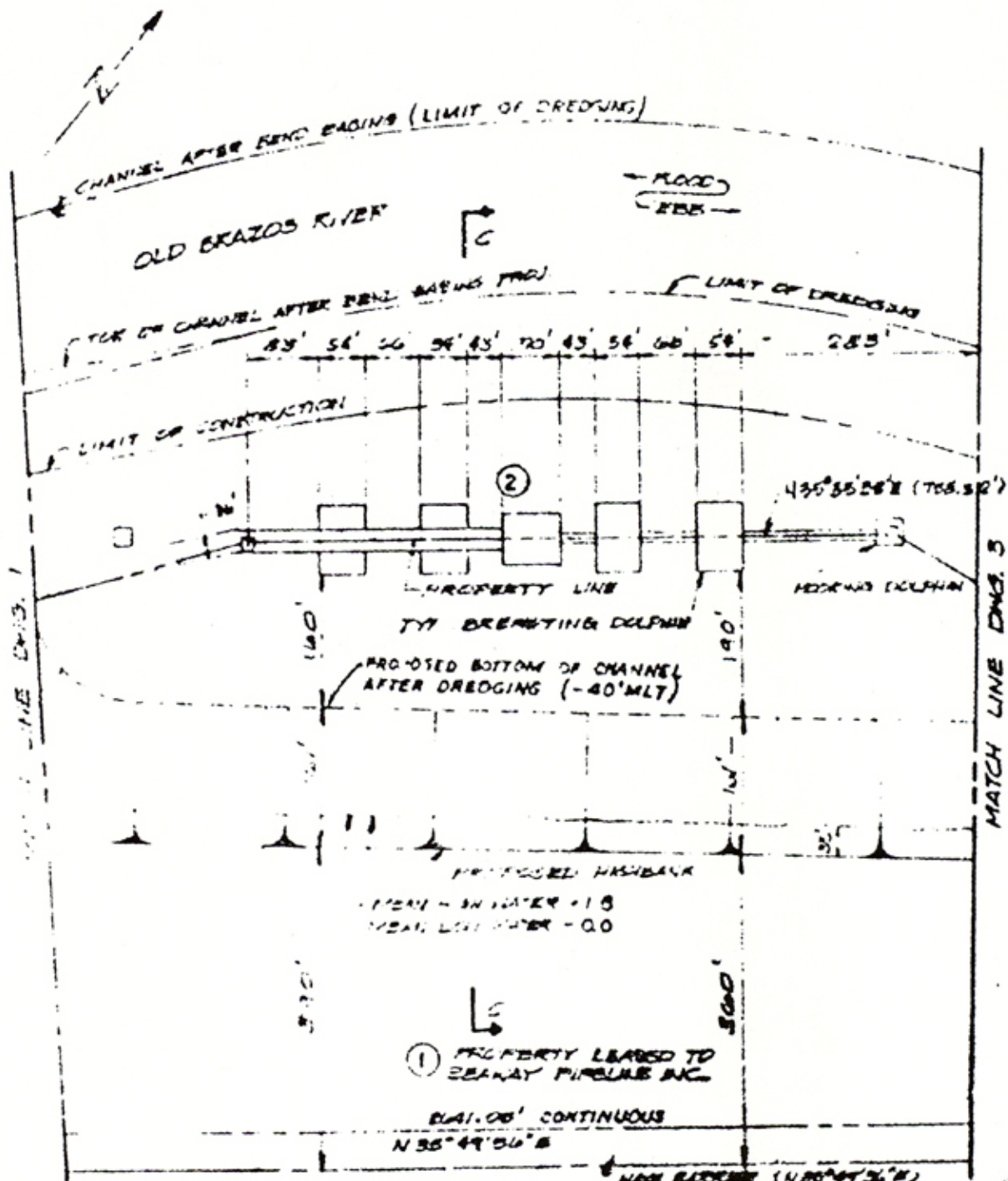
PURPOSE: DOCKING FACILITIES & DREDGING

EARTH: MEAN SEA LEVEL

ADJACENT PROPERTY OWNERS

- ① FREEPORT MARINA
- ② BRAZOS RIVER HARBOR NAV. DISTRICT
- ③ DOW CHEMICAL CO.

IN OLD BRAZOS RIVER  
AT FREEPORT TURNING BASIN  
COUNTY OF BRAZORIA STATE TX.  
APPLICATION BY SEAWAY PIPELINE INC.



SCALE IN FEET

COUNTY 15533  
SHEET 8 OF 10 DATE: 8-1-76  
REVISED DWG.

PURPOSE: DOCK FACILITIES (BERGINGS)

DATUM: MEAN SEA LEVEL

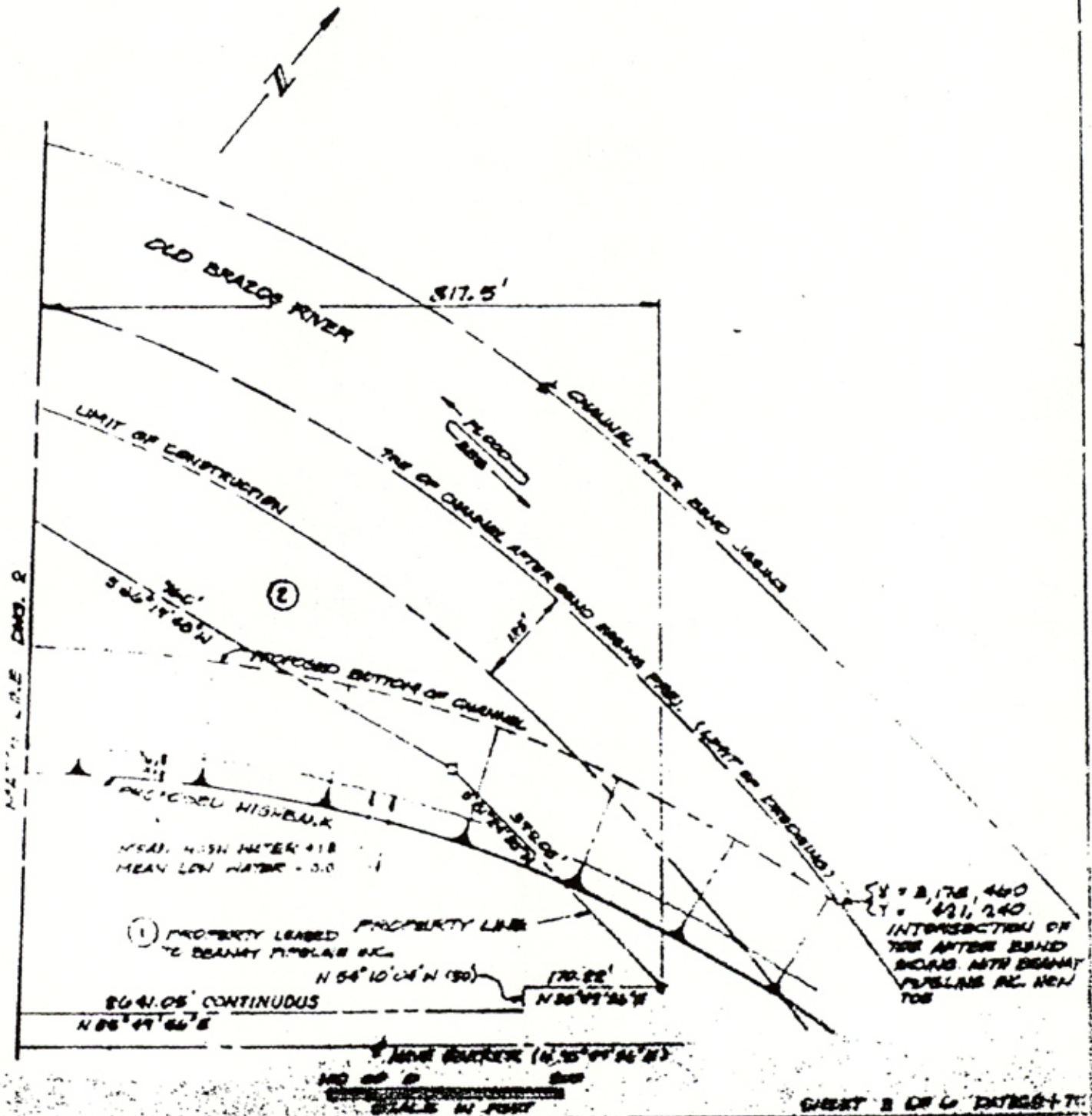
ADJACENT PROPERTY OWNERS:

- ① PROBERT MINERALS
- ② BRAZOS RIVER HARBOR NAV. DISTRICT
- ③ DON CHEMICAL CO.

IN OLD BRAZOS RIVER  
AT BRIDGEPORT TURNING BASIN

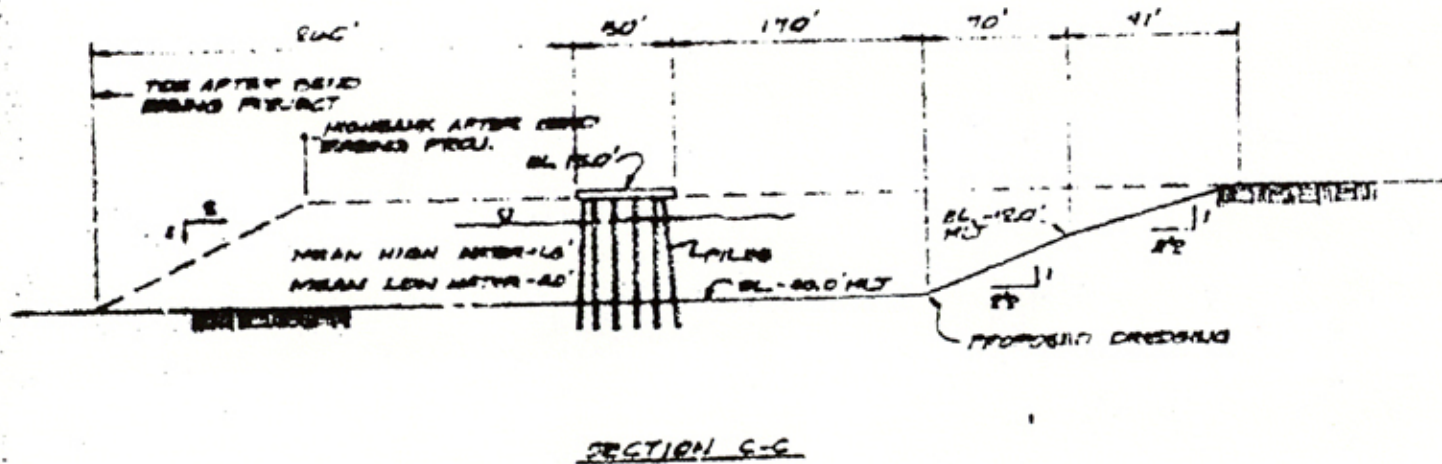
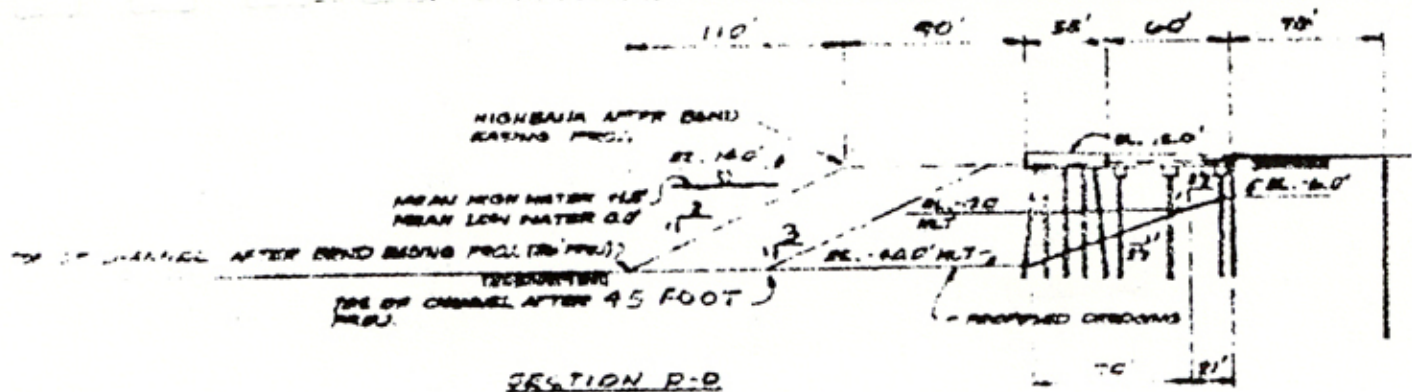
COUNTY OF BRAZOS STATE TX.

APPLICATION BY SEAWAY PIPELINE CO.



SHEET 2 OF 6 DATED 1-7-71

Counter 15534



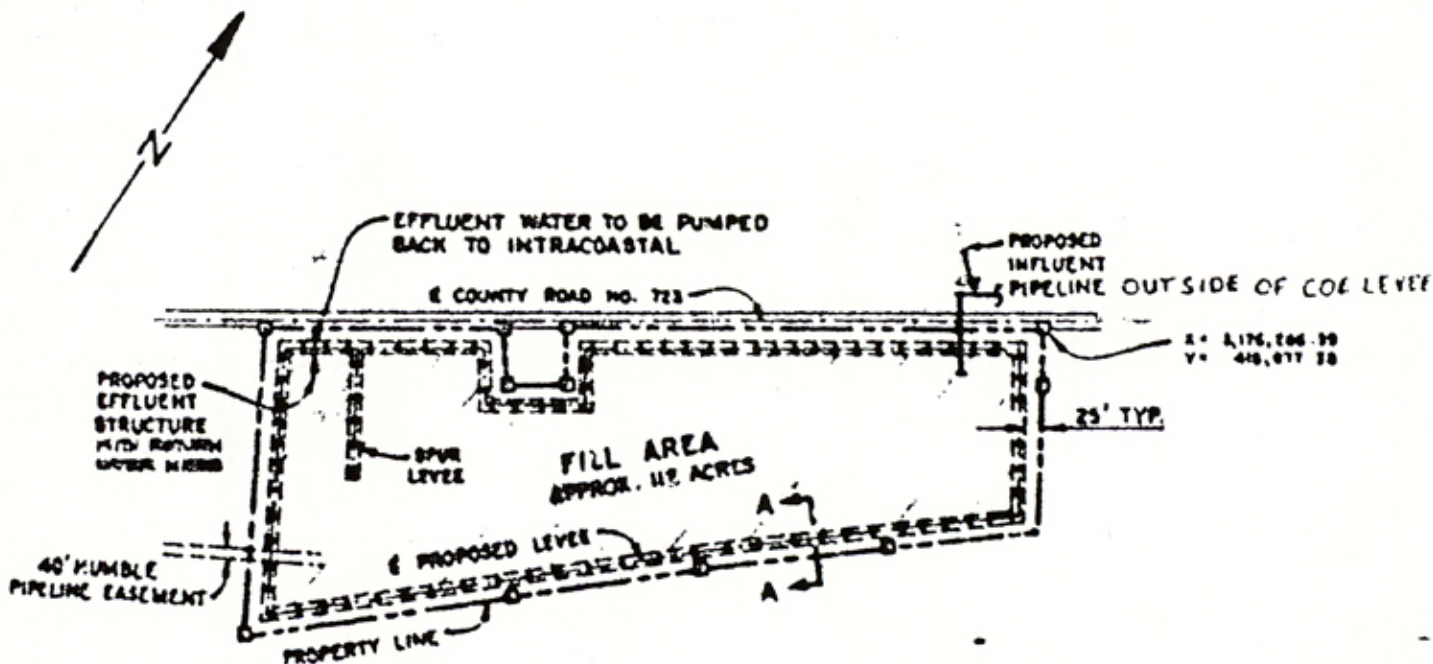
PROPOSED DOCKING FACILITIES  
 FOR SEAWAY PIPELINE, INC.  
 FREEPORT, TEXAS  
 NEAR BRAZOSPORT TURNING BASIN

SCALE IN FEET

REVISIONS

REVISED 4/16/75

Countdown 15535



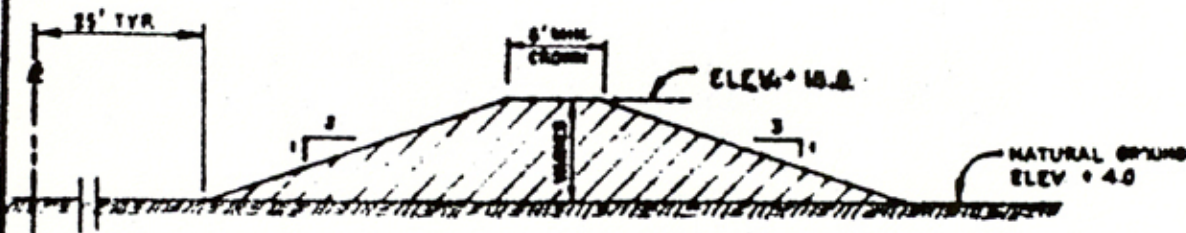
**PLAN**

SCALE - FEET



**NOTE**

FILL TO BE APPROXIMATELY 1,500,000 CUBIC YARDS OF CONGLOMERATE MIXTURE OF CLAYS, SANDY CLAYS, SILTY SANDS, AND HYDRAULIC FILL. ALL FILL TO BE PLACED ABOVE MEAN HIGH WATER LEVEL.



**SECTION A-A**

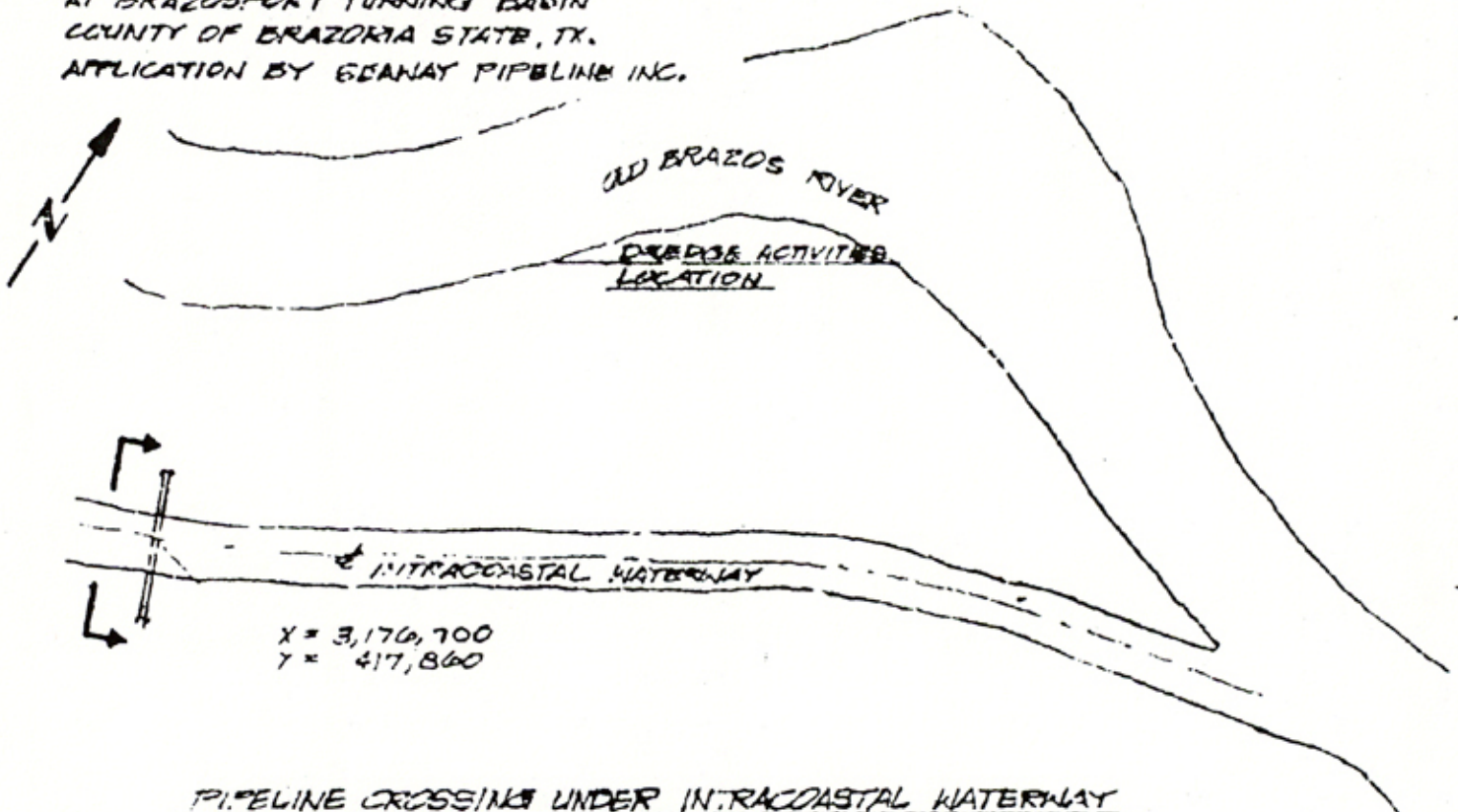
NO SCALE

**PROPOSED SPOIL FACILITIES  
FOR  
SEAWAY PIPELINE, INC.  
FREEPORT, TEXAS**

NEAR BRAZOSPORT TURNING BASIN

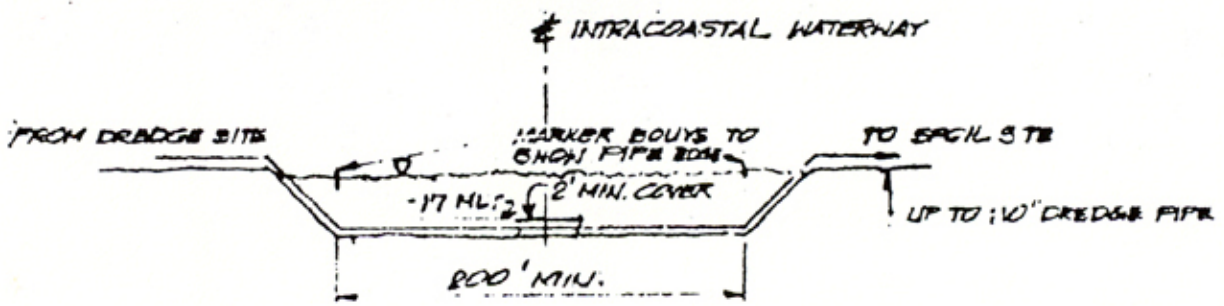
*Counter 15536*

PURPOSE: DREDGING & PIPELINE AT INTRACOASTAL WATERWAY  
 DATUM: MEAN SEA LEVEL  
 DREDGING IN OLD BRAZOS RIVER  
 AT BRAZOSPORT TURNING BASIN  
 COUNTY OF BRAZORIA STATE, TX.  
 APPLICATION BY GEANAY PIPELINE INC.



X = 3,176,700  
 Y = 417,860

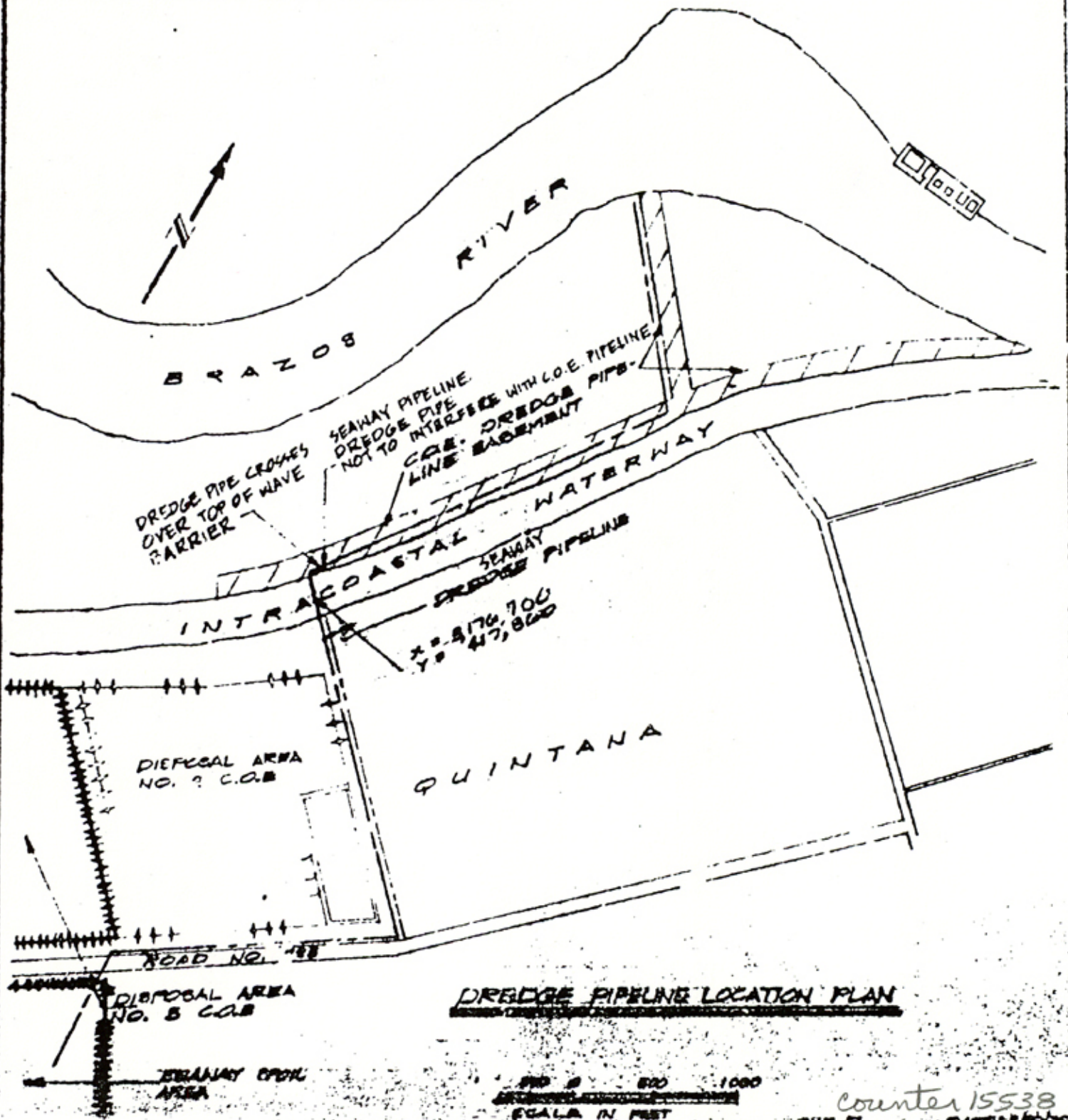
PIPELINE CROSSING UNDER INTRACOASTAL WATERWAY



PIPELINE CROSS SECTION AT INTRACOASTAL WATERWAY

Counter 15537

PURPOSE : OOCK FACILITIES AND DREDGING  
 DATUM : MEAN SEA LEVEL  
 IN OLD BRAZOS RIVER  
 AT BRASPORT TURNING BASIN  
 COUNTY OF BRAZORIA STATE TEXAS  
 APPLICATION BY SEAWAY PIPELINE INC.



**DREDGE PIPELINE LOCATION PLAN**

0 500 1000  
 SCALE IN FEET

Counter 15538  
 EXT. 7 DATE: 8/22/78  
 Revised 9/16/75

RECEIVED

APR 29 1989

TAX  
FEE

NOTICE OF RECEIPT OF BUILDING PERMIT APPLICATION

STATE OF TEXAS        I

PERMIT NO.    3314

COUNTY OF BRAZORIA    I

This Notice confirms that your application for a Building Permit at Seaway's Freeport Dock on Freeport Channel -

Adjacent to Intracoastal Canal, S.F. Austin Lg., A-28 has been received and the building site has been determined to be in Special Hazard Zone V-12 according to the Flood Hazard Maps of Brazoria County, Texas, the Base Flood Elevation of which is N/A.

In order to obtain a Class B Permit, for construction in this area, the following steps need to be taken:

1. Supply two (2) copies of complete plans and specifications of the proposed construction.
2. ~~The ground floor must be elevated to or above the Base Flood Elevation or 18 inches above any restrictive surface, natural or man-made, such as curbing, streets, natural land surface, fills, mounds or ungraded materials which would intercept surface drainage or sheet flow of flood waters, which ever is the higher.~~
3. Submit Permit and Inspection fees in the amount of \$15.00 dollars to Building Official, made payable to "Treasurer of Brazoria County".
4. Sign and return the attached copy of the "Certificate to Commissioners".

MANAGER		
1. CROMER		
2. HARNER		
3. PATTERSON		
4. FURNAM		
5. CUILLEN		
6. TARPETT		
7. WELCH		
8. TULLY		
9. LUTKEM		
10. HERRING		
11. SWANSON		

J.C. Ewing  
Building Official,  
Brazoria County, Texas



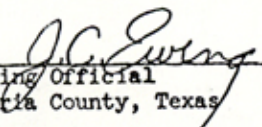
BRAZORIA COUNTY CLASS B  
BUILDING PERMIT

THE STATE OF TEXAS §

PERMIT NO. 3314

COUNTY OF BRAZORIA §

1. This permit is issued on April 28, 19 80, and is effective immediately.
2. This permit is issued to Seaway Pipeline, Inc.
3. The permit authorizes the permittee to construct or improve structures or improvements on the following described property: Seaway's Freeport Dock on Freeport Channel - Adj. to Intracoastal Canal, S.F. Austin, A-28.
4. This permit is issued to the named permittee, in consideration of permittee's representation to Commissioners' Court of Brazoria County, Texas, that the structure or improvements permitted will be constructed in strict conformity with plans and specifications filed with the County Engineer's Permit Section as a part of Permit Application No. 3314, along with other information which may have been filed with the County Engineer's Permit Section to secure this permit. The permittee is on notice that failure to comply with this permit will result in enforcement proceedings before Commissioners' Court, and/or injunctive action, or both, at the discretion of Commissioners' Court. If the permittee wishes to deviate from the plans and specifications on file with the County Engineer's Permit Section, he must file supplemental plans and specifications with the County Engineer's Permit Section and secure the Building Official's approval of the change.
5. Under regulations of Brazoria County, the Building Official will inspect the work in progress from time to time. Any work which does not comply with the plans and specifications and other information, if any, on file with Application No. 3314 will be corrected under penalty of having this permit suspended or revoked.
6. The Building Official or his inspector is required to make two mandatory inspections. The mandatory inspections are:
  - (1) Foundation inspection: To be made after the foundation is in to determine that the lowest floor level will be at or above the level of the 100 year flood, or 18" above any restrictive surface, natural or man-made, such as curbing, streets, natural land surface, fills, mounds or ungraded materials which would intercept surface drainage or sheet flow of flood waters, without reference to the elevation of the 100 year flood. At the time of this inspection the permittee will submit to the Inspector a certification signed by a Registered Professional Engineer or Registered Public Surveyor as to the elevation of the ground floor.
  - (2) Mechanical and electrical inspection: To be made after roof, all framing, fire-blocking and bracing and all pipes, conduits, wiring, chimneys, vents, and mechanical equipment are in place, and before sheet rock siding or other interior wall covering is in place, to determine that mechanical equipment, wiring, and electrical equipment complies with County regulations. The permittee is responsible to notify the Building Official forty-eight (48) hours before the work has progressed to the point where each of the two mandatory inspections are required. If work progresses so that work required to be inspected is covered and incapable of inspection, this permit will be suspended, and no further work will proceed until the covered work is uncovered and made available for inspection.
7. A "Notice of Permit" has been issued with this permit. The permittee will not proceed with any work until the Notice of Permit has been posted, and the Notice of Permit will be posted in a location where it will be protected from weather and secure from vandalism, and will remain posted until the work has been completed.
8. SPECIAL PROVISIONS: (If none, so state) IN FLOOD HAZARD ZONE "V-12"  
FOR FIA

  
Building Official  
Brazoria County, Texas

COUNTY OF BRAZORIA  
DEVELOPMENT PERMIT APPLICATION  
ENGINEERING DEPARTMENT - PERMIT SECTION

Courthouse Building Angleton, Texas 77515  
IMPORTANT - Complete ALL items. Mark boxes where applicable. Print or Type.

I. LOCATION OF BUILDING OR CONSTRUCTION Seaway's Freeport Dock on Freeport Channel  
Adjacent to Intracoastal Canal, S, F, Austin Survey, A-28  
(If in Subdivision, give Name, Lot, Block, Section -- On Acreage tracts, give Abstract, Tract No., Acreage, etc. -- OR Old Plant Site.)

II. FEE - In the amount of \$10.00, made payable to TREASURER - BRAZORIA COUNTY to accompany this application.

III. CHARACTERISTICS AND COST OF CONSTRUCTION - All Applicants complete A-I.

<p>A. Type of Improvements</p> <p><input type="checkbox"/> New Building</p> <p><input type="checkbox"/> Addition to Building</p> <p><input type="checkbox"/> Drilling</p> <p><input checked="" type="checkbox"/> Dredging *At existing docks</p> <p><input type="checkbox"/> Filling</p> <p><input type="checkbox"/> Grading</p> <p><input type="checkbox"/> Mining</p> <p><input type="checkbox"/> Levee Construction</p> <p><input type="checkbox"/> Paving</p> <p><input type="checkbox"/> Other *Spoil will be deposited in area approved for spoil disposal, see Dwg., attached.</p> <p>B. Ownership</p> <p><input checked="" type="checkbox"/> Private (Individual, Corporation, non-profit, Institution, etc.)</p> <p><input type="checkbox"/> Public (Federal, State, etc.)</p> <p>C. Cost - ESTIMATE - <u>N/A</u></p>	<p>D. Discharge</p> <p>*Temporary discharge from spoil area to Intra-coastal waterway <u>Types of Effluents</u> <u>Amount</u> <u>Stream affected</u></p> <p>E. Watershed - <u>Velasco drainage District</u> <u>Bryan Mound Watershed</u></p> <p>F. State or Federal Permit No. _____ Corps of Engineers Permit applied for. _____</p> <p>G. Area and Site - Approx. <u>22*</u> Acreage Tract *Area to be dredged _____</p> <p>H. Type of Sewage Disposal</p> <p><input type="checkbox"/> Public or private company</p> <p><input checked="" type="checkbox"/> Individual (Septic tank)</p> <p>I. Type of Water Supply</p> <p><input type="checkbox"/> Public or private company</p> <p><input checked="" type="checkbox"/> Individual (Well, cistern)</p>
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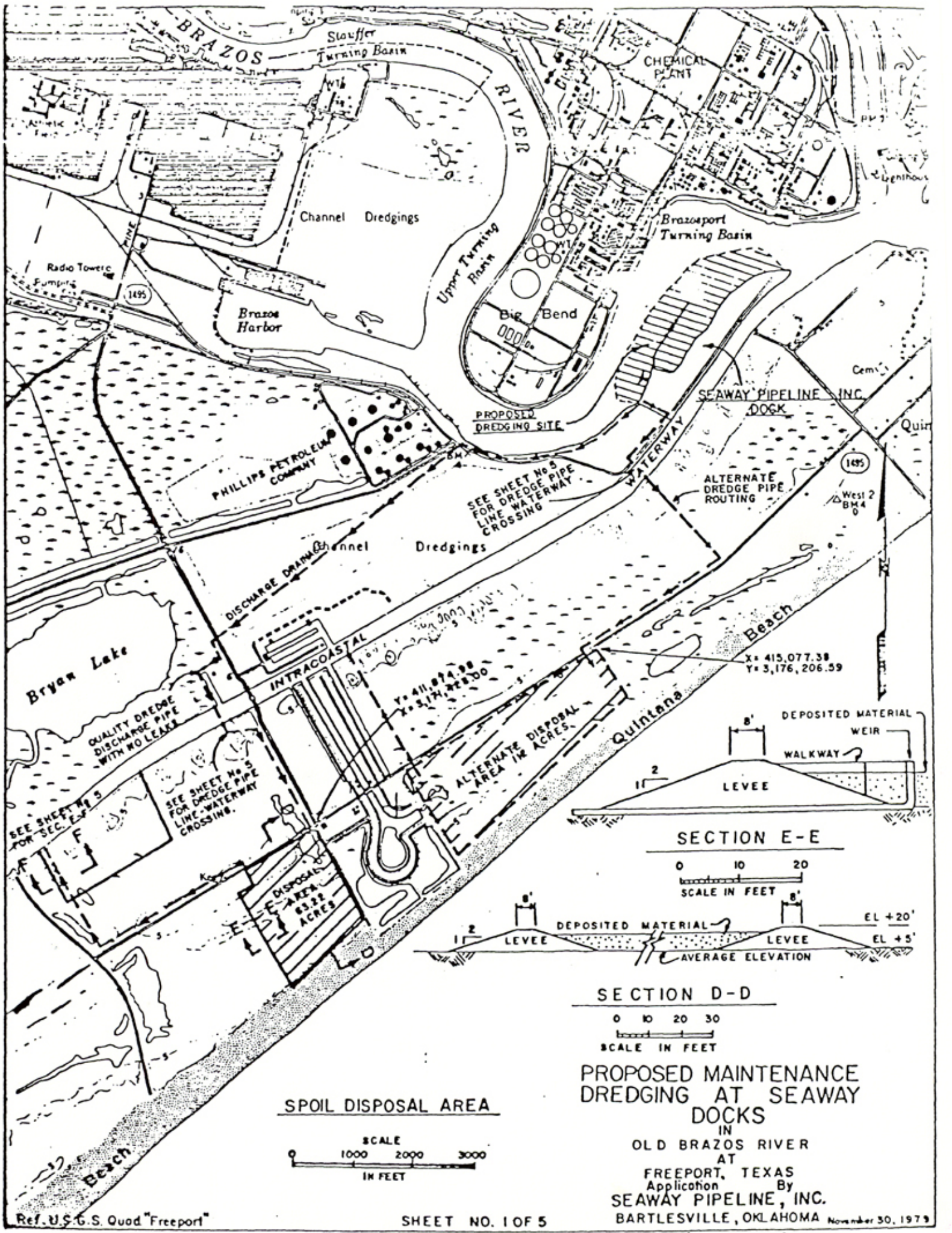
PLEASE NOTE - Applications for development permits will be accompanied by plot plans, design information or written letter explaining the proposal and its uses and effect on adjoining property. Inspections will be made on permits requiring monitoring.

IV. IDENTIFICATION - To be completed by ALL Applicants.

NAME	MAILING ADDRESS	ZIP CODE	TELEPHONE
1. Owner Seaway Pipeline Inc.	374 Adams Building Bartlesville, OK	74004	918/661-3700
2. Contractor Williams-McWilliams Co., Inc.	P. O. Box 7730 Metairie, LA	70010	504/837-1030
3. Architect NA			

Signature of Applicant/Agent <i>P.D. Crossley</i>	Address <u>Seaway, Inc. REG1</u> <u>P.O. Box 1967</u> <u>Houston, TX 77001</u>	Application Date <u>Feb. 1, 1980</u>
--	--	---

Approved by: <i>J.C. Esting</i>	Permit Fee <u>\$10.00</u>	Date Permit Issued <u>April 28, 1980</u>	Permit No. <u>3314</u>
Census Tract: <u>629</u>	Inspection Fee <u>\$15.00</u>		Class <u>'B'</u>
<u>ZONE "V-12" FOR FIA</u>			



Ref. U.S.G.S. Quad "Freeport"

SHEET NO. 1 OF 5

**PROPOSED MAINTENANCE  
DREDGING AT SEAWAY  
DOCKS**  
IN  
OLD BRAZOS RIVER  
AT  
FREEPORT, TEXAS  
Application By  
**SEAWAY PIPELINE, INC.**  
BARTLESVILLE, OKLAHOMA November 30, 1979

Counter 15542

PURPOSE - DREDGING AT SEAWAY DOCKS

DATUM: MEAN SEA LEVEL

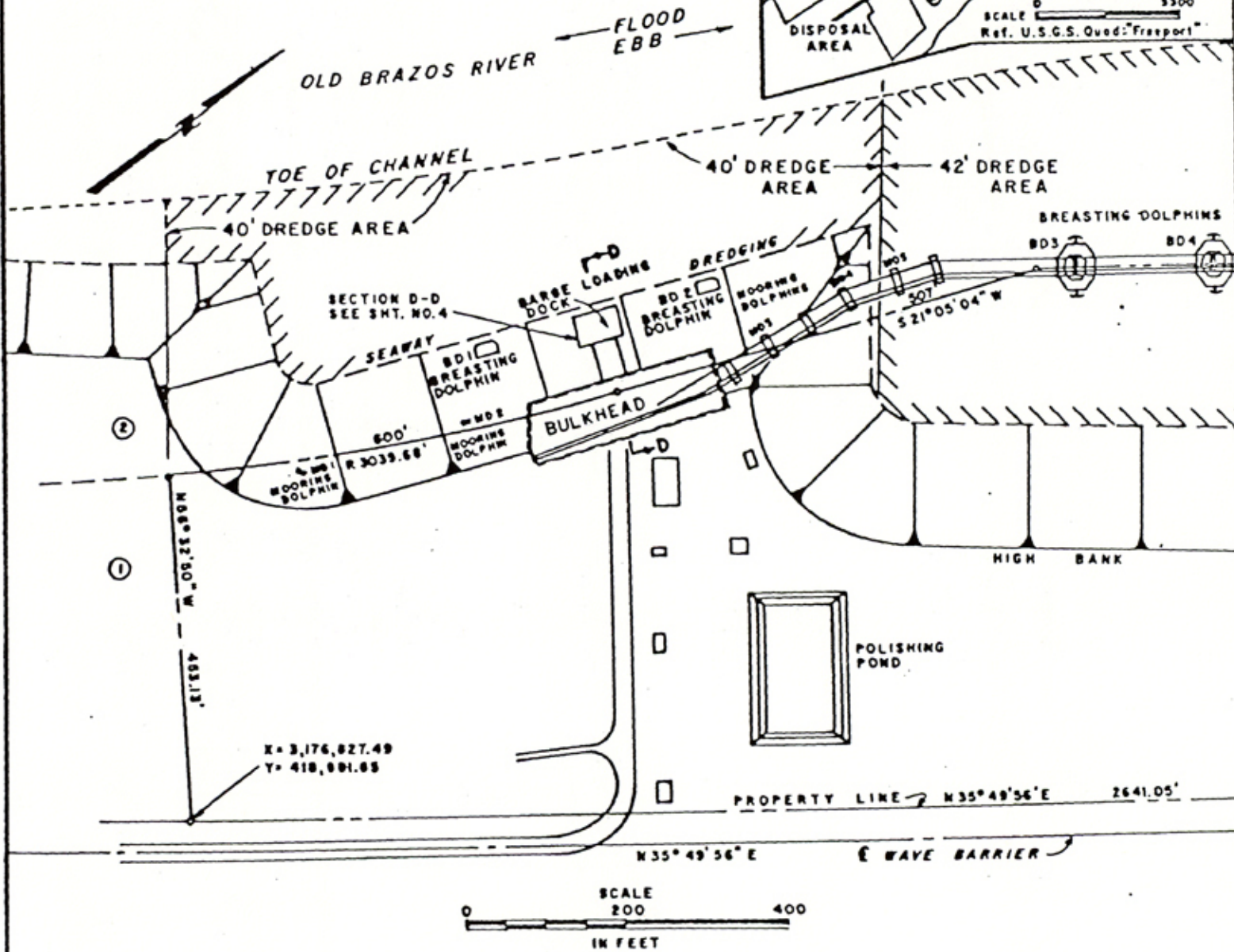
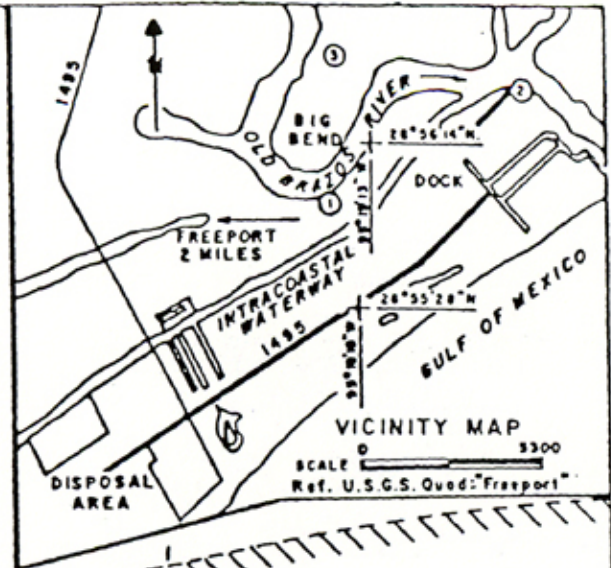
ADJACENT PROPERTY OWNERS

- ① FREEPORT MINERALS
- ② BRAZOS RIVER HARBOR WAY, DISTRICT
- ③ DOW CHEMICAL CO.

IN OLD BRAZOS RIVER AT BRAZOSPORT TURNING BASIN COUNTY OF BRAZORIA, STATE OF TEXAS. APPLICATION BY SEAWAY PIPELINE INC.

NOTE:

APPROXIMATELY 325,000 CU. YDS. OF CLAYS, SANDY CLAYS AND SILTS TO BE HYDRAULICALLY DREDGED AND PLACED IN SPOIL AREA SHOWN ON SHEET 1.



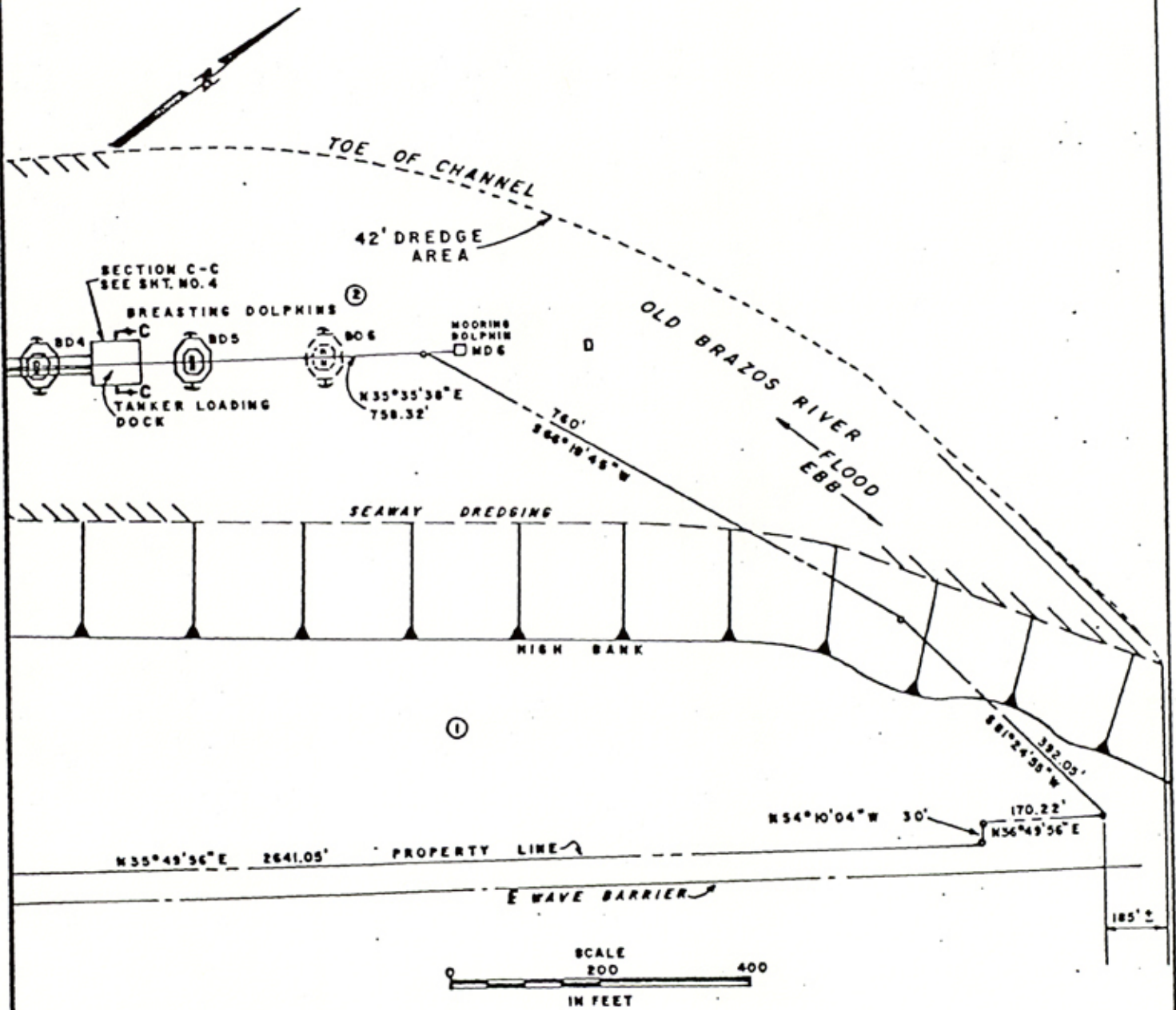
Counter 15573

PURPOSE - DREDGING AT SEAWAY DOCKS

DATUM: MEAN SEA LEVEL  
ADJACENT PROPERTY OWNERS

- ① FREEPORT MINERALS
- ② BRAZOS RIVER HARBOR NAV. DISTRICT
- ③ DOW CHEMICAL CO.

IN OLD BRAZOS RIVER AT  
BRAZOSPORT TURNING BASIN  
COUNTY OF BRAZORIA, STATE OF  
TEXAS, APPLICATION BY SEAWAY  
PIPELINE INC.

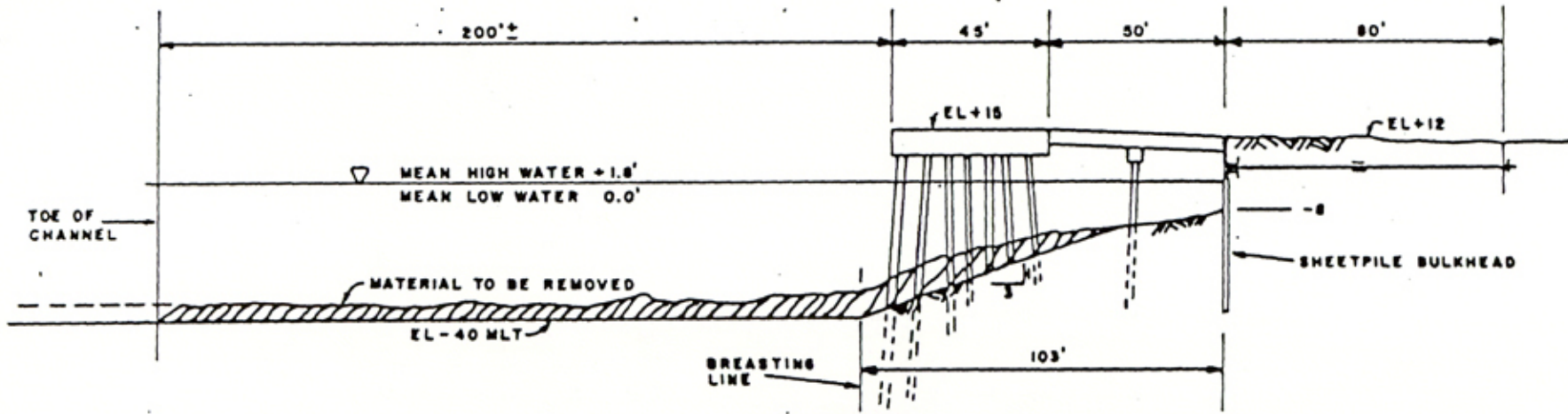


NOVEMBER 30, 1979

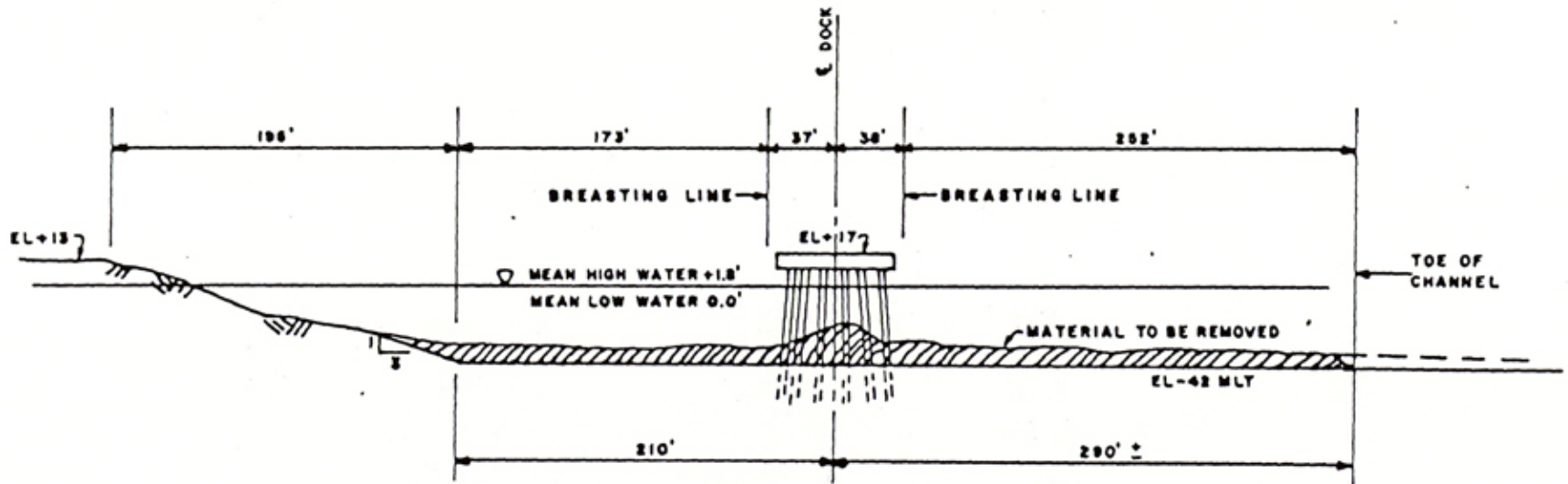
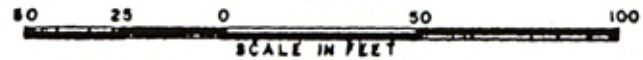
SHEET NO. 3 OF 5

Counter 15544

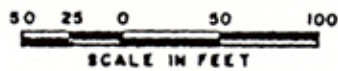
Counter 15545



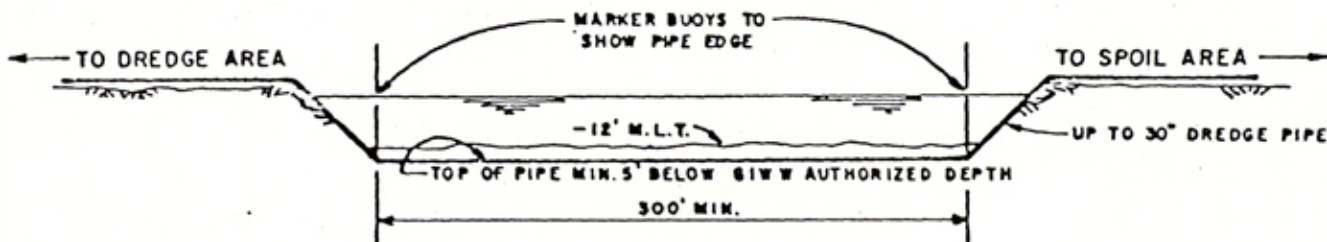
SECTION D-D



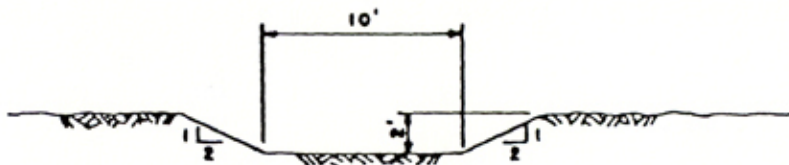
SECTION C-C



DREDGING AT SEAWAY DOCKS IN OLD BRAZOS RIVER AT BRAZOSPORT TURNING BASIN COUNTY OF BRAZORIA, STATE OF TEXAS. APPLICATION BY SEAWAY PIPELINE INC.



PIPELINE CROSSING INTRACOASTAL WATERWAY



SECTION F-F



DREDGING AT SEAWAY DOCKS IN OLD BRAZOS RIVER AT BRAZOSPORT TURNING BASIN COUNTY OF BRAZORIA, STATE OF TEXAS. APPLICATION BY SEAWAY PIPELINE INC.

December 14, 1978

✓ File: Seaway Option Agreement  
113 Acre Tract  
AFE SA 5028

Mr. Allen Mueller  
U. S. Dept. of Interior  
Fish and Wildlife Service  
601 Rosenberg  
Galveston, Texas 77550

Dear Mr. Mueller:

In accordance with our conversation on December 14, 1978 concerning Phillips Petroleum Company/Seaway Pipeline Company's application for a dredge permit on the above captioned tract, please be advised that we will comply fully with the requirements and specifications as outlined in your letter of October 17, 1978, in particular, regarding the construction of the new pond-habitat, to wit:

1. Pond will be constructed in a manner to receive run-off from the remainder of the disposal area.
2. Bottom construction will be of clay or other non-porous soil material so as to resist any seepage of the accumulated water.
3. Side construction of the pond will have a gradual slope with the average depth of about 3' and a maximum depth of no greater than 6'.
4. Prior to the closing of the existing pond, complete and accurate measurements will be made so as to assist in later construction of the pond.

The above items are to be considered in addition to the ones outlined in the permit application and should, therefore, be considered as a part thereof.

I trust that the above will satisfy all requirements and will speed approval of Phillips' application concerning the intended use of this site.

Very truly yours,

JMH:rl

Jerry M. Harner

cc: Mr. H. V. Christensen  
Mr. Perry J. Dickey

*JMH*  
Counter 15547





UNITED STATES  
DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE  
Ecological Services - Room 229  
U.S. Post Office-Courthouse Bldg.  
601 Rosenberg  
Galveston, Texas 77550

IN REPLY REFER TO:

OCT 13 1978

October 17, 1978

MANAGER	
1. CROPPER	<input checked="" type="checkbox"/>
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11. FILE	<input type="checkbox"/>

Mr. Jerry M. Harner  
Phillips Petroleum Co.  
P.O. Box 1967  
Houston, Texas 77001

Dear Mr. Harner:

This refers to Mr. Christensen's October 5, 1978 memo concerning a proposal by Seaway Pipeline, Inc. to dispose of dredge spoil on a site near Freeport, Brazoria County, Texas.

A representative of this office inspected the site on May 9, 1978. Most of the site is disturbed coastal prairie, but there are also two wetland areas. Immediately landward of and parallel to the dune line is an intermittent marsh of the type that is heavily used by shorebirds. On the northeast corner of the site is an approximately two acre pond with some surrounding fresh marsh. This area receives use by wading birds, marsh birds, and waterfowl.

Conditions 1 and 2 of Mr. Christensen's memo are adequate. Condition 3 should be modified to include the following. The pond should be located to receive runoff from the remainder of the disposal area. The bottom material of the pond should be of clay or some other non-porous soil that will resist seepage of accumulated water. If these two items are not accomplished the pond will be dry much of the time and of little value to wildlife. In addition, the pond should have gradual side slopes and have an average depth of about three feet and a maximum depth no greater than six feet. The size of the existing pond and surrounding wetlands should be accurately measured and cited in a written commitment for constructing the new pond.

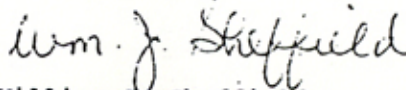
*cc to JMC  
10/20/78*



Counter 15598

If items 1 and 2 of Mr. Christensen's memo and item 3 as modified above are included as stipulations of the application for a Department of the Army permit, the Fish and Wildlife Service will have no objections to the issuance of the permit.

Sincerely yours,



William J. Sheffield  
Acting Field Supervisor

Attachment (1)

cc: w/attachment

Executive Director, Texas Parks and Wildlife Department, Austin, Texas

Commissioner, General Land Office, Austin, Texas

Resource Protection Branch, Texas Parks and Wildlife Department,

Seabrook Marine Laboratory, Seabrook, Texas

Field Representative, General Land Office, Aransas Pass, Texas

Regional Director, National Marine Fisheries Service, St. Petersburg,  
Florida

Area Supervisor, National Marine Fisheries Service, Galveston, Texas

Regional Director, Heritage Conservation and Recreation Service,  
Albuquerque, New Mexico

Regional Administrator, Environmental Protection Agency, Region VI,  
Dallas, Texas

Regional Director, FWS, Region 2, Albuquerque, New Mexico (ES)

Area Manager, FWS, Area I, Austin, Texas