

RESPONSE 23

15.0 PROTECTION OF ENDANGERED OR THREATENED SPECIES

An Endangered/Threatened Species Assessment for the proposed Temple Recycling and Disposal Facility expansion area was conducted by JBS Engineering & Environmental, LLC. (JBS) and is included as Appendix IIA-4, Endangered Species Assessment Report for Proposed Temple Recycling and Disposal Facility Expansion in Temple, Texas. The assessment was conducted by Mr. W.R. Cullen, a Professional Engineer (#65215) and Mr. Stephen Swetish Professional Geoscientist (Soil Science #6639) with the botanical knowledge and experience qualified to conduct the assessment.

As part of the assessment, field surveys were conducted to determine if environmental features necessary for supporting the list of Federal and State threatened and endangered species existed within the boundaries of the proposed expansion area. This field survey was performed in October 2014, January 2015, and June 2015 to evaluate the presence/absence of threatened and endangered species and their habitat. The field assessment included a walking survey of the project area that focused on the identification of listed species and associated habitat. Emphasis was directed to relatively undisturbed areas along Williams Creek which is located on the northern boundary of the proposed expansion area and would be more likely to contain suitable habitat for threatened and endangered species (if present). However, observations were also made throughout the proposed area of expansion.

For the currently permitted area under MSW-692A, there was correspondence regarding the potential impact on endangered and threatened species for the MSW-692A PAA. Previous correspondence indicated that landfill development proposed at TRDF would result in no anticipated negative impacts to rare species or natural communities. Subsequently, the facility was developed in accordance with the MSW-692A site development plan and areas were filled as approved. A copy of the prior correspondence and the TPWD and US Fish and Wildlife Service letters is included in Appendix IIG-2.

The Temple Recycling and Disposal Facility development and operation will not result in the destruction or adverse modification of the critical habitat of endangered or threatened species, or cause or contribute to the taking of any endangered or threatened species.

APPENDIX IIG-2
ENDANGERED SPECIES

6. Endangered Species Demonstration §330.51(b)(8) & §330.53(b)(13)

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RUST Rust Environment & Infrastructure Inc.

A Rust International Company
2929 Briarpark Drive, Suite 600
Houston, TX 77042-3703

Phone 713.785.9800
Fax 713.785.9779

September 3, 1998

Mr. Robert W. Spain, Chief
Habitat Assessment Branch
Resource Protection Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744

Re: Sensitive Species and Natural Communities Review
Temple Recycling and Disposal Facility, Temple, Bell County, Texas
TNRCC Municipal Solid Waste Permit No. MSW 692

Dear Mr. Spain:

On behalf of our client, Waste Management of Texas, Inc., Rust Environment & Infrastructure (Rust E & I) is preparing a permit amendment application to be submitted to the TNRCC for the vertical and horizontal expansion of the Temple Recycling and Disposal Facility (Temple RDF), located in Temple, Bell County, Texas.

The currently permitted Temple RDF consists of an approximately 215-acre municipal solid waste landfill facility, permitted by the Texas Department of Health in 1979. The facility is located on Landfill Road southeast of the City of Temple, approximately 2.25 miles east of U.S. Highway 190 and 0.5 miles south of State Highway 53. The Temple RDF is located immediately south of Little Flock Road, approximately 1,200 feet east of Loop 363. An unnamed tributary of Little Elm Creek is located immediately south of the landfill facility, while Williamson Branch, another tributary of Little Elm Creek, crosses the northeast corner of the landfill property. Primarily undeveloped land surrounds the landfill facility.

Prior to landfilling activities, this site was used for agricultural purposes. Waste Management of Texas, Inc. took over the operation of this facility in August, 1993. Waste Management is currently proposing to add approximately 58 acres to the permitted acreage of the facility for a total permitted area of approximately 273 acres.

At this time, Rust E & I would like to request a review of the landfill property for available information on sensitive species and/or natural communities which may exist on or near the landfill property. This request is necessary to fulfill the requirements of the protection of endangered species criterion as stated in 30 TAC §330.51 (b)(8) and 30 TAC §330.53 (b) (13).

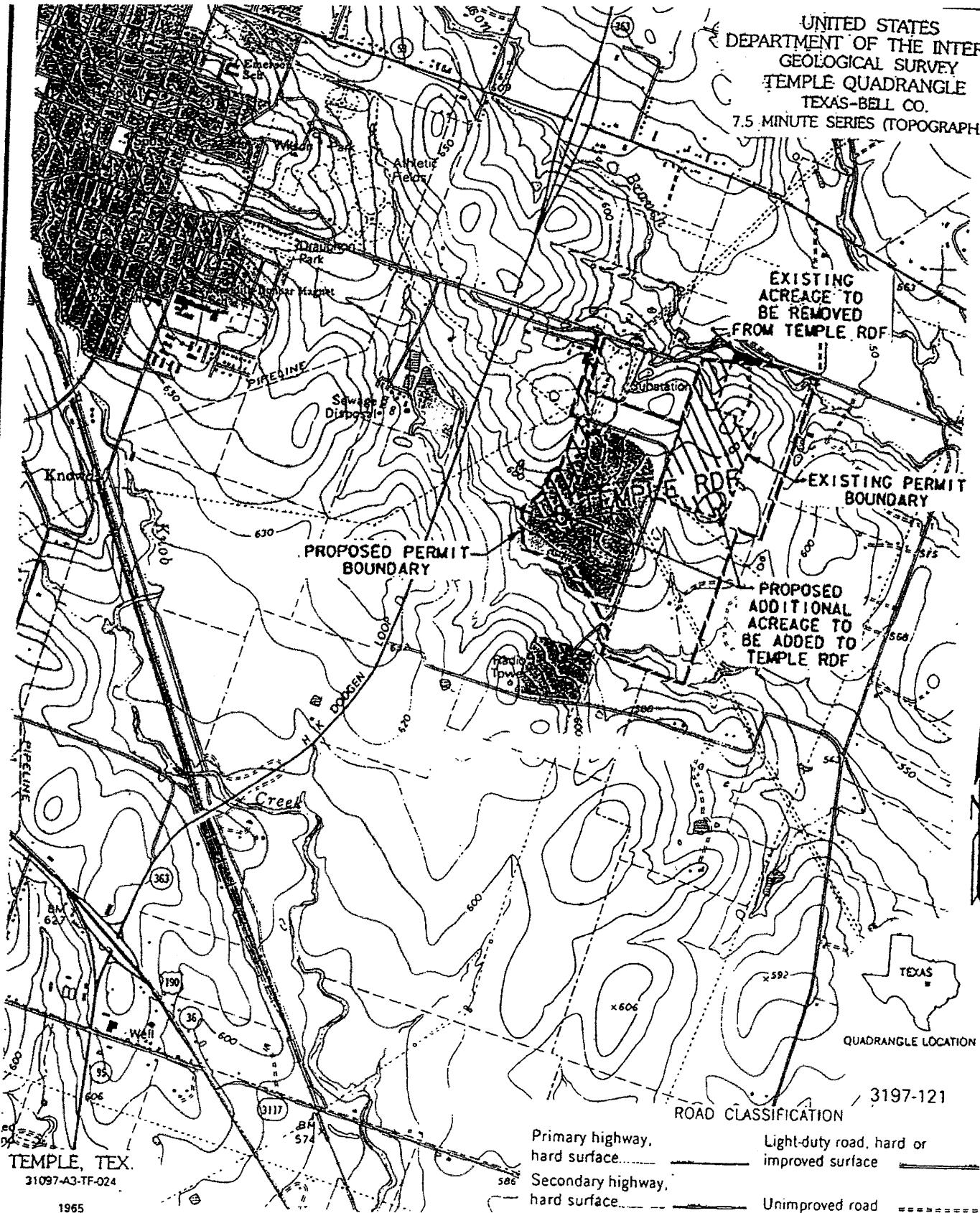
A copy of the U.S. Geological Survey 7.5-minute topographic quadrangle (Temple, Texas) depicting the landfill and adjacent property as well as a copy of a April 10, 1998 color aerial photograph are

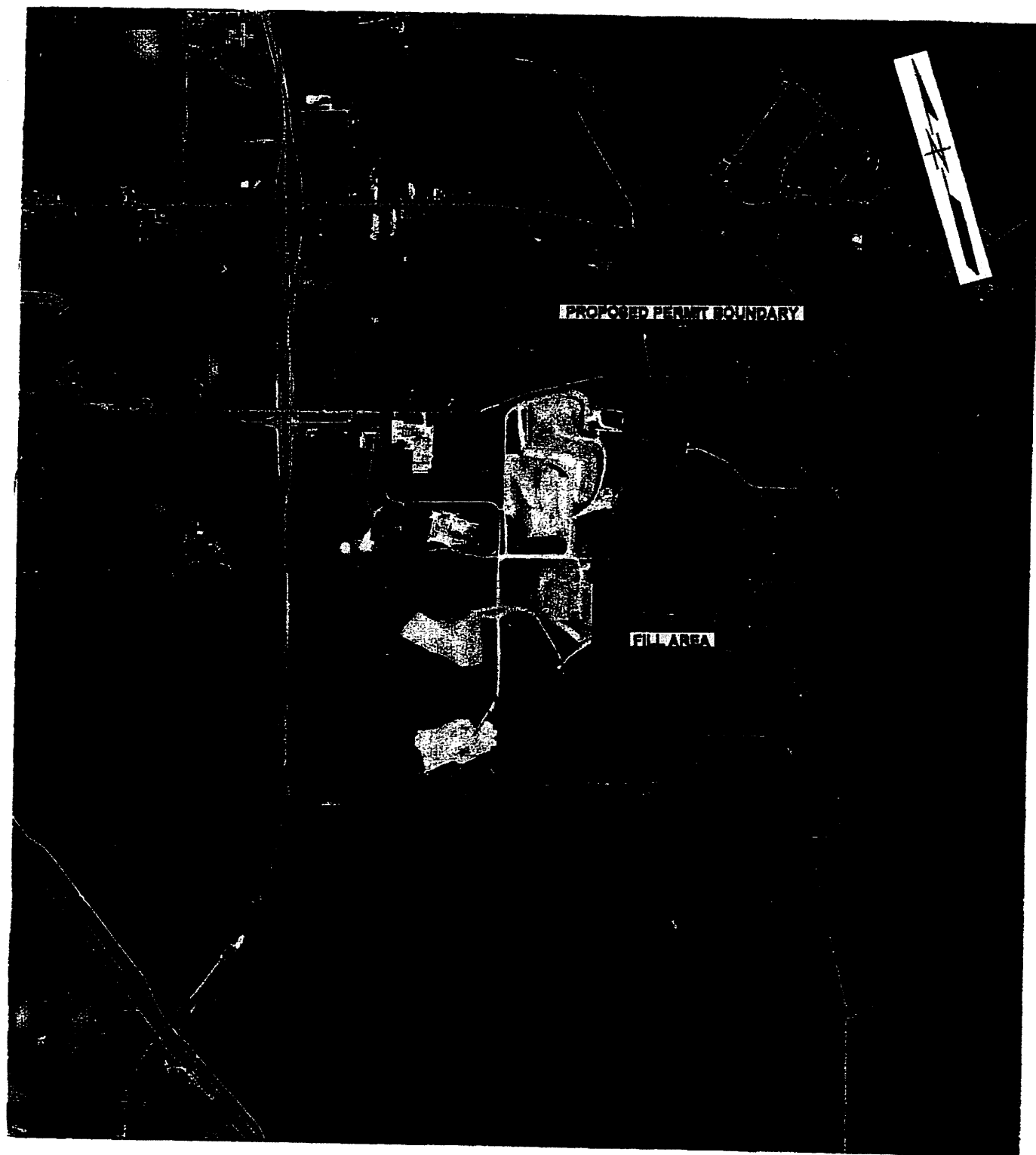
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Quality through teamwork

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
TEMPLE QUADRANGLE
TEXAS-BELL CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)





PHOTOGRAPH SOURCE: AIR SURVEY CORPORATION, FLIGHT DATE: 4/10/98

0 1000 2000
SCALE IN FEET

AUGUST, 1998
Project: 103675.20100
CADD FILE: 103675\TPA-FIGS.DGN

TEMPLE RECYCLING AND DISPOSAL FACILITY
PERMIT AMENDMENT APPLICATION, PERMIT No. MSW-692A
BELL COUNTY, TEXAS

AERIAL PHOTOGRAPH

DF-98

PERSONAL COMMUNICATION

To: Ms. Debbie Borrego, Texas Parks and Wildlife Department
From: Ms. Kim Chesler
Date: November 2, 1998
Subject: Follow up to September 3, 1998 correspondence

Ms. Debbie Borrego of the Texas Parks and Wildlife Department Habitat Assessment Branch was contacted to follow up on the September 3, 1998 correspondence which was sent to the TPWD Habitat Assessment Branch requesting information on threatened, endangered, or candidate species, and natural communities or habitats which may exist on or near the Temple RDF property. According to Ms. Borrego, Mr. Roy Frye of the Habitat Assessment Branch, reviewed the correspondence and had no comments on the proposed landfill expansion.

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A **tyco** INTERNATIONAL LTD. COMPANY

RUST Rust Environment & Infrastructure Inc.

A Rust International Company Phone 713.785.9800
2929 Briarpark Drive, Suite 600 Fax 713.785.9779
Houston, TX 77042-3703

September 3, 1998

Ms. Shannon Breslin
Texas Biological and Conservation Data System
Texas Parks and Wildlife Department, Resource Protection Division
3000 S. IH-35, Suite 100
Austin, Texas 78704

Re: Sensitive Species and Natural Communities Review
Temple Recycling and Disposal Facility, Temple, Bell County, Texas
TNRCC Municipal Solid Waste Permit No. MSW 692

Dear Ms. Breslin:

On behalf of our client, Waste Management of Texas, Inc., Rust Environment & Infrastructure (Rust E & I) is preparing a permit amendment application to be submitted to the TNRCC for the vertical and horizontal expansion of the Temple Recycling and Disposal Facility (Temple RDF), located in Temple, Bell County, Texas.

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Prior to landfilling activities, this site was used for agricultural purposes. Waste Management of Texas, Inc. took over the operation of this facility in August, 1993. Waste Management is currently proposing to add approximately 58 acres to the permitted acreage of the facility for a total permitted area of approximately 273 acres.

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A copy of the U.S. Geological Survey 7.5-minute topographic quadrangle (Temple, Texas) depicting the landfill and adjacent property as well as a copy of a April 10, 1998 color aerial photograph are

Ms. Shannon Breslin
Texas Parks and Wildlife Department
September 3, 1998
Page 2

enclosed to assist you in your evaluation of this property. The proposed additional acreage to be added to the permitted boundary is shown in yellow on the attached topographic quadrangle.

If you have any questions, or if you require any additional information regarding this project, please phone me at (713) 953-5185 or Mr. Glenn Laird, Senior Consultant, at (713) 953-5156. As always, we sincerely appreciate your assistance with this information.

Sincerely,



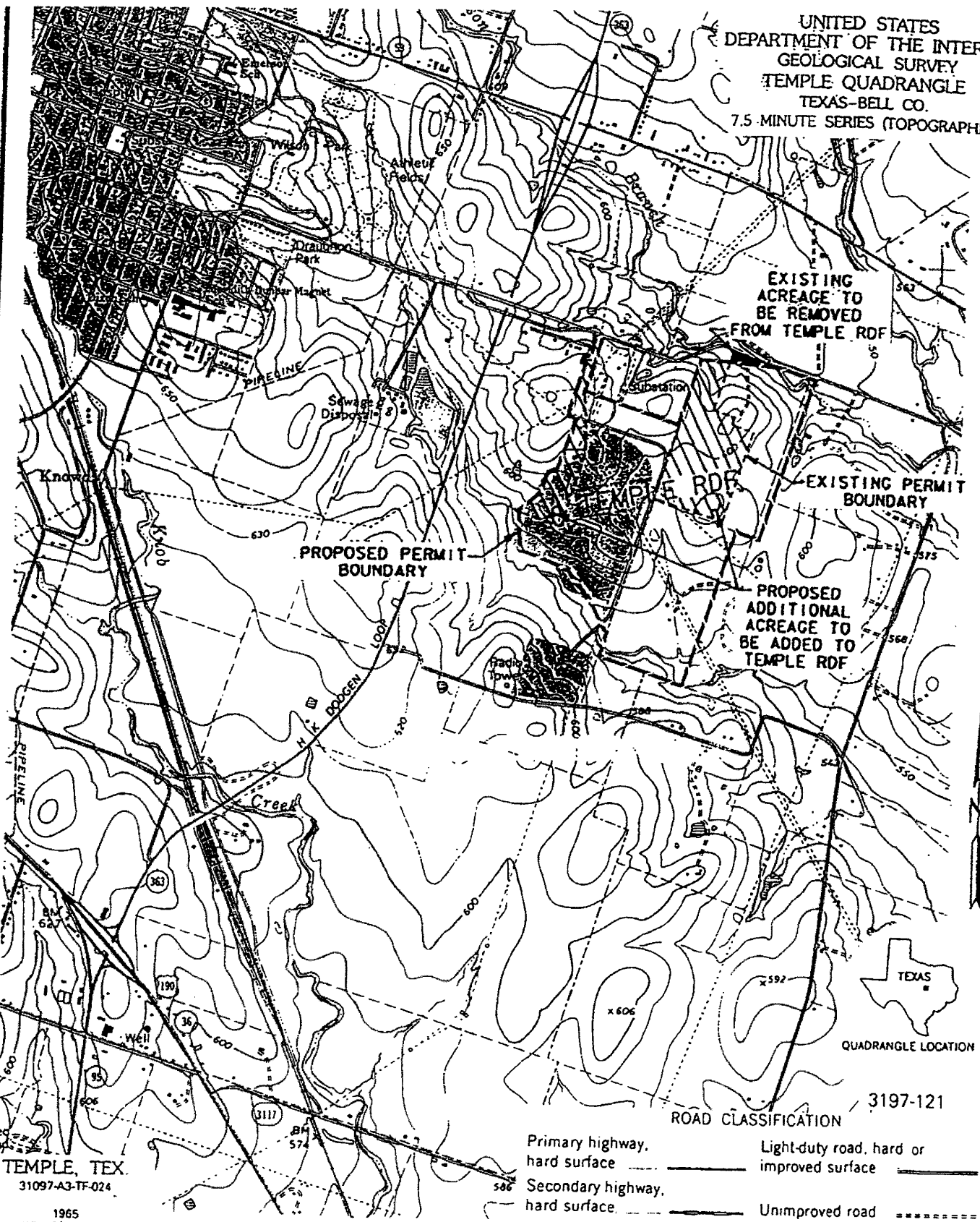
Kimberly A. Chesler
Environmental Scientist
Life Sciences Department

KAC/kc

Attachments: USGS 7.5-Minute Topographic Map (Temple quadrangle)
Aerial Photograph (April 10, 1998)

cc: Mr. John Hodge, Temple Recycling and Disposal Facility, Temple, Texas
Mr. Richard Dormier, Rust Environment & Infrastructure, Dallas, Texas
Project File # 103675

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
TEMPLE QUADRANGLE
TEXAS-BELL CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



TEMPLE, TEX.
31097-A3-TF-024

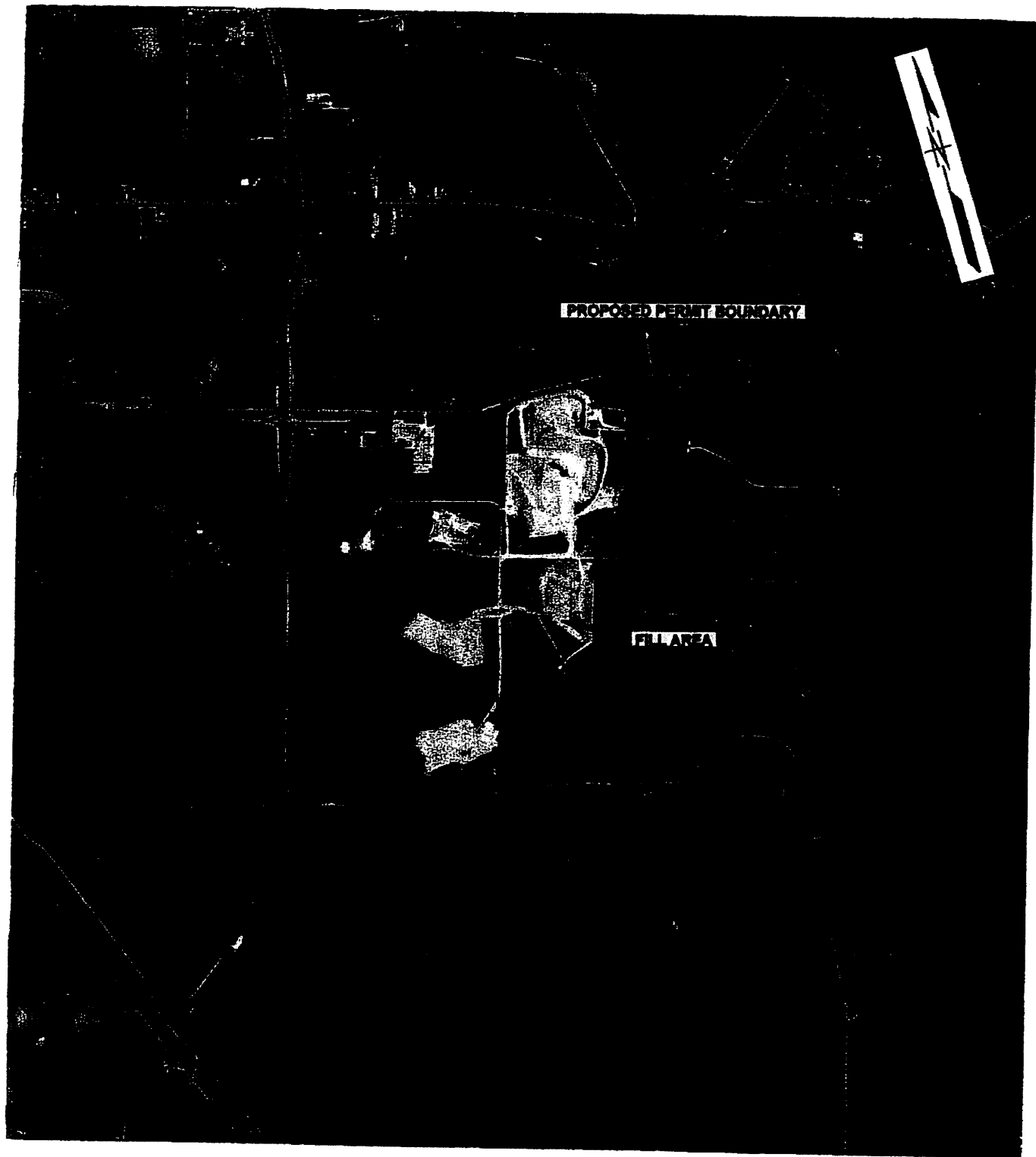
1965
REVISED 1993
DMA 6546 III SE-SERIES V882

- ROAD CLASSIFICATION
- Primary highway, hard surface —————
 - Secondary highway, hard surface - - - - -
 - Light-duty road, hard or improved surface —————
 - Unimproved road —————
 - Interstate Route □ U. S. Route ○ State Route

TEMPLE RECYCLING AND DISPOSAL FACILITY
PERMIT AMENDMENT APPLICATION, PERMIT No. MSW-692A
BELL COUNTY, TEXAS

VICINITY MAP

AUGUST, 1998
Project: 103675.20100
CADD FILE: 103675\TPA-FIGS.DGN



PHOTOGRAPH SOURCE: AIR SURVEY CORPORATION, FLIGHT DATE: 4/10/98

0 1000 2000
SCALE IN FEET

AUGUST, 1998
Project: 103675.20100
CADD FILE: 103675\TPA-FIGS.DGN

TEMPLE RECYCLING AND DISPOSAL FACILITY
PERMIT AMENDMENT APPLICATION, PERMIT No. MSW-692A
BELL COUNTY, TEXAS

AERIAL PHOTOGRAPH

DF-30

RUST Rust Environment & Infrastructure Inc.

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2929 Briarpark Drive, Suite 600
Houston, TX 77042-3703

Phone 713.766.8888
Fax 713.766.9779

**TEXAS
PARKS &
WILDLIFE**

Currently available data and
Endangered Resources Branch
review of the activity as proposed
indicate no anticipated negative
impacts to rare species or natural
communities.

Reviewed: *[Signature]*

Date: 10/13/98

September 3, 1998

Ms. Shannon Breslin

Texas Biological and Conservation Data System

Texas Parks and Wildlife Department, Resource Protection Division

3000 S. IH-35, Suite 100

Austin, Texas 78704

Re: Sensitive Species and Natural Communities Review
Temple Recycling and Disposal Facility, Temple, Bell County, Texas
TNRCC Municipal Solid Waste Permit No. MSW 692

Dear Ms. Breslin:

On behalf of our client, Waste Management of Texas, Inc., Rust Environment & Infrastructure (Rust E & I) is preparing a permit amendment application to be submitted to the TNRCC for the vertical and horizontal expansion of the Temple Recycling and Disposal Facility (Temple RDF), located in Temple, Bell County, Texas.

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Texas Parks and Wildlife Department
September 3, 1998
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Sincerely,



Kimberly A. Chesler
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Life Sciences Department

KAC/kc

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Phone 713.785.9800
Fax 713.785.9779

September 3, 1998

Mr. William Seawell
Field Supervisor
U.S. Fish and Wildlife Service
Ecological Services
c/o Texas A & M University - Corpus Christi
Campus Box 338
6300 Ocean Drive
Corpus Christi, Texas 78412

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U.S. Fish and Wildlife Service
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Project File # 103675

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
TEMPLE QUADRANGLE
TEXAS-BELL CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

EXISTING
ACREAGE TO
BE REMOVED
FROM TEMPLE RDF

EXISTING PERMIT
BOUNDARY

PROPOSED
ADDITIONAL
ACREAGE TO
BE ADDED TO
TEMPLE RDF

PROPOSED PERMIT
BOUNDARY



QUADRANGLE LOCATION

3197-121

ROAD CLASSIFICATION

- | | |
|------------------------------------|--|
| Primary highway,
hard surface | Light-duty road, hard or
improved surface |
| Secondary highway,
hard surface | Unimproved road |
| ○ Interstate Route | □ U. S. Route ○ State Route |

TEMPLE, TEX.
31097-A3-TF-024

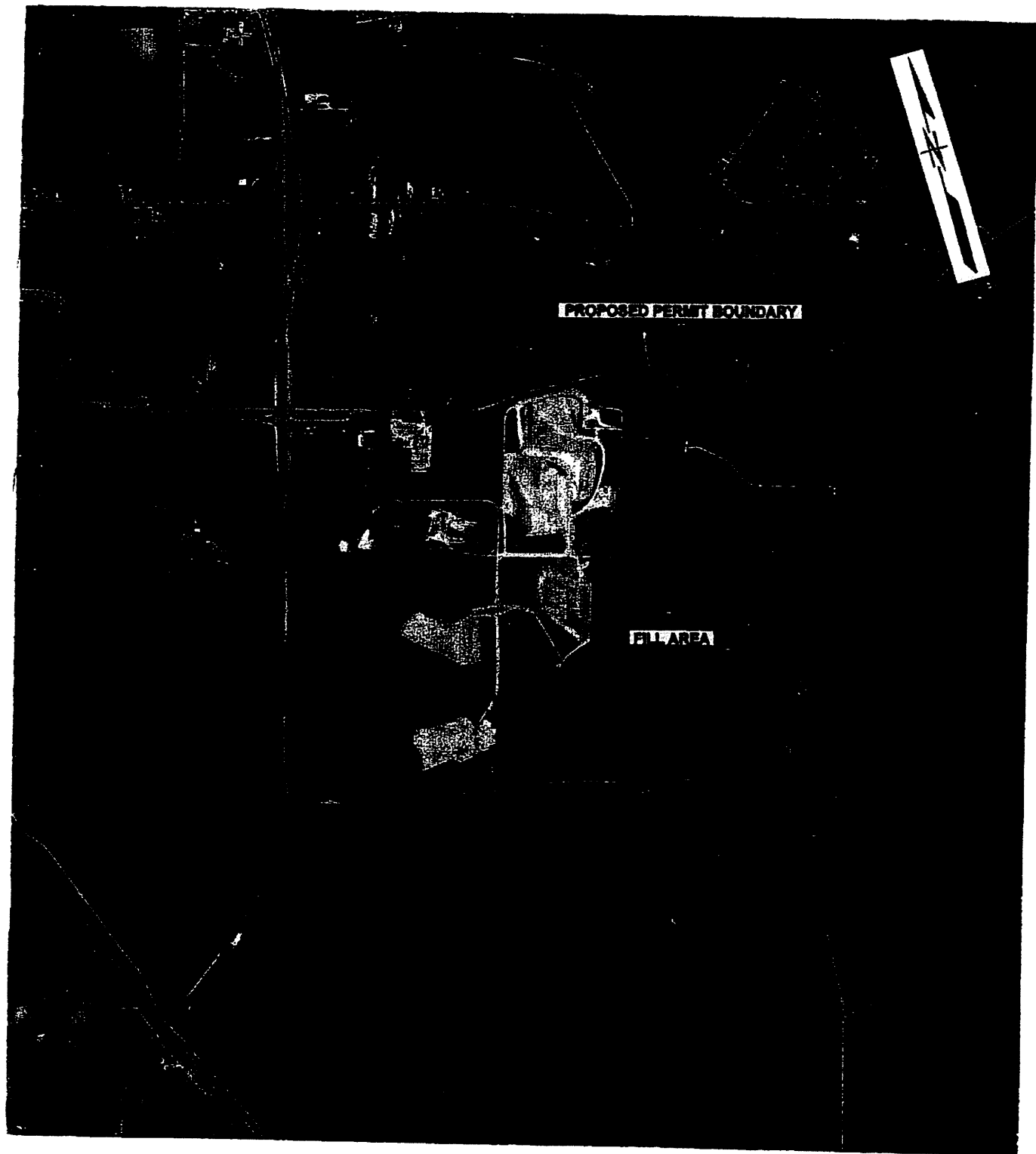
1965
REVISED 1993
DMA 6546 III SE-SERIES V882

TEMPLE RECYCLING AND DISPOSAL FACILITY
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BELL COUNTY, TEXAS

AUGUST, 1998
Project: 103675.20100
CADD FILE: 103675\TPA-FIGS.DGN

VICINITY MAP

DF-31



PHOTOGRAPH SOURCE: AIR SURVEY CORPORATION, FLIGHT DATE: 4/10/98

0 1000 2000
SCALE IN FEET

AUGUST, 1998
Project: 103675.20100
CADD FILE: 103675\TPA-FIGS.DGN

TEMPLE RECYCLING AND DISPOSAL FACILITY
PERMIT AMENDMENT APPLICATION, PERMIT No. MSW-692A
BELL COUNTY, TEXAS

AERIAL PHOTOGRAPH

DF-32

RUST Rust Environment & Infrastructure Inc.

A Rust International Company
2929 Briarpark Drive, Suite 600
Houston, TX 77042-3703

Phone 713.785.9800
Fax 713.785.9779

September 3, 1998

Mr. William Seawell
Field Supervisor
U.S. Fish and Wildlife Service
Ecological Services
c/o Texas A & M University -
Campus Box 338
6300 Ocean Drive
Corpus Christi, Texas 78412

NO EFFECT FINDING	
Based on our review of the project activity as proposed, it is not likely that federally listed species, or other important fish and wildlife resources will be impacted.	
Date	9/9/98
Consultation #	2-15-98 E-1366
Approved by	<i>[Signature]</i>
U.S. FISH and WILDLIFE SERVICE, AUSTIN, TX	

FW-ES	
FS	
AFS	
ALL	
<i>Dianne</i>	
81288	
OAST	
FILE	
NO.	57
DUE	10/8/98

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