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SOAH DOCKET NO. 473-21-0247

PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO, ACTING BY AND THROUGH THE CITY PUBLIC SERVICE BOARD (CPS ENERGY) TO AMEND ITS CERTIFICATE OF CONVENIENCE AND NECESSITY FOR THE PROPOSED SCENIC LOOP 138-KV TRANSMISSION LINE PROJECT IN BEXAR COUNTY, TEXAS	§	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

ERRATA TO DIRECT TESTIMONY OF JASON E. BUNTZ ON BEHALF OF INTERVENORS THE SAN ANTONIO ROSE PALACE, INC. AND STRAIT PROMOTIONS, INC.

Jason E. Buntz submits the attached Errata, which inserts as Exhibit 5 a copy of the resume referenced on page 2 that was inadvertently left out of the original submission, and adds two footnotes to the last paragraph on page 6 to clarify references to legislation in the Texas Government Code, Sections 442.024 and 442.025.

Respectfully submitted,

BARTON BENSON JONES PLLC

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AND STRAIT PROMOTIONS, INC.

Certificate of Service

I hereby certify that on this 15th day of March 2021, notice of the filing of this document was provided to all parties of record via the PUC Interchange in accordance with SOAH Order No. 3.

/s/ Luke E. Kraus
Luke E. Kraus

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023

APPLICATION OF THE CITY OF SAN ANTONIO TO AMEND ITS CERTIFICATE OF CONVERNIENCE AND NECESSITY FOR THE SCENIC LOOP 138-KV TRANSMISSION LINE IN BEXAR COUNTY	§ § § § §	**BEFORE THE STATE OFFICE OF ADMINISTRATIVE HEARINGS**

DIRECT TESTIMONY AND EXHIBITS
OF
JASON E. BUNTZ

ON BEHALF OF
THE SAN ANTONIO ROSE PALACE, INC.
AND STRAIT PROMOTIONS, INC.

FEBRUARY 17, 2021

SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
DIRECT TESTIMONY AND EXHIBITS OF JASON E. BUNTZ

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Exhibit 3	Heidemann Ranch Historic District
Exhibit 4	R.L White Ranch Historic District
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SOAH DOCKET NO. 473-21-0247
PUC DOCKET NO. 51023
DIRECT TESTIMONY AND EXHIBITS OF JASON E. BUNTZ

I. INTRODUCTION OF WITNESS

Q. PLEASE STATE YOUR NAME AND BUSINESS ADDRESS.

A. My name is Jason Buntz. My business address is 1504 W. 5th Street, Austin, Texas 78703

Q. BY WHOM ARE YOU EMPLOYED AND IN WHAT CAPACITY?

A. I am the Program Manager for Environmental Impact Assessment and Environmental Compliance Management at Hicks & Company, Environmental/Archeological Consultants. I also serve as Operations Manager for the Company.

Q. PLEASE DESCRIBE HICKS & COMPANY.

A Hicks & Company is an environmental consulting firm in Austin, Texas providing environmental, ecological and cultural resources management services to public and private clients throughout Texas. The company has specialized in performing environmental assessments and environmental impact studies under the National Environmental Policy Act (NEPA) and obtaining permits and other authorizations under federal and state regulatory programs dealing with wetlands, endangered species, cultural resources, community impacts and other environmental issues. From the outset, the company and its environmental professionals have been involved in route selection, impact assessment and permitting for highways, electric transmission lines, and other linear projects.

Q. PLEASE DESCRIBE YOUR EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS.

A. I have a B.A. degree from the University of California, Berkeley. I have been employed in the field of environmental management for over 22 years. My work primarily involves environmental impact analysis and regulatory compliance for public infrastructure projects, and I have authored dozens of Environmental Assessments and Environmental Impact Statements for complex projects during that time. As manager of the Environmental Compliance Program at Hicks &

Company, I have focused on environmental compliance management and compliance assurance for major design-build and public–private–partnership transportation projects. My resume is attached.

Q. HOW HAVE YOU BEEN INVOLVED IN THE PROPOSED TRANSMISSION LINE PROJECT THAT IS THE SUBECT OF THIS PROCEEDING?

I was retained by the firm Barton Benson Jones, PLLC, on behalf of landowner(s) in Bexar County (see EXHIBIT 1) to review and evaluate the City Public Service Board's (CPS Energy) Certificate of Convenience and Necessity (CCN) Application and Environmental Assessment and Alternative Route Analysis (EA) which was submitted to the Public Utility Commission of Texas (PUC) in connection with CPS Energy's proposed Scenic Loop 138 kV transmission line and substation project in Bexar County, Texas.

II. PURPOSE OF TESTIMONY

Q. WHAT IS THE PURPOSE OF YOUR TESTIMONY?

A. The purpose of my testimony is to evaluate CPS Energy's CCN Application and the Environmental Assessment and Alternative Route Analysis performed by its engineering consultant, Power Engineers, Inc. I will also make an independent assessment of the environmental suitability of the proposed transmission line route proposed by CPS Energy and Power Engineers.

Q. WAS YOUR TESTIMONY PREPARED BY YOU OR BY KNOWLEDGEABLE PERSONS UPON WHOSE EXPERTISE, JUDGMENT AND OPINIONS YOU RELY IN PERFORMING YOUR DUTIES?

A. Yes, it was.

Q. IS THE INFORMATION CONTAINED IN YOUR TESTIMONY AND THE INFORMATION YOU ARE SPONSORING TRUE AND CORRECT TO THE BEST OF YOUR KNOWLEDGE AND BELIEF?

A. Yes, it is.

III. ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS

Q. WHAT ARE THE EVALUATION FACTORS THAT MUST BE CONSIDERED ACCORDING TO THE PUBLIC UTILITY REGULATORY ACT (PURA) AND PUC'S SUBSTANTIVE RULES FOR APPROVAL OF CCN APPLICATIONS?

A. The PUC's substantive rules SUBST. R. 25.101(b)(3)(B) requires CPS Energy to consider the criteria in PURA §37.056(c), as well as the following factors when identifying alternative substation sites and transmission line routes: 1) whether the routes utilize existing compatible rights-of-way, including the use of vacant positions on existing multiple-circuit transmission lines; 2) whether the routes parallel existing compatible rights-of-way; 3) whether the routes parallel property lines or other natural or cultural features; and 4) whether the routes conform with the policy of prudent avoidance. The substantive rules define "prudent avoidance" as "[t]he limiting of exposures to electric and magnetic fields that can be avoided with reasonable investments of money and effort". The substantive rules regarding routing begin with the proviso: *"...the line shall be routed to the extent reasonable to moderate the impact on the affected community and landowners unless grid reliability and security dictate otherwise."*

Q. WHAT ARE THE STATUTORY CRITERIA FOR TRANSMISSION LINE ROUTING?

A. The provisions of PURA 37.056(c)(4) require the PUC to grant a certificate for a transmission line only after considering, among other factors, the following:

- community values;
- recreational and park areas;
- historical and aesthetic values; and
- environmental integrity.

Q. CAN YOU SUMMARIZE YOUR APPROACH IN REVIEWING THESE DOCUMENTS?

A. Yes. I reviewed the primary documents, including CPS Energy's original CCN Application with its Attachment 1, Power Engineers' "Scenic Loop 138 kV Transmission Line and Substation Project, Environmental Assessment and Alternatives Route Analysis," as well as the recent amendments to those documents.[1] My review has focused on the extent to which the

[1] "Application of the City of San Antonio Acting by and Through the City Public Service Board (CPS Energy) to Amend Its Certificate of Convenience and Necessity for the Proposed Scenic Loop 138-kV Transmission Line Project in Bexar County". July 22, 2020. The CCN Application includes as Attachment 1 "Scenic Loop 138 kV Transmission Line and Substation Project, Environmental Assessment and

environmental analyses and outcomes presented in these documents are consistent with the requirements of PURA and the PUC's substantive rules described above. I will address the PURA §37.056(c) criteria in order of what I think is their relevance to the specific issues presented by CPS Energy's proposed transmission line project, beginning with Historic and Aesthetic Values.

IV. HISTORICAL AND AESTHETIC VALUES

Q. DID CPS ENERGY AND POWER ENGINEERS COLLECT DATA ON HISTORICAL VALUES?

A. Yes. In Section 3.5 of the Environmental Assessment and Alternative Route Analysis, CPS Energy and Power Engineers describe the PUC's CCN application requirement to list and map known historic sites within 1,000 feet of each alternative route and to list the sources consulted to identify these known sites, which include the Texas Historical Commission (THC), the National Park Service (NPS), the Texas Department of Transportation (TxDOT), and the Texas Archeological Research Laboratory (TARL).

The review of these sources resulted in the identification, in Chapter 3 Table 3-11, of 36 previously recorded archeological sites, three National Register of Historic Places (NRHP)-listed resources, one NRHP-determined eligible archeological site (41BX496), 11 cemeteries and one Official Texas Historical Marker.

Q. IN YOUR OPINION DID CPS ENERGY AND POWER ENGINEERS RELY ON SOURCES OF KNOWN CULTURAL RESOURCES COMMONLY USED BY ENVIRONMENTAL PROFESSIONALS ENGAGED IN THIS TYPE OF ANALYSIS?

A. Yes. The THC, TxDOT, TARL, and the NPS are all appropriate sources of cultural resources information. However, there is readily available information from other sources that they did not evaluate which would have been helpful to readers of the Environmental Assessment, including PUC decision makers and members of the public.

Alternatives Routes Analysis". Power Engineers, July 2020. Both documents were amended on December 22, 2020.

Q. WHAT ARE THOSE OTHER PUBLICLY AVAILABLE SOURCES?

A. One of the sources they did consult, noted in Chapter 3 on page 3-44, was TxDOT's historic bridges database for the locations of bridges listed or determined eligible for listing on the NRHP. However, an equally if not more important database for this type of Environmental Assessment is TxDOT's Historic District's and Properties GIS map. TxDOT maintains this publicly searchable database of historic resources listed and eligible for the National Register of Historic Places at https://txdot.maps.arcgis.com/apps/webappviewer/index.html. Had CPS Energy and Power Engineers reviewed this database, they would have noted that TxDOT has considered the Boerne Stage Route as a historic resource that is eligible for the NRHP. This information was readily available and could have been incorporated into the Environmental Assessment and Alternative Route Analysis and disclosed to the public.

Q. DID CPS ENERGY AND POWER ENGINEERS CONSULT WITH THE TEXAS HISTORICAL COMMISSION AS PART OF THE ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS?

A. Yes. In Section 5.0, page 5-3, it states that the THC responded to CPS Energy's request for information on July 1, 2019. The letter from the THC notes the presence of a historic district in the study area, and although the letter does not specify which one, the letter was written by the archeology division, and therefore it can reasonably be inferred to be the Maverick-Altgelt Ranch Fenstermaker-Fromme Farm Historic District. Because the THC has separate divisions for archeology and historic structures, their response omitted the other two historic districts known from the study area, the R.L White Ranch and the Heidemann Ranch.

Q. IN YOUR PROFESSIONAL OPINION WAS THE BASELINE INVENTORY OF THE HISTORIC RESOURCES IN THE STUDY AREA SUFFICIENT TO ALLOW FOR A THOROUGH ANALYSIS OF THE IMPACTS TO HISTORICAL VALUES?

A. No, I would not consider it to be sufficient. The information in Section 3.5 included a mention of the Scenic Loop – Boerne Stage – Toutant Beauregard Historic Corridor; however, the text in this section in Chapter 3 page 3-53 is simply taken directly from the Official Texas Historical Marker (OTHM). CPS Energy and Power Engineers do not appear to have investigated the significance of the historic resources that are commemorated by the marker, focusing instead on the physical marker itself. Although the OTHM is strategically located at a publicly accessible point in the intersection of the three roadways that make up the historic travel corridor, *the marker is not the historic resource.* Rather, it describes the full geographic extent of the corridor and briefly tells

the story of the role played by this roadway during a critical period of Texas history. In effect, it provides a condensed version of the historical values attached to the corridor – values that would be adversely affected by CPS Energy's proposed Scenic Loop 138 kV transmission line project.

Q. WHAT MIGHT CPS ENERGY AND POWER ENGINEERS HAVE DONE TO MAKE THE BASELINE ANALYSIS OF HISTORICAL RESOURCES MORE THOROUGH?

A. An appropriate level of consideration of the historical values for a study area containing three NRHP-listed sites, 11 cemeteries, an OTHM, and 36 known archeological sites representing thousands of years of history, would include research into other historic resources of local, statewide, or national significance.

Q. WHAT RESOURCES ARE YOU REFERRING TO WHEN YOU SAY OTHER HISTORIC RESOURCES OF LOCAL, STATEWIDE OR NATIONAL SIGNIFICANCE?

A. Specifically, the Scenic Loop – Boerne Stage – Toutant-Beauregard Historic Corridor and the Old Spanish Trail (see EXHIBIT 2).

Q. CAN YOU DESCRIBE THE SIGNIFICANCE OF THE SCENIC LOOP – BOERNE STAGE – TOUTANT-BEAUREGARD HISTORIC CORRIDOR?

A. Yes. In 2009, the Scenic Loop-Boerne Stage Corridor was listed as one of Texas' "Most Endangered Places" by Preservation Texas, a non-profit member organization dedicated to protecting historic resources in Texas. The corridor is defined as "from the south at Highway 16 in Helotes, to Boerne Stage Road; continues north as Boerne Stage Road to Balcones Creek at the Kendall County Line." The impetus for the designation was a nomination by the Scenic Loop – Boerne Stage Alliance.

Then in 2011, the Texas legislature designated the Scenic Loop, Boerne Stage, and Toutant-Beauregard roads[2] as a Texas Historic Highway under the Texas Historic Roads and Highways Program established in 2009. The goal of this program is to "identify, designate, interpret, and market historic roads and highways in Texas". The legislation for the program[3] points out that

[2] On September 1, 2011, the 82nd Texas Legislature added §442.024 to the Texas Government Code designating, through the Texas Historical Commission, "as a historic corridor the corridor that follows part of the Old Spanish Trail automobile highway in Bexar County" to be known as "the Scenic Loop Road—Boerne Stage Road—Toutant Beauregard Road Historic Corridor."

[3] On September 1, 2009, the 81st Texas Legislature added §442.025 to the Texas Government Code establishing the Texas Historic Roads and Highways Program.

"the designation of a road or highway under the program is not, and may not be considered to be, a designation under the [National Historic Preservation Act]." The designation as a Historic Highway also does not prevent development along the route. It serves instead to encourage heritage tourism, thereby potentially having a positive effect on the small businesses and communities linked to the historic route.

As a result of the designation by the legislature, the THC in 2013 had the OTHM #17579 installed at the northeast corner of the intersection.

As the marker relates, the Scenic Loop – Boerne Stage – Toutant Beauregard Historic Corridor began as trails blazed by American Indian tribes inhabiting Helotes Canyon and the surrounding area. In fact, twenty-five of the thirty-six archeological sites listed in Table 3-12 (page 3-53-54) are considered prehistoric, dating anywhere from 8,800 to 300 years before present. These sites demonstrate the timeframe during which human inhabitants were living and traveling through this Scenic Loop area. Prehistoric campsites, burned rock middens, projectile points, and other stone tools have been uncovered throughout the study area in one or more of these archeological sites.

Q. YOU SAID THE SCENIC LOOP – BOERNE STAGE – TOUTANT BEAUREGARD CORRIDOR PLAYED AN IMPORTANT ROLE IN A CRITICAL PERIOD OF TEXAS HISTORY. CAN YOU ELABORATE ON THIS STATEMENT – WHAT WAS ITS ROLE AND WHY WAS THAT PERIOD CRITICAL?

A. The late antebellum period in mid-19th century Texas witnessed some historically important developments. That period, which included the years of the Texas Republic before and after annexation to the United States until the outbreak of the Civil War, saw the coincidence of three important historical events in Texas: (1) the surge of new immigrants from Europe and Anglos from the U.S. seeking to take advantage of generous land grants from the Republic; (2) the increasing prevalence of raids by American Indian tribes—primarily the Comanches and Lipan Apaches—on settlers pushing westward beyond the frontier; and (3) the initiation of regular stagecoach service carrying supplies, passengers, and the U.S. mail to the new settlements. One of those early stagecoach lines was the San Antonio to El Paso Mail, which began operating in 1851 under a federal contract for mail delivery to El Paso and Santa Fe.

Q. HOW DID THESE DEVELOPMENTS COMBINE TO RESULT IN "HISTORICALLY IMPORTANT EVENTS IN TEXAS HISTORY"?

A. From a broad historical perspective, these events were emblematic of the forces both driving and constraining the expansionist period of settlement westward beyond the frontier. From the perspective of the region west of San Antonio, including the study area and the issues involved in the presently proposed Scenic Loop transmission line, the significant fact is that the route of the San Antonio to El Paso Mail—the first stagecoach line venturing westward beyond the city's urban boundary—lay along the same roadway corridor now identified as CPS Energy's transmission line route – the Boerne Stage and Toutant-Beauregard Stage Roads.

Q. WHY IS THAT OLD STAGECOACH LINE NOTEWORTHY IN ASSESSING THE COMPARATIVE HISTORICAL VALUES OF SCENIC LOOP TRANSMISSION LINE PROJECT?

A. Among its other historical distinctions, the San Antonio to El Paso Stagecoach line provided a critical link in the first American transcontinental mail and passenger service in 1857. The first California-bound mail departed San Antonio on July 19, 1857, and reached San Diego on August 30, a 1,476-mile journey requiring an average of twenty-seven days. The frequent raids by Indians and bandits required the U.S. Army to install a chain of fortifications near to or incorporating the stagecoach stations, which over the years grew into communities and encouraged travel and further settlement of this sparsely populated area.

The earliest records of a more established road through the Helotes Canyon area dates to the 1830s from surveyors documenting early Texas land grants. The earliest Anglos known to settle in the area were the Prussian von Plehwe family in 1851. Their homestead was built along the south side of the Boerne Stage Road about two miles east of the Scenic Loop – Boerne Stage Road intersection. The von Plehwe compound served as a fortified stagecoach stop along the route for travelers out of San Antonio, and the original structures that remain extant on the property today represent significant and intact examples of rural 19th century structures in Central Texas.

Q. DID CPS ENERGY AND POWER ENGINEERS CONSIDER THE SCENIC LOOP – BOERNE STAGE – TOUTANT-BEAUREGARD HISTORIC CORRIDOR TO BE IMPORTANT IN THE CONTEXT OF HISTORICAL VALUES?

A. No. They included a mention of it on page 3-53 of the Environmental Assessment but only in the form of the text taken directly from the OTHM. There is no indication of any independent research on why the marker was placed at the intersection of these three important roads or what

significant place or event in Texas history the OTHM might be marking. Instead, the Historic Corridor was essentially eliminated from further study in the Environmental Assessment through the statement on page 3-53 that the "OTHM is located within TXDOT ROW and is not proposed within any of the alternative routes ROW; therefore, not significant impacts are anticipated to the OTHM."

Q. IS IT A TRUE STATEMENT THAT IMPACTS TO THE OTHM WOULD BE "NOT SIGNIFICANT"?

A. This statement is only true with respect to the physical marker itself. The OTHM would not be displaced by any of the transmission line routes, or by Substation 2 or Substation 3 which are proposed at the intersection of the three roadways. That completely misses the point, though. As I mentioned earlier, the OTHM is not the historic resource; rather it is part of a public informational tool that invites the public to become aware of and appreciate the Statewide and National significance of the Scenic Loop – Boerne Stage – Toutant-Beauregard Historic Corridor.

Q. ARE THERE OTHER SIGNIFICANT EXAMPLES OF HISTORIC RESOURCES LIKE THE VON PLEHWE SETTLEMENT THAT ARE WITHIN THE STUDY AREA?

A. Yes. Although the von Plehwe settlement is outside the study area for the proposed transmission line and substation project, the Heidemann Ranch was established in the study area shortly thereafter. In 1856, German immigrant William Heidemann purchased 320 acres west of the Scenic Loop – Boerne Stage Road intersection at what is today 26090 Toutant-Beauregard Road. Like the von Plehwe compound, the historically significant Heidemann ranch represents the 19th century settlement of this area. The property was added to the NRHP in 2011, and the designated boundary of the property protected by the Texas Antiquities Code is adjacent to Toutant-Beauregard Road, along the path of several proposed routes for the transmission line, including Route Z-1, which CPS Energy identifies in the CCN application as the route that best addresses the requirements of the PURA and PUC Substantive Rule.

Q. ARE THERE OTHER HISTORIC RESOURCES IN THE STUDY AREA THAT YOU IDENTIFIED IN YOUR REVIEW OF THE ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS?

A. Yes. The Boerne Stage Road also holds significance as one of the most important segments of the Old Spanish Trail, one of the country's earliest transcontinental highways, extending from St. Augustine, Florida to San Diego, California, and one of the most historically significant travel

routes in Texas. The Old Spanish Trail through Texas begins in the city of Orange, passes through San Antonio, and exits the city by way of the Boerne Stage Road, continuing west to El Paso. The route passes by some of Texas's most significant historic sites (the Alamo and the San Jacinto Battleground, for example), which has likely led to the route keeping its historic identity intact.

The Old Spanish Trail Association, created in 1915, was headquartered in San Antonio and served to increase tourism and stimulate improvements to the transcontinental highway. Today, the Old Spanish Trail generally follows Interstate 10 and the original routes that still exist within Texas, like the Boerne Stage route mostly parallel the interstate, representing the visible history and the legacy of one of the most significant roadways in Texas's history.

Q. WOULD EITHER THE SCENIC LOOP – BOERNE STAGE – TOUTANT-BEAUREGARD HISTORIC CORRIDOR OR THE OLD SPANISH TRAIL BE ADVERSELY AFFECTED BY THE PROPOSED TRANSMISSION LINE PROJECT?

A. Yes. Depending on the location of the substation and the route of the transmission line, adverse impacts to the Historical Values of the study area should be anticipated from construction, operation, and maintenance of the proposed project. A substation at the intersection of the three roadways (Substation 2 or Substation 3) would diminish the historic integrity of the character-defining elements of the corridor and hinder the OTHM's ability to convey the significance of the route.

Route Z-1, the route identified by CPS Energy in the CCN application as the route that best addresses the requirements of the PURA and PUC Substantive Rule, would adversely affect the Toutant-Beauregard portion of the Historic Corridor, as well as the NRHP-listed Heidemann Ranch, by altering the rural character of the historic setting.

Q. WAS THIS DISCLOSED TO THE PUBLIC IN THE ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS OR THE CCN APPLICATION PREPARED BY CPS ENERGY AND POWER ENGINEERS?

A. No, it was not. Despite the presence of the OTHM squarely in the immediate area of their primary focus, CPS Energy and Power Engineers dismissed the importance of the Scenic Loop – Boerne Stage – Toutant Beauregard Historic Corridor by omitting reference to it in Section 4.5 of the

Environmental Assessment, the section that addresses the project's impacts on Historical (Cultural Resource) Values.

Public information regarding the importance of this historic resource is available in abundance and the logical next step in the analysis after identifying its presence in the study area would have been to evaluate the resource, analyze the potential effects of the project, and incorporate the results into the Alternative Route Analysis. It could have then been used in the identification of a route in the CCN application that considers Historical Values and best addresses the requirements of the PURA and the PUC Substantive Rule.

Q. YOU MENTIONED EARLIER THAT CPS ENERGY AND POWER ENGINEERS DID ADDRESS HISTORICAL VALUES IN THE ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS. WHAT METHODOLOGY DID CPS USE IN ITS EVALUATION OF HISTORIC RESOURCES AND THE POTENTIAL FOR THE PROJECT TO AFFECT THOSE RESOURCES?

A. As I noted in an earlier response, CPS Energy and Power Engineers reviewed several common sources of cultural resources information, and they did identify three known NRHP Historic Districts in the study area: the R.L. White Ranch Historic District; the Heidemann Ranch Historic District, and the Maverick-Altgelt Ranch and Fenstermaker-Fromme Farm Historic District. Their inventory was incomplete, however, as we have seen.

CPS Energy and Power Engineers describe their methods for identifying, evaluating, and mitigating impacts to cultural resources from their state-regulated undertaking as similar to methods having been established for federal projects or permitting actions. Their process, as described on page 4-26, "generally involves identification of significant (i.e., national- or state-designated) resources, and implementing measures to avoid, minimize, or mitigate those impacts."

They go on to state that "impacts associated with the construction, operation, and maintenance of transmission lines can affect cultural resources either directly or indirectly. I take note of their exclusion here of the substation as part of the project, but I assume the project planners are not unaware that a 4- to 6-acre substation can have a substantial effect on the rural character of a surrounding area, both directly and indirectly.

They state further that construction activities "can adversely impact cultural resources if those activities alter the integrity of key characteristics that contribute to a property's significance as defined by the standards of the NRHP or the Antiquities Code of Texas."

Again, their statement is limited to construction activities, which are relatively short-lived and, as a result, generally have minor effects on an area's character. Here again, I assume that CPS Energy and Power Engineers are not unaware that the siting and long-term operation of a substation and 138 kV transmission line is what changes the character of a rural area like the Scenic Loop area, not the actual construction.

Q. WHAT DID CPS ENERGY AND POWER ENGINEERS IDENTIFY AS THE IMPACTS OF THE PROPOSED PROJECT TO HISTORICAL VALUES?

A. It is not readily apparent in reading the EA. In Section 4.5.1 Direct Impacts, CPS Energy and Power Engineers continue to emphasize construction of the line as the primary cause of the direct impacts to historic resources, although they divulge here that direct impacts "might also include isolation from or alteration of its surrounding environment." They do not, however, go on to actually evaluate these types of isolation or alteration impacts to historic resources or the surrounding environment. Therefore, the assessment of impacts to Historical Values would seem incomplete.

In Section 4.5.2 Indirect Impacts, CPS Energy and Power Engineers discuss indirect impacts as those that "might include introduction of visual...elements that are out of character with the resource or its setting." They state further that "[a]bsent best management practices, proper mitigation, and avoidance measures, historic buildings, structures, landscapes, and districts are among the types of resources that could be adversely impacted by the indirect impact of a transmission line." There is no further discussion or analysis of indirect impacts to historic resources or Historical Values in the EA.

Q. WHAT WERE THE IMPACTS TO HISTORIC RESOURCES THAT CPS ENERGY AND POWER ENGINEERS DID DISCLOSE IN THE ENVIRONMENTAL ASSESSMENT?

A. On Page 4-29, in Table 4-5, CPS Energy and Power Engineers show the historic resources in the study area (although limited to just the three that are listed on the NRHP) that are within 1,000 feet of one or more of the Primary Alternative Routes. For the R.L. White Ranch this includes Routes F1, K, L, N1, O, P, Q1, R1, S, U1, V, W, BB, and CC. For the Heidemann Ranch, this

includes Routes B1, C1, D1, G1, I1, J1, M1, T1, Y, Z1, AA1, DD, and EE. These are the routes that share Segment 31, which runs along the northern boundary of the Heidemann Ranch Historic District, or Segment 36, which runs along Toutant-Beauregard Road (see EXHIBIT 3).

In my opinion, this assessment understates the impacts to the Heidemann Ranch Historic District and overstates the impacts to the R.L. White Ranch Historic District.

Q. HOW DID THE EA OVERSTATE THE IMPACTS TO THE R.L. WHITE RANCH HISTORIC DISTRICT?

A. The text on page 4-30 states that portions of multiple routes "cross the NRHP-listed R.L. White Ranch", which is not only an obvious overstatement but is also in error (see EXHIBIT 4). The text goes on to state that portions of these routes extend less than 105 feet into the eastern boundary of the NRHP District, connecting to an existing CPS Energy 138 kV transmission line that runs north-south at the eastern edge of the 3,500-acre White Ranch property. This line is east of an existing CPS Energy 345 kV transmission line, which means a proposed transmission line connecting perpendicularly to the existing 138 kV line would not be extending into the White Ranch Historic District boundary by 105 feet, let alone crossing it.

The text on page 4-30 does state that because the contributing structures on the ranch are over one mile away from the alternative routes, the proposed transmission line would have "[n]o adverse impacts..." to the White Ranch Historic District, a statement with which I agree. However, the comparison matrices in Table 4-1 and Table 4-2 (pages 4-3 through 4-7 in the Amended EA) still include the numerical impact to the White Ranch under Criterion 46 *Number of NRHP properties crossed by the ROW*. Given the accurate disclosure that the routes that supposedly "cross" the White Ranch Historic District would not adversely affect the NRHP District, the inclusion by CPS Energy and Power Engineers of these non-impacts in Table 4-1 and Table 4-2 papers over that disclosure, and thereby overstates the impacts of the project to this historic property.

To really nail their point home, CPS Energy and Power Engineers printed the entry in Table 4-5 in boldface type, evidently to emphasize the importance of this particular impact to the public and to draw a distinction between this (non-adverse) impact and the impact to the Heidemann Ranch Historic District, which happens to lie along Route Z-1.

Q. HOW DID THE EA UNDERSTATE THE IMPACTS TO THE HEIDEMANN RANCH HISTORIC DISTRICT?

A. In the case of the Heidemann Ranch, in clear contrast to the White Ranch, the proposed transmission line routes that utilize Segment 36 are not only within 1,000 feet of the NRHP District boundary, the 138 kV transmission line would run along the west side of Toutant-Beauregard Road and clearly be visible not only from the Heidemann Ranch grounds, but also from the historic buildings on the property. This is a very different type of impact than the one claimed by CPS Energy and Power Engineers as accruing to the White Ranch, the historic buildings on which are nearly a mile from the proposed transmission line route and on the opposite side of CPS Energy's 345 kV and 138 kV lines that already exist at the far western end of the study area. In fact, because the Heidemann Ranch is significant for its architecture and its rural landscape, the impacts to it are precisely the type of impacts that CPS Energy and Power Engineers identify in their methodology on page 4-27 as being potentially *adverse*.

A transmission line running along Toutant-Beauregard Road, as with Route Z-1, located in such close proximity to the Heidemann Ranch, would alter the property's rural landscape setting. According to the NRHP Nomination form, the Heidemann Ranch reflects the "historic tradition of ranching in Bexar County to a high degree. This tradition is fast being diminished from the rural landscape" and "the Heidemann Ranch stands as one of the county's oldest surviving ranch tracts". Setting, even for modest buildings, contributes to overall historic character, and a 138 kV transmission line adjacent to the property would have not only a visual effect but would also alter the rural setting of the Historic District.

Q. IN YOUR PROFESSIONAL OPINION, THEN, WHAT CAN YOU CONCLUDE ABOUT THE CONSIDERATION OF HISTORICAL VALUES IN THE IDENTIFICATION OF ROUTE Z-1 AS THE ROUTE THAT BEST ADDRESSES THE REQUIREMENTS OF PURA AND THE PUC SUBSTANTIVE RULE?

A. In their CCN application, CPS Energy omits any reference to Historical Values in its summary of the rationale for identification of Route Z-1 as the route that best addresses the requirements of PURA and the PUC Substantive Rule. In Question 17, CPS Energy lists cost, the length of the route, and donated right of way, among other considerations, but does not mention Historical Values as a factor. I see this omission as evidence that CPS Energy either did not consider the impacts to Historical Values as an important factor in their decision making, or, that the incomplete analysis in the Environmental Assessment led them to conclude that their proposed

138 kV transmission line and substation project would not have an impact on historic resources or Historical Values.

In either case, the compliance requirements of the PURA §37.056(c) and the PUC substantive rule 25.101(b)(3)(B) do not appear to have been met.

Q. YOU MENTIONED MITIGATION EARLIER. DID CPS ENERGY PROPOSE ANY TYPE OF MITIGATION TO ADDRESS THE IMPACTS TO HISTORIC RESOURCES?

A. No. The text on page 4-27 of the EA states that "[i]ndirect impacts on historical properties and landscapes can be lessened through careful design and landscaping considerations, such as using vegetation screens or berms"; however, no mitigation is proposed to lessen the indirect impacts to the Heidemann Ranch Historic District.

V. COMMUNITY VALUES

Q. ARE THERE OTHER WAYS IN WHICH HISTORICAL VALUES IN THE STUDY AREA STAND TO BE AFFECTED BY THE PROPOSED SUBSTATION AND TRANSMISSION LINE?

A. Yes. While the majority of the developed properties in the study area are residential, there is at least one property that exemplifies both the historic context that I have been describing in response to earlier questions, as well as a notable community resource for the study area.

Q. WHICH PROPERTY WOULD THAT BE?

A. The San Antonio Rose Palace property, at the northwest corner of the intersection of Scenic Loop, Boerne Stage Road and Toutant-Beauregard Road.

Q. WOULD YOU PLEASE DESCRIBE THE SAN ANTONIO ROSE PALACE?

A. The San Antonio Rose Palace is a destination venue for horse shows, roping competitions, cattle auctions, and rodeos, among other western-style events. It was originally constructed in the 1970s as the Silver Rose Garden; it changed ownership in the 1980s and changed its name to the Rose Palace. The property is about 70 acres in size and features a variety of equine-related facilities, such as a 100,000 square-foot equestrian center, two covered arenas, over 200 horse stalls, and

seating for 4,500 spectators to watch events such as the annual George Strait Team Roping Classic.

The Rose Palace holds several events that serve to bring the community together on weekends throughout the year, and this past year it has taken on even greater importance due to the pandemic. Because many municipal events had to be cancelled, the Rose Palace accommodated additional events that allowed the community to maintain a semblance of connectivity and cohesion.

Q. IS THE ROSE PALACE A HISTORIC RESOURCE?

A. While it does have value from a historical perspective, it is unlikely that any structures on the Rose Palace property are more than 50 years old, making it unlikely that the facility could be eligible for the NRHP.

Q. HOW DOES THE ROSE PALACE RELATE TO COMMUNITY VALUES IN THE CONTEXT OF THE PURA CRITERIA?

A. The facility's presence in the area, providing a venue for western-lifestyle events for more than 40 years, is in keeping with the community's historic ranching identity and has already led to considerable community value.

Q. DID CPS ENERGY AND POWER ENGINEERS CONSIDER THE ROSE PALACE IN THEIR REVIEW OF COMMUNITY RESOURCES FOR THE ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS?

A. No. The Rose Palace was not noted as a community resource in the EA. In fact, there were very few community resources noted as being in the study area. The only resources listed by CPS Energy and Power Engineers that could be inferred to be community resources were the Cibolo Loop wildlife viewing trail and the Maverick Ranch Fromme Farm (page 3-43).

Q. WHAT METHODOLOGY DID CPS ENERGY AND POWER ENGINEERS FOLLOW TO DETERMINE THE PROJECT'S EFFECTS TO COMMUNITY VALUES?

A. In Section 3.2.7 Community Values, CPS Energy and Power Engineers point out that the term "community values" in the context of the PURA has not been defined by the PUC and instead relies on an interpretation of the term based on a selection of items that are required as part of the

CCN application, including habitable structures within 300 feet of the centerline of any of the routes, parks and recreation areas, and historical and archeological sites.

Power Engineers indicated on page 3-42 that they evaluated the project for community values and resources that might not be specifically listed by the PUC, but then they go on to list parks and recreation areas and historical and archeological sites as being included in their evaluation. They give the working definition of community values as "a shared appreciation of an area or other natural resource by a national, regional, or local community", but they then fail to offer any insight into the resources within the study area that might be appreciated and by whom that appreciation might be shared.

Here again, as with their treatment of historic resources, CPS Energy and Power Engineers establish a methodology that they claim they will follow in their evaluation and then proceed to completely ignore that methodology.

Q. WHAT DID CPS ENERGY AND POWER ENGINEERS CONSIDER TO BE THE COMMUNITY VALUES OF THE STUDY AREA?

A. Because there is not an explicit statement in the EA, it is not apparent what CPS Energy and Power Engineers understand the Community Values of the study area to be. As I noted in response to a previous question, there were a few "community resources" listed in Section 3.3.2 which were considered to provide the study area with some measure of community value, the Cibolo Loop wildlife viewing trail and the Maverick Ranch Fromme Farm. In large part, though, CPS Energy and Power Engineers appear to rely on the lack of public parks, Wild and Scenic Rivers, and National Battlefields in the study area to substantiate the lack of analysis. They even go so far as to state that there are "no known high-quality aesthetic resources, designated views, or designated scenic roads or highways" within the study area, apparently failing to recognize that the project is named the *Scenic Loop* 138 kV Transmission Line and Substation Project. At any rate, in the very next section of the EA, Section 3.5, they introduce the Scenic Loop – Boerne Stage – Toutant Beauregard Historic Corridor, which I noted in response to previous questions has been "designated" by both the Texas legislature and the Texas Historical Commission as a resource that has historical value.

Q. IN YOUR PROFESSIONAL OPINION, WHAT COULD CPS ENERGY AND POWER ENGINEERS HAVE DONE TO EVALUATE THE EFFECTS OF THE PROJECT ON COMMUNITY VALUES?

A. Primarily, they could have followed their own stated methodology and establish the values of this particular community by identifying shared community resources within the study area and engaging with the public at the Open House to determine firsthand upon which resources the community places value.

Q. DID CPS ENERGY AND POWER ENGINEERS IDENTIFY ANY COMMUNITY RESOURCES IN THE STUDY AREA OR REFLECT ANY PUBLIC FEEDBACK GAINED AT THE OPEN HOUSE?

A. No. CPS Energy and Power Engineers noted the lack of public parks and recreation areas in Section 3.3, and the lack of National Monuments, among other rarities, in Section 3.4, as evidence that the study area is lacking in community value.

Q. ARE THERE COMMUNITY RESOURCES IN THE STUDY AREA THAT MIGHT HAVE BEEN CONSIDERED IN THE CONTEXT OF COMMUNITY VALUES?

A. Yes. The San Antonio Rose Palace could have been considered a community resource, and the potential impacts of the project could have been analyzed and disclosed to the public.

Q. HOW DID THE EA EVALUATE EFFECTS TO COMMUNITY VALUES?

A. In Section 4.2.7 Impacts on Community Values, CPS Energy and Power Engineers describe how they perceive potential impacts to community resources as being either direct or indirect, and they describe indirect effects as "those that would result from a loss of enjoyment or use of a resource due to the characteristics (primarily aesthetic) of the proposed transmission line structures, or ROW." Again, I take note of the fact that the substation is not included as an element of the project, but I assume that CPS Energy and Power Engineers are aware of the potential effect a 4- to 6-acre substation can have on the aesthetics of a rural area like this.

They go on to describe the lack of impacts to parks and recreation areas by pointing out that there are none present in the study area, and they further claim that construction of any of the routes is not anticipated to significantly impact the aesthetic quality of the landscape, again omitting consideration of the substation.

Q. SO WHAT DOES THE ENVIRONMENTAL ASSESSMENT SAY WOULD BE THE IMPACTS TO COMMUNITY VALUES?

A. The EA does not explicitly state what the impacts to Community Values would or would not be. The reader is to apparently infer that because there are no National Monuments in the study area, and one would not be able to see the transmission line from Interstate 10, that there are no Community Values present in the study area for the project to impact.

VI. ROUTE ALTERNATIVES

Q. ARE THERE ROUTE ALTERNATIVES THAT WOULD AVOID IMPACTING HISTORIC RESOURCES AND HISTORICAL VALUES?

A. Because of the nature of the study area, there do not appear to be any route alternatives that would completely avoid impacting historic resources and Historical Values. There are several routes, however, that avoid certain impacts and minimize others.

Q. WHICH ALTERNATIVES ARE THOSE?

A. Routes utilizing Substation 6, namely Route R-1, would completely avoid the intersection of Scenic Loop, Boerne Stage Road and Toutant Beauregard Road, which means Route R-1 would avoid adverse impacts to the Scenic Loop – Boerne Stage – Toutant Beauregard Historic Corridor and the Old Spanish Trail. Route R-1 would also avoid impacts to the Heidemann Ranch Historic District.

Q. ARE THERE OTHER ADVANTAGES OF ROUTE R-1 IN TERMS OF THE EVALUATION CRITERIA IN THE PURA AND THE PUC SUBSTANTIVE RULE?

A. Yes. In response to Question 17 in the CCN application, CPS Energy listed cost and length of the route as the top two reasons for Route Z-1 being identified as the route that best addresses the PURA and the PUC Substantive Rule. Route Z-1 would have the second lowest cost ($38,474,771) of any of the routes proposed and would be the shortest of any of the routes (4.53 miles). By comparison Route R-1 would cost $43,522,858 and would be 4.76 miles long, the fourth shortest length of all routes proposed. Route R-1 would cost only 13 percent more than Route Z-1 and would be less the one quarter of a mile longer.

Aside from the cost and length comparisons, Route R-1 would be within 300 feet of only seven habitable structures, whereas Route Z-1 would be within 300 feet of 30 habitable structures.

Q. ARE THERE ALSO DISADVANTAGES TO ROUTE R-1 RELATIVE TO ROUTE Z-1?

A. Certainly. Between the two route alternatives R-1 and Z-1, Route R-1 would cross 7.91 more acres of moderate-high and high quality, modeled Golden-cheeked Warbler (GCWA) habitat than Route Z-1, 19.03 acres versus 11.12 acres. In either case, presence absence surveys would be warranted and necessary to determine the actual amount of GCWA habitat to be cleared for the proposed project, and in either case, mitigation for the removal of endangered species habitat would likely be required.

Q. HAS THE TEXAS PARKS AND WILDLIFE DEPARTMENT PROVIDED A REVIEW OF THE ENVIRONMENTAL ASSESSMENT AND MADE A RECOMMENDATION OF A ROUTE ALTERNATIVE?

A. Yes. On September 10, 2020, the Texas Parks & Wildlife Department (TPWD) provided a letter to the Public Utility Commission, which constituted their review of CPS Energy's and Power Engineers' Environmental Assessment and Alternative Route Analysis. As part of this review, TPWD indicated a preference for Route AA, based on their stated objective of minimizing the fragmentation of intact lands and choosing a route with the least adverse impacts to natural resources.

The TPWD letter also indicated that two mitigation banks exist that could be used to compensate for unavoidable impacts to GCWA habitat, the Southern Edwards Plateau Habitat Conservation Plan and the Bandera Corridor Conservation Bank. Participation in one or both of these banks could provide compensation for the loss of any warbler habitat and achieve regulatory compliance under the Federal Endangered Species Act for Route AA-1 or Route R-1, or any other route for that matter. As previously stated, confirmation of the extent of habitat impacted and resulting mitigation credits needed for any of the alternative routes will require a presence absence survey.

Q. HOW DOES ROUTE AA-1 COMPARE TO ROUTE R-1 IN TERMS OF HISTORICAL VALUES AND COMMUNITY VALUES?

A. Route AA (amended to AA-1) utilizes Substation 7, so it would avoid the intersection of Scenic Loop, Boerne Stage and Toutant-Beauregard Roads; however, it also utilizes Segment 36 which

would adversely affect the Heidemann Ranch Historic District. Route AA-1 also would be within 300 feet of 30 habitable structures compared to seven for Route R-1.

Q. WHAT ELSE DID THE TEXAS PARKS AND WILDLIFE LETTER SAY ABOUT THE ENVIRONMENTAL ASSESSMENT AND ALTERNATIVE ROUTE ANALYSIS?

A. The TPWD letter indicated that CPS Energy and Power Engineers "did not recommend a route that best-balanced land use, ecological, and cultural factors", and "failed to provide sufficient information...to determine which route would best minimize impacts to important, rare, and protected species."

Q. DOES THIS CONCLUDE YOUR TESTIMONY?

A. Yes.

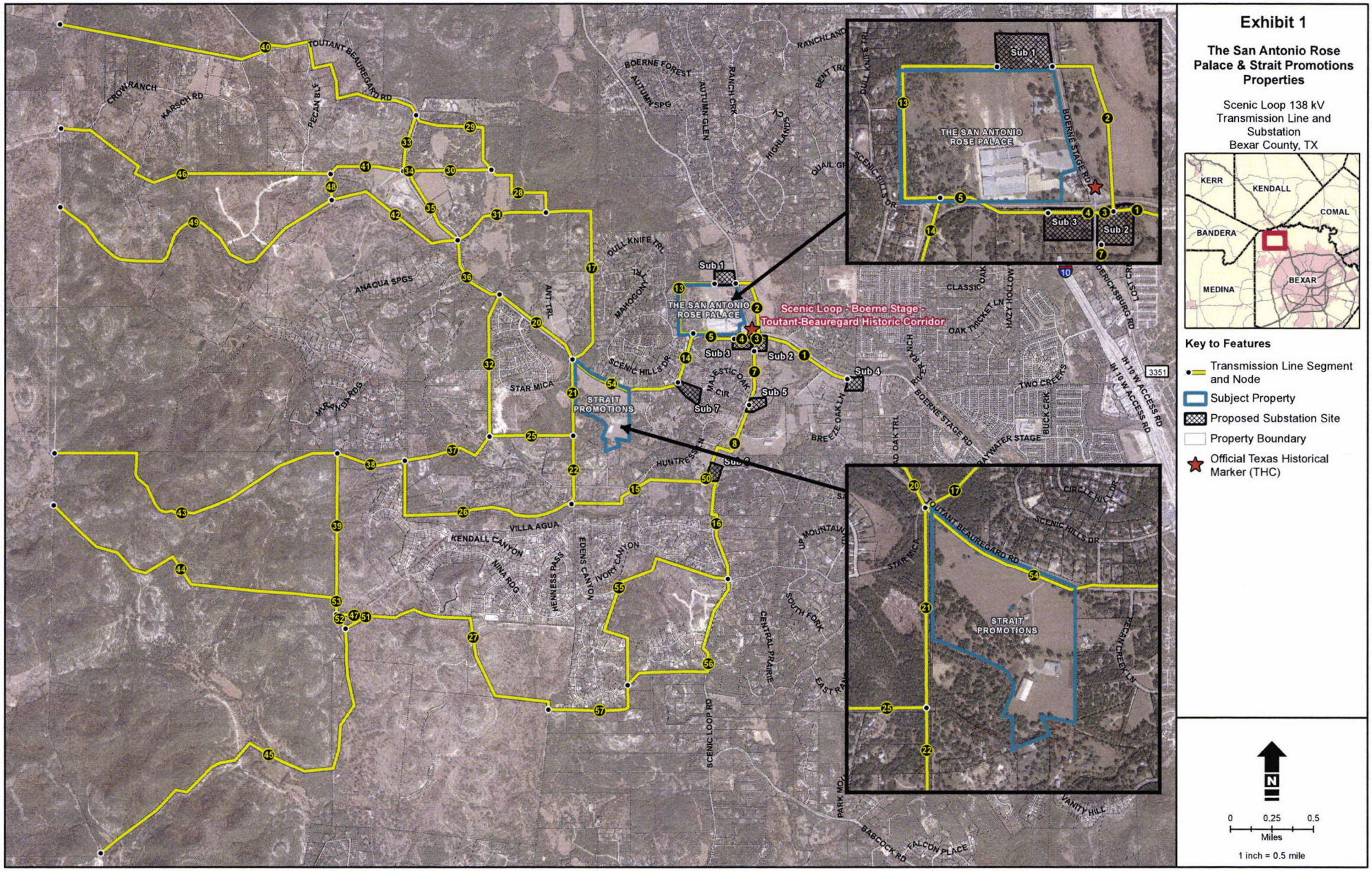


Exhibit 1
The San Antonio Rose Palace & Strait Promotions Properties
Scenic Loop 138 kV Transmission Line and Substation
Bexar County, TX
KERR
KENDALL
COMAL
BANDERA
MEDINA
BEXAR
Key to Features
Transmission Line Segment and Node
Subject Property
Proposed Substation Site
Property Boundary
Official Texas Historical Marker (THC)
THE SAN ANTONIO ROSE PALACE
STRAIT PROMOTIONS
Scenic Loop - Boerne Stage - Toutant-Beauregard Historic Corridor
Sub 1
Sub 2
Sub 3
Sub 4
Sub 5
Sub 7
TOUTANT BEAUREGARD RD
BOERNE STAGE RD
SCENIC HILLS DR
KENDALL CANYON
VILLA AGUA
CROWN RANCH
KARSCH RD
ANAQUA SPGS
STAR MICA
HUNTRESS
MAJESTIC OAK CIR
BREEZE OAK LN
TWO CREEKS
BUCK CRK
IH 10 W ACCESS RD
3351
0 0.25 0.5
Miles
1 inch = 0.5 mile

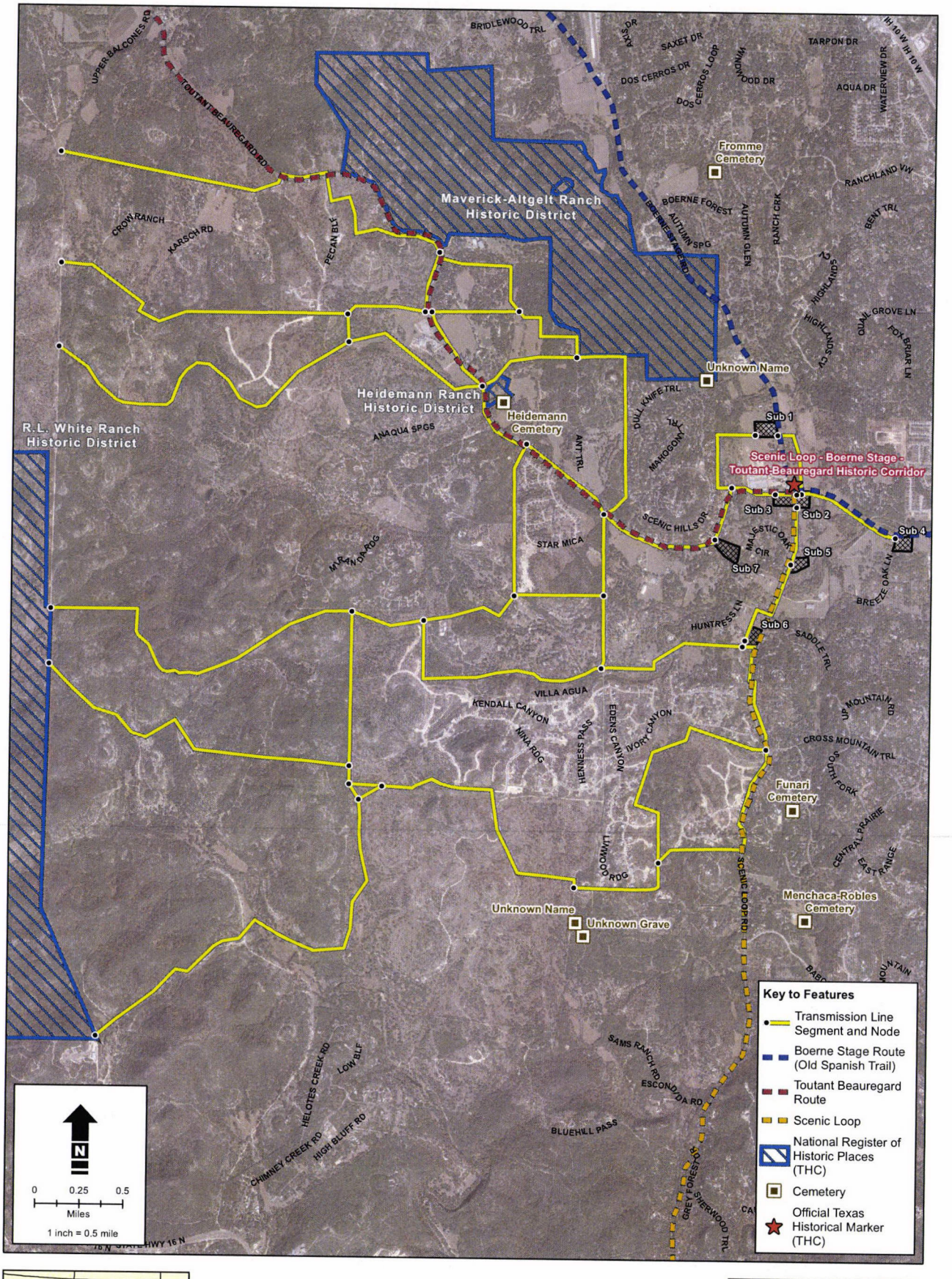
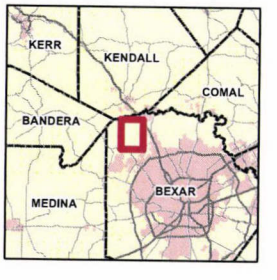


Exhibit 2

Study Area Historic Resources

Scenic Loop
138 kV Transmission Line & Substation
Bexar County, TX



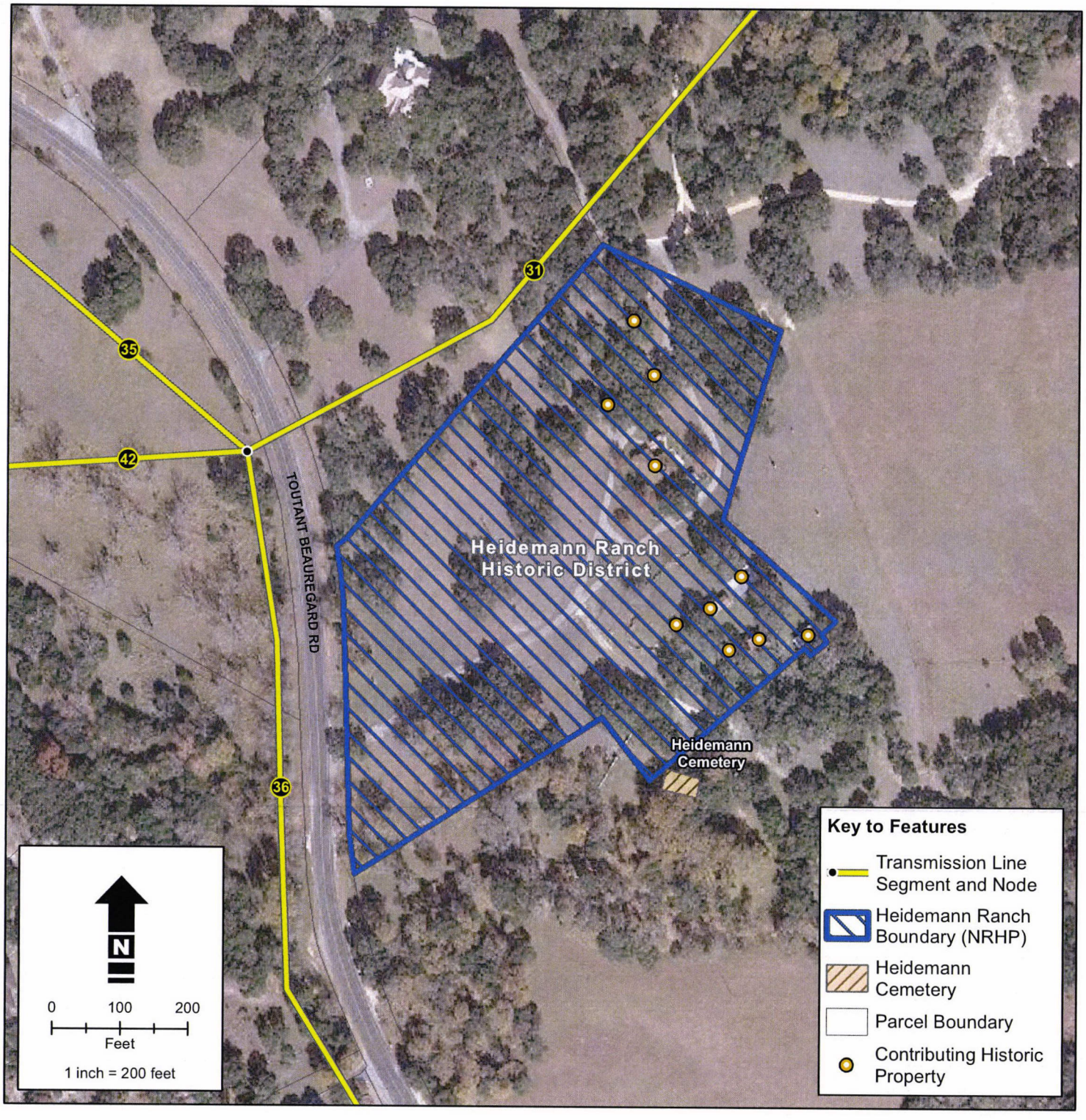
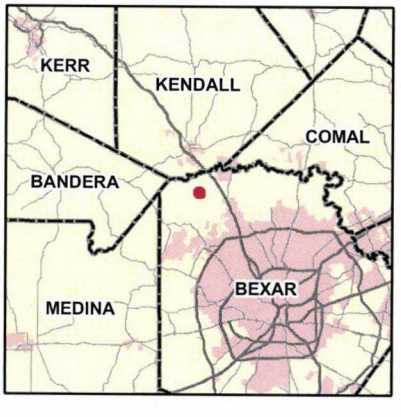


Exhibit 3

Heidemann Ranch Historic District

Scenic Loop 138 kV
Transmission Line and Substation
Bexar County, TX



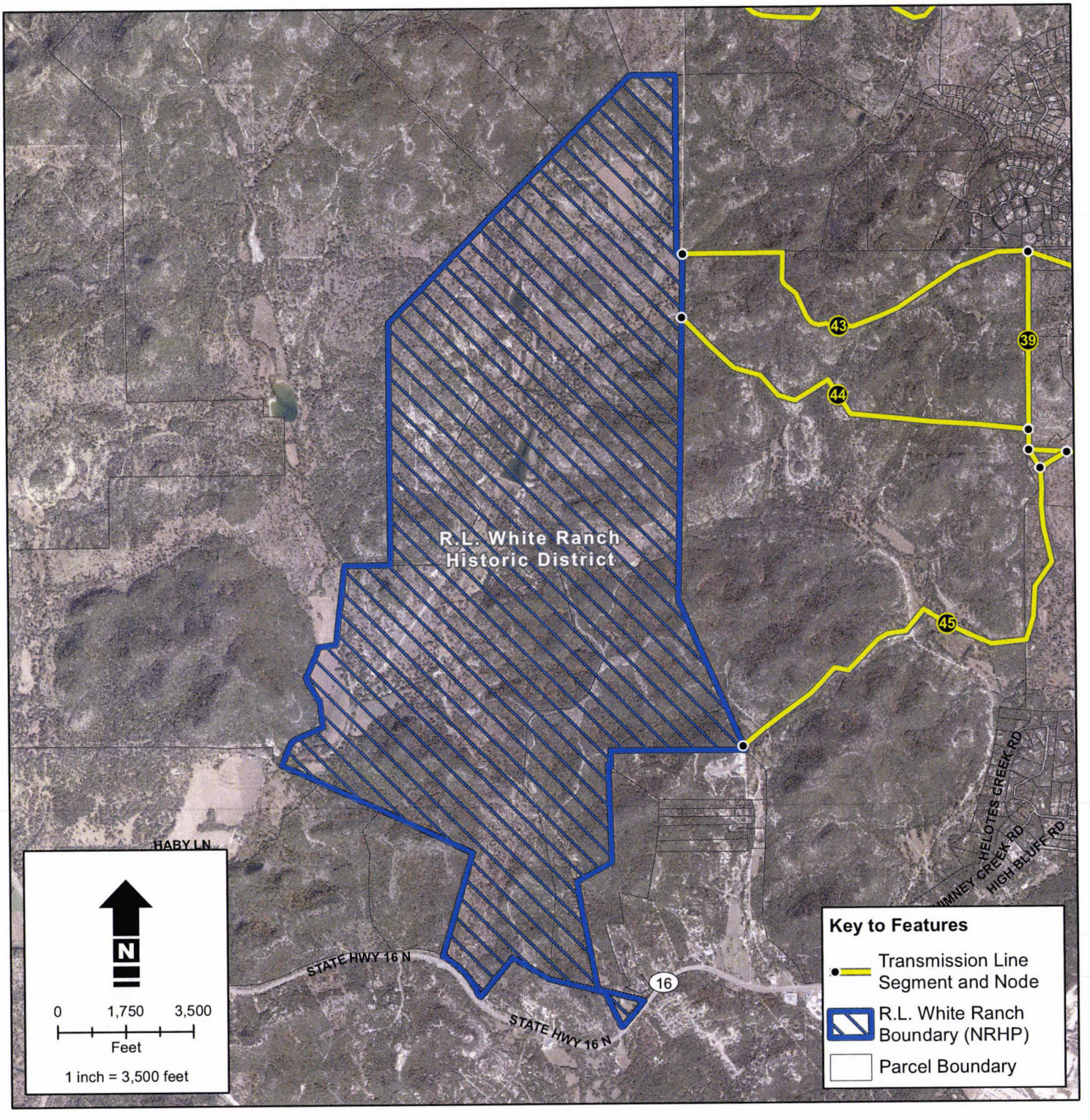
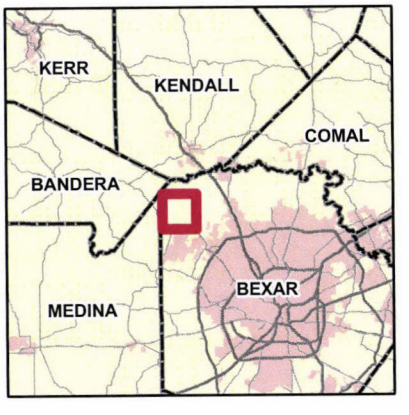


Exhibit 4

R.L. White Ranch Historic District

Scenic Loop 138 kV
Transmission Line and Substation
Bexar County, TX



HICKS & COMPANY

JASON EVERETT BUNTZ
Operations Manager

EDUCATION
B.A., Geography, University of California, Berkeley, 1997

TECHNICAL SPECIALTIES
NEPA Document Preparation Project Management; Document Production; Socioeconomic Research and Analysis; Section 4(f) Evaluations; Environmental Justice Analysis; Section 404/401 Permit Coordination; Section 106 Coordination; Farmland Impact Assessment; Environmental Compliance Management; Construction Monitoring; Regulatory Permitting and Mitigation; Expert Testimony

PROFESSIONAL ACTIVITIES
ACEC Texas Project Management Seminar, February 2018

Essentials of Project Management Certification, July–Aug 2006

Implementation and Evaluation of Environmental Management Systems August 5–7, 2003

TxDOT-ENV 102 Stormwater Erosion & Sediment Control, December 18, 2002

Implementing and Auditing an ISO 14001 Environmental Management System November 4–6, 2002

Advanced Environment in Project Development, *Module 10: Environmental Document Preparation* February 5–7, 2002

Practical Project Development and Environmental Documentation NEPA/Section 4(f) Applied to Transportation Projects March 20–22, 2000

SPEAKING ENGAGEMENTS
EPA National Environmental Partnership Summit "EMS in Transportation," New Orleans, LA, May 7–10, 2007

Transportation Research Board: Committee on Landscape and Environmental Design "EMS Applications in a Design Build Environment," Austin, TX, August 8, 2005

WASHTO Annual Meeting "Environmental Management Systems in a Design Build Environment," Omaha, NE, July 10–13, 2005

ASCE Texas Section Spring Meeting "EMS Applications in a Design Build Environment," Austin, TX, April 8, 2005

TxDOT PRECERTIFICATION
Sequence No. 10327
Categories: 1.8.1, 2.7.1, 2.12.1, 2.13.1, 2.14.1

FIELDS OF EXPERIENCE

Jason Buntz is an experienced Environmental Compliance Manager and possesses a thorough understanding of the environmental process in the development of public infrastructure projects, from the schematic design phase through final design and construction. Through his 23 years managing and participating in numerous transportation and other linear infrastructure projects, Mr. Buntz has experience in conducting environmental impact studies and writing documents involving the full range of environmental issues, including analysis of community impacts and environmental justice concerns; analysis of impacts to public parklands in preparation of Section 4(f) Evaluations; effects on biological and water resources; analysis of the effects of farmland conversion on rural communities; traffic noise and air quality effects; cultural resource studies; and indirect and cumulative effects analysis. Mr. Buntz is experienced in the preparation and management of U.S. Army Corps of Engineers Section 404/401 Permits, including mitigation planning, and in the coordination of projects under Section 106 of the National Historic Preservation Act.

Mr. Buntz has received specialized training in the implementation and evaluation of Environmental Management Systems under ISO 14001; effectiveness and implementation of stormwater Best Management Practices for the control of erosion and sedimentation; and assessment of project impacts under NEPA and Section 4(f) of the Department of Transportation Act of 1966.

EMPLOYMENT HISTORY

Hicks & Company Environmental/Archeological Consultants, Austin, Texas
- Operations Manager, 2018–present
- Program Manager, 2006–2018
- Project Manager, 2000–2006
- Environmental Specialist, 1998–2000

SELECT PROJECT EXPERIENCE

- *Dos Repúblicas Mine Renewal Application Expert Testimony, Eagle Pass, Maverick County, Texas* – Hicks & Company conducted research and analysis of the Dos Repúblicas Coal Partnership's (DRCP) performance under its current Texas Railroad Commission surface mining permit on behalf of Maverick County Environmental and the Public Health Association. Mr. Buntz reviewed potential environmental issues associated with the pending permit renewal and permit revisions which would substantially expand mining operations into new areas. Mr. Buntz managed the gathering of field data on wildlife habitat conditions, wetland status, air and water quality, environmental impact analysis, and review of previous permit application proceedings and existing federal and state environmental permit conditions imposed on DRCP. Mr. Buntz prepared expert witness testimony pertaining to Section 144 of the Fish and Wildlife Plan which covers impacts to aquatic resources regulated under Section 404 of the Clean Water Act by the U.S. Department of the Army; waters of the U.S. under the jurisdiction of the U.S. Army Corp of Engineers (USACE); federal regulations under the Endangered Species Act (ESA) of 1973, as amended, and the National Historic Preservation Act (NHPA), as amended; and recommendations on coordination and consultation with federal agencies. On July 6, 2020, DRCP suspended efforts to seek a permit renewal for expanded mining operations. Docket No. C17-0009-SC 42-C.

- *SH 45 SW, Travis and Hays counties; Central Texas Regional Mobility Authority* – Mr. Buntz served as the Senior Manager supervising the Independent Environmental Compliance Management (IECM) team for the SH

45 Southwest Highway Construction Project and is responsible for ensuring the project is in compliance with the Environmental Compliance Management Plan (ECMP) and Water Pollution Abatement Plan (WPAP) including all applicable environmental laws and regulations during construction; monitoring construction activities and advising the Contractor and construction management team regarding environmental regulatory compliance during construction; and ensuring compliance with environmental commitments and requirements during construction. Specific services included providing environmental training in support of the Contractor's Environmental Training Program, conducting environmental compliance inspections of construction exclusion zones (CEZs), best management practices (BMPs), stormwater pollution prevention plan (SW3P) areas, sensitive environmental feature buffers, sensitive feature integrity, overall environmental commitment compliance, and conducting water quality monitoring at Bear Creek. The project was awarded the 2020 Gold Level Texas Engineering Excellence Award for a Small Firm in the Environmental Category by the American Council of Engineering Companies (ACEC). 2016–2019.

- *SH 288 Toll Lanes, Houston, Harris County, Texas, Blueridge Transportation Group* – Mr. Buntz is the Senior Manager supervising the Environmental Compliance Manager for this 10-mile toll lane project along SH 288 from US 59 to the Harris County line in Houston, Texas. Hicks & Company's duties on the project include monitoring, documenting, and reporting current environmental compliance; submitting necessary environmental documentation and monitoring reports to TxDOT; overseeing construction monitoring of best management practices (BMPs), stormwater pollution prevention plan (SW3P) areas; reviewing triggers for new environmental studies; reviewing EPIC sheets; reviewing and coordinating SW3P issues; reviewing NOI and MS4 Notifications; and reviewing and approving environmental documents. 2013–present.

- *SH 199 (Jacksboro Highway) Re-evaluation, TxDOT Ft. Worth District* – Mr. Buntz managed the preparation of a Re-evaluation a highway project from FM 1886 to Azle Avenue/Merrett Drive. An Environmental Assessment (EA) was developed for a larger stretch of SH 199 in 1999; however, due to the passage of time, the rural portion of the project from FM 1886 to Azle Avenue required re-evaluation of the original EA findings. Mr. Buntz managed preparation of the Draft and Final Documented Re-evaluation Checklist (DRC) and multiple resource-specific technical reports, including a Species Analysis Form and Spreadsheet; a Waters of the U.S. Delineation Report with supporting documentation; an Air Quality Technical Report; and a Hazardous Materials Initial Site Assessment and Project Impact Evaluation Report. Mr. Buntz coordinated with the FTW engineers regarding changes in the detailed design affecting the construction limits of the proposed project, and prepared revisions of several of the reports to address the changes and keep the project letting on schedule. The project required delineation of six jurisdictional waters of the U.S. features, including Lake Worth (an impoundment of the Trinity River) and four unnamed tributaries to Lake Worth, and Mr. Buntz worked with the FTW District to document avoidance and minimization measures to allow the project to proceed without the need for USACE involvement. The Re-evaluation was approved by the FTW District in April 2020.

- *IH 20 from West Bl 20 to East Bl 20, TxDOT Odessa District* – Mr. Buntz was the NEPA Task Lead in support of a Categorical Exclusion (CE) for a highway improvement project located north of Stanton in Martin County, Texas. Improvements included ramp reconfigurations, conversion to one-way frontage roads, and reconstruction of interchanges. Mr. Buntz managed the preparation of a Community Impact Assessment (CIA) and a Hazardous Materials Initial Site Assessment (ISA) and Project Impact Evaluation technical report. Mr. Buntz also coordinated public involvement efforts, including a public meeting held in Stanton on October 30, 2018, to communicate the project's effects to adjacent property owners and the traveling public. The CE documentation was approved in April 2019.

- *MoPac Improvement Project, Central Texas Regional Mobility Authority* – Mr. Buntz was the Environmental Task Lead and supervised the Environmental Compliance Manager for this 11-mile design-build project to add express lanes to the MoPac corridor from north Austin to Downtown. His duties on the project included oversight of the environmental design for the project, including compliance with permit and contract requirements and preparation of regulatory submittals for owner and agency approval. Mr. Buntz prepared several NEPA Reevaluation documents for review of design and regulatory changes and coordinated the review and approval of those documents with TxDOT and FHWA. Mr. Buntz also supervised the environmental compliance management team which was responsible for regulatory compliance matters and field monitoring of construction activities, documenting adherence to regulatory and contract-related environmental commitments. 2013–2019.

- *Loop 375 Border Highway West Extension Project, El Paso, Texas, TxDOT El Paso District* – Mr. Buntz is the Senior Manager supervising the Environmental Task Manager for Design and the Environmental Team on this 9-mile design-build reconstruction of Loop 375 in El Paso. This includes overseeing environmental compliance management services, including developing Environmental Plans and environmental training programs; developing NEPA Reevaluations;

coordinating historic resources and threatened and endangered species issues; permitting support; environmental QC of design; and developing the SW3P. 2014–present.

- *North Tarrant Express Segment 3A Concession Facility, I-35W, Fort Worth, Texas, TxDOT Fort Worth District* – Mr. Buntz was the Senior Manager supervising the Lead Verifier of environmental requirements for the Independent Engineer. This includes oversight of independent audit services to verify comprehensive environmental compliance and facility agreement contract requirements, for the benefit of both the owner (Texas Department of Transportation) and the developer (North Tarrant Express Mobility Partners). Verifications are performed for multiple phases of the project, including Design, Pre-Construction, Construction, and Operation and Maintenance. 2013–2019.

- *I-35E from US 77S to US 77N, TxDOT Dallas District* – Mr. Buntz was the NEPA Task Lead for this 11-mile interstate expansion project to add continuous frontage roads and reconstruct several interchanges along I-35E around Waxahachie. The environmental documentation included the development of an EA and twelve technical reports, including: a Traffic Noise Report with multiple reasonable and feasible barriers; Transportation Conformity Report involving multiple changes to the project description and funding in the MTP; Biological Evaluation; Water Resources Report with multiple delineated wetlands; an Archeological Survey requiring documentation and coordination of archeological sites, and a Historic Resources Survey with *de minimis* 4(f) documentation for four properties. The reasonable and feasible noise barriers required a Traffic Noise Workshop and Mr. Buntz managed the public involvement and coordination of the workshop for the Ft. Worth District and the schematic engineer. The Finding of No Significant Impact (FONSI) was issued in June 2019.

- *IH 20 from State Loop 250 to 0.5 miles east of Midkiff Road, TxDOT Odessa District* – Mr. Buntz was the NEPA Task Lead in support of a Categorical Exclusion for a highway improvement project in Midland in Midland County, Texas. Improvements included the reconstruction of the intersection of IH 20 and Midkiff Road by replacing the existing divided four-lane underpass on IH 20 with a four-lane overpass structure, as well as the reconstruction of frontage roads, addition of sidewalks, and reconfiguration of the ramps in an X-pattern configuration. Mr. Buntz managed the preparation of Community Impact Assessment (CIA), a Hazardous Materials Initial Site Assessment (ISA) and Project Impact Evaluation technical report, a Project Coordination Request (PCR) for historical studies, and a Traffic Noise Analysis technical report. Mr. Buntz also coordinated public involvement efforts, including a public meeting held in Midland on February 28, 2019, to communicate the project's effects to adjacent property owners and the traveling public. The CE documentation was approved in April 2019.

- *RM 1431 from FM 1174 to Bar K Ranch Road, TxDOT Austin District* – As NEPA Task Lead, Mr. Buntz led the preparation of a CE and five environmental technical reports for the Austin District for improvements to RM 1431 in Burnet and Travis counties. The environmental documentation included water resources and delineation of stream crossings, archeological background study, biological evaluation form and Tier I analysis with Texas Parks & Wildlife coordination and community impact assessment. Mr. Buntz also led the public involvement effort, coordinating a public meeting in Lago Vista to communicate the project's effects to adjacent property owners and the traveling public. The CE was approved by TxDOT in February 2019.

- *FM 156 from US 81/US 287 to Watauga Road/McLeroy Boulevard, TxDOT Ft. Worth District* – Mr. Buntz was the NEPA Task Lead and managed the preparation of a CE and nine technical reports for this project to widen approximately 3.8 miles of FM 156 between US 81/US 287 and Watauga Road/McElroy Boulevard. The environmental documentation included a Preliminary Jurisdictional Determination and the need for a Pre-construction Notification to the USACE for impacts to wetlands and Waters of the U.S., as well as a Traffic Noise Workshop to address reasonable and feasible noise abatement that was proposed following the traffic noise modeling. This project was complicated by the fact that a large portion of the existing roadway was within the 100-year floodplain. Additionally, a major creek ran both across and parallel to the existing roadway within the right of way. The hydraulic design and the need to avoid and minimize impacts to Big Fossil Creek to keep the project under the impact threshold for a nationwide permit were critical to the overall success and the letting schedule in particular. Mr. Buntz assisted in public involvement, which included two public meetings and a public hearing for the project, including preparing media packets and notices for publication; compiling a property owner mailing list; developing meeting exhibits; maintaining public comment inventories; and developing meeting summaries. The CE was approved in July 2018.

- *FM 1174 from Bertram to RM 243, TxDOT Austin District* – Mr. Buntz was the NEPA Task Lead for this project to widen six miles of FM 1174 and extend drainage culverts near Bertram. The project was adjacent to the Balcones National Wildlife Refuge and Mr. Buntz coordinated with the US Fish & Wildlife Service personnel regarding potential impacts to the refuge and to Golden-cheeked Warbler habitat. The environmental documentation included a CE and five

environmental technical reports for delineation of stream crossings and 404 permit determination, biological evaluation and mapping of endangered species habitat, cultural resources investigations and community impact assessment. The CE was approved by TxDOT in June 2018.

- *US 67 from Beltline Road to I-20, TxDOT Dallas District* – Mr. Buntz was the NEPA task lead for this expansion of approximately six miles of US 67 within the cities of Duncanville and Cedar Hill from four to six lanes. Environmental services include evaluations of the affected environment and analysis of the potential impacts of the proposed project on land use, socio-economics (including environmental justice), cultural resources (including archeological resources and historic properties), air quality, traffic noise, water quality (including USACE permitting requirements), threatened and endangered species, potential hazardous materials locations, and indirect and cumulative impact analysis. Documentation also included identification of mitigation requirements, finalization of EPIC sheets for incorporation into the construction plans, agency coordination, and public involvement. The CE was approved in February 2017.

- *State Highway 130 Expansion, TxDOT, Travis County, Texas* – Mr. Buntz managed a categorical exclusion (CE) for the TxDOT Austin District, who proposed to widen the existing State Highway (SH) 130 to include additional travel lanes and auxiliary lanes. The proposed project was located on SH 130 from SH 45 to SH 71 for a total project length of approximately 22 miles. Environmental documentation included an archeological background study, a project coordination request for historical studies, a Biological Evaluation Form and Tier I Site Assessment, a water resources technical report including a field wetland delineation, a traffic noise technical report, and an air quality technical report. The project began in October of 2016 and the CE was approved in October 2017. Mr. Buntz managed the project from October 2016 to October 2017.

- *FM 457 Swing Bridge Replacement, TxDOT Yoakum District* – Mr. Buntz managed the development of an EA and ten resource-specific technical reports for the Yoakum District for the replacement of the FM 457 Swing Bridge over the Gulf Intracoastal Waterway (GIWW) in Sargent. Complex issues included: the presence of coastal wetlands in the right of way, which required USACE coordination of a PCN, including compensatory mitigation; endangered Piping Plover and endangered sea turtle habitats, including coastal dunes, triggering informal USFWS consultation; and coordination of a US Coast Guard Bridge Permit. Mr. Buntz helped the ecologists manage the field work and prepare the BE Form and Tier I Site Assessment as well as a Preliminary Jurisdictional Determination. Mr. Buntz helped the District Environmental Coordinator coordinate the potential impacts with the USFWS and the USACE. Mr. Buntz also managed the assessment of the visual and aesthetic effects of the project considering replacement of the zero-clearance swing bridge with a 92-foot-high concrete structure with considerably higher clearance over the GIWW. Visual effects also played into the Section 106 assessment of effects to historic resources in the HRSR. Mr. Buntz managed the preparation of the Socioeconomics Technical Report, which included analysis of business displacements, and the ICI report, which addressed the history of erosion along Sargent Beach and past efforts by the USACE to install rock revetment to minimize further erosion and protect the GIWW. The ICI analysis also addressed plans by the USACE to move the channel further inland, which would have altered the flow of ship traffic and changed the relationship of Sargent to the GIWW. The FONSI for the proposed project was issued by TxDOT in March 2016.

- *US 181 Harbor Bridge Environmental Impact Statement, TxDOT Corpus Christi District* – Mr. Buntz was the NEPA Task Manager on this EIS project to reconstruct US 181 and replace the Harbor Bridge in Corpus Christi. The project followed the Federal Highway Administration's (FHWA) SAFETEA-LU Section 6002 requirements and was also part of FHWA's Everyday Counts Initiative. In addition to managing the preparation and production of the EIS, Mr. Buntz prepared the Environmental Justice/Title VI Analysis and the Section 4(f) Evaluation, among other tasks. Complex community impacts issues were documented in a comprehensive Community Impact Assessment that incorporated the EJ analysis, which concluded that the project would cause disproportionately high and adverse effects to minority and low-income neighborhoods; this led to a Title VI settlement preceding the Record of Decision (ROD). The Individual Section 4(f) Evaluation involved a least overall harm finding since each alternative had one or more 4(f) uses, including the NRHP-eligible bridge, two public parks, and a senior center. The ICI analysis was also comprehensive and included assessment of the effects of shipping at the Port of Corpus Christi on air quality, community health, and the regional economy. The project required an Individual 404 Permit, a U.S. Coast Guard Permit, a quantitative MSAT analysis, and an assessment of greenhouse gas emissions. The project involved extensive public involvement including Citizens and Technical Advisory Committees and an expert land use panel. The Final EIS was approved by FHWA on November 26, 2014; a Record of Decision was issued in January 2016.

- *Loop 1604 from Potranco Road to FM 471, TxDOT San Antonio District* – Mr. Buntz managed the preparation of a summary EA supported by nine technical reports for the San Antonio District for the expansion of Loop 1604 from 4-lane undivided to a 4-lane divided expressway from Potranco Road to FM 471. The project involved impacts to the subsurface

drainage basin within a critical habitat unit for the endangered Bracken Bat Cave meshweaver (*Cicurina venii*) and an unnamed ground beetle (*Rhadine infernalis*). TxDOT prepared a Biological Assessment leading to a Biological Opinion with a "may affect, likely to adversely affect" determination under Section 7 of the ESA. Indirect and cumulative impacts to endangered karst species and the Edwards Aquifer were also evaluated. The project required coordination of a Pre-construction Notification with the USACE and preparation of a TxRAM assessment as part of the compensatory mitigation proposal. Traffic volumes over 140,000 vpd required preparation of quantitative MSAT and CO analyses. Mr. Buntz managed these efforts and worked closely with TxDOT ENV and the Bexar County MPO. The results of the traffic noise analysis included proposal of a reasonable and feasible noise wall, triggering the need for a noise barrier workshop. A FONSI was issued for the project in May 2016.

- *US 281 from FM 3248 to FM 1421, TxDOT Pharr District* – Mr. Buntz served as NEPA Task Lead for the development of the Environmental Assessment for improvements to US 281 from FM 3248 to FM 1421 in Brownsville. Major issues include potential impacts to threatened and endangered species, traffic noise impacts and noise wall proposal, impacts to waters of the U.S. and associated USACE permitting, and the potential of the proposed project to induce growth in a socioeconomically vulnerable area. A FONSI was issued in October 2015.

- *I-35W from Eagle Parkway to SH 114, TxDOT Dallas District* – Mr. Buntz is the NEPA Task Lead for this 2.2-mile expansion project to add frontage roads to I-35W in northwest Fort Worth. The project includes schematic development and final design and Mr. Buntz managed the preparation of the Categorical Exclusion (CE) and resource specific technical reports for the project. Environmental documentation includes air quality conformity/congestion management process evaluation, traffic noise assessment, archeological survey, Section 404 permit determination, a Biological Evaluation, community impacts and indirect and cumulative effects. Mr. Buntz assisted public involvement, including preparing for and holding a public meeting and a public hearing, including preparing media packets and notices, affected property owner mailouts and public contact lists; developing presentation slides; managing public and agency comment response; and developing meeting and hearing summary reports. The CE was approved by TxDOT in August 2015, and the project was let in September 2015.

- *US 281 from Loop 1604 to Borgfeld Road Environmental Impact Statement, Alamo Regional Mobility Authority* – On behalf of the Alamo Regional Mobility Authority and TxDOT San Antonio District, Hicks & Company conducted the endangered species survey and documentation efforts and indirect and cumulative impacts (ICI) analysis for the Environmental Impact Statement (EIS) for the 7.5-mile toll road project in northern San Antonio. In addition to completing formal Section 7 consultation with the U.S. Fish and Wildlife Service, we were responsible for development of the ICI analysis and conducted coordination with reviewing and participating agencies regarding the potential indirect and cumulative effects of the proposed project. Mr. Buntz was the senior NEPA advisor for the environmental team, supporting the indirect and cumulative effects assessment, including coordination with the expert land use panel organized to support the analysis. The team conducted extensive research regarding the potential induced growth impacts of the proposed project on highly sensitive natural and community resources within a rapidly growing area. A Collaborative Judgment Land Use Panel process was conducted in support of the induced growth analysis, and regional perspectives on natural and community resources in Bexar, Comal, Blanco, and Kendall counties were considered. Resource categories evaluated in the ICI analysis included community resources and quality of life issues; cultural resources (including a predictive model used to evaluate potential development-related effects to archeological resources); threatened and endangered species (including the Golden-cheeked Warbler); and water resources, particularly groundwater quality of the Edwards Aquifer. Hicks & Company also provided public involvement support to Jacobs Engineering throughout the environmental process. The Final Environmental Impact Statement was approved in May 2015. A ROD was issued for the project on July 17, 2015.

- *US 69/Loop 49 Lindale Relief Route Environmental Impact Statement, TxDOT Tyler District* – Hicks & Company prepared an Environmental Impact Statement (EIS) for this proposed 7-mile long reliever route to existing US 69 around the city of Lindale in rural Smith County. Mr. Buntz was the senior NEPA advisor for the environmental team, supporting the Alternatives Analysis, environmental justice analysis and indirect and cumulative effects assessment. Hicks & Company coordinated all aspects of the Draft and Final EIS, which included extensive stakeholder coordination with local municipalities and landowners, and evaluation of the long-term effects of a bypass around the city of Lindale. Archeological investigations were a major part of the environmental documentation, including sites that required National Register testing data recovery efforts as mitigation for the impacts. A ROD was issued for the project in April 2015.

- *I-35 Improvements from RM 1431 to SH 45N, TxDOT Austin District* – Mr. Buntz managed a CE supported by a series of eight comprehensive technical environmental studies to evaluate potential project effects from improvements to six miles of I-35 from RM 1431 to SH 45 N. Individual studies were completed for biological resources (vegetation, wildlife,

endangered species); water resources (groundwater, surface water including wetlands determinations, floodplains); socio-economic resources (land use; demographics, economy and employment, community impacts, and environmental justice. Additional technical studies were completed for potentially occurring hazardous materials, traffic noise, air quality, and archeological and historic resources. Issues that made this project particularly complex included a potential temporary Section 4(f) use for bridge construction across a public trail connecting Chisholm Trail Park and Memorial Park in Round Rock. The project was able to avoid Section 4(f) involvement through design refinements and coordination with the City of Round Rock regarding nighttime construction of the bridge expansion that could have temporarily closed the trail for public use. Also, the Jollyville Plateau salamander had just been listed as threatened under the ESA when the project began, and we performed surveys within the right of way for potential habitat and coordinated with Dr. Forstner at Texas State University, who had been conducting surveys for this species at a nearby site mapped as critical habitat. The field work and research indicated that the project would not affect habitat for the salamander. The CE was approved by TxDOT in September 2014.

- *SH 99 Grand Parkway Segments F1, F2 and G, Houston Texas, TxDOT Houston District.* Mr. Buntz was the Senior Manager supervising the independent Environmental Monitor overseeing construction, including SW3P and 404 permit compliance. Mr. Buntz worked with the GEC Environmental Manager and the Independent Engineer regarding environmental compliance issues, routine audits of the Comprehensive Environmental Protection Program, and reviews of regulatory documentation. 2013–2016.

- *Realignment of FM 3503, TxDOT Odessa District* – As NEPA Task Lead, Mr. Buntz managed a CE for a proposed project in Ector County, Texas, which included a new-location realignment of FM 3503 to connect the City of Odessa's JBS Parkway South to an existing north-south section of FM 3503 through a largely industrial area with a residential neighborhood adjacent to the roadway and large ranching tracts in the study area. Documentation included alternatives, land use, socioeconomics, cultural resources, air quality, biological resources, assessment of impacts to vegetation and threatened and endangered species, water quality, noise, hazardous materials, and an indirect and cumulative impact analysis. An intensive archeological survey of approximately 5.5 acres was also completed under the Section 106 of the NHPA and the ACT. Mr. Buntz was also responsible for public involvement efforts, including assisting the Odessa District in preparing for and holding a public meeting June 11, 2013 and public hearing October 29, 2013 held to gather feedback from the public. The project was approved in February 2014.

- *Whitlock Lane Improvements, City of Carrolton/TxDOT Dallas District* – Mr. Buntz managed the preparation of a Categorical Exclusion (CE) for this 1.5-mile road widening project in Carrolton. Environmental documentation included a community impact assessment, vegetation and wildlife habitat assessment, traffic noise study, air quality analysis, and cultural resources studies. The CE was approved by TxDOT in January 2014.

- *US 281 North/Loop 1604 Interchange CDA, San Antonio, Texas, Alamo Regional Mobility Authority* – Mr. Buntz served as the Senior Manager supervising the Environmental Compliance Manager and Environmental Team on this design-build interchange project involving endangered species and the Edwards Aquifer Recharge Zone in San Antonio. This included overseeing the implementation of the Comprehensive Environmental Protection Program for the project and providing senior oversight and expertise on environmental compliance and regulatory issues for the project developer, including writing of procedures to comply with federal and state environmental regulations, design-build contract provisions, and environmental commitments. Mr. Buntz provided experienced guidance to ensure quality of deliverables to both the developer and the owner. The project was completed and opened to traffic in November 2013.

- *Dowlen Road Extension, TxDOT Beaumont District* – Mr. Buntz managed the preparation of an Environmental Assessment for a new-location extension of Dowlen Road in Beaumont. The project involved a Section 4(f) Evaluation of the project's use of a portion of the City's Municipal Athletic Complex, a use that was ultimately determined to be de minimis under FHWA rules. The project also involved traffic noise modeling, an assessment of effects on biological resources, and surveys for archeological and non-archeological historic resources, including Section 106 coordination. The EA was determined "Satisfactory for Further Processing" by FHWA in March 2013.

- *State Highway 161 Toll Road Phase 4, Grand Prairie, Texas, North Texas Tollway Authority* – Mr. Buntz served as the Environmental Compliance Manager (2009–2012) for this design-build toll road project to add main lanes to SH 161 between I-20 and I-30. This included development of the Comprehensive Environmental Protection Program and management and coordination of the Environmental Compliance Team and NEPA, Section 404/401, TPDES, Section 106 and other regulatory compliance, permitting and mitigation programs. When the project design required a revision to the project's Section 404 permit, Mr. Buntz developed the mitigation plan and negotiated the permit amendment with the U.S. Army Corps of Engineers. The project was completed and opened to traffic in October 2013.

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- *US 281 North/Loop 1604 Interchange CDA, San Antonio, Texas, Alamo Regional Mobility Authority* – Mr. Buntz served as the Senior Manager supervising the Environmental Compliance Manager and Environmental Team on this design-build interchange project involving endangered species and the Edwards Aquifer Recharge Zone in San Antonio. This included overseeing the implementation of the Comprehensive Environmental Protection Program for the project and providing senior oversight and expertise on environmental compliance and regulatory issues for the project developer, including writing of procedures to comply with federal and state environmental regulations, design-build contract provisions, and environmental commitments. Mr. Buntz provided experienced guidance to ensure quality of deliverables to both the developer and the owner. The project was completed and opened to traffic in November 2013.

- *I-10/Loop 375 "Americas Interchange" CDA, Camino Real Regional Mobility Authority* – Mr. Buntz was the Senior Manager supervising the Environmental Compliance Manager and Environmental Team on this design-build interchange project in El Paso. This included overseeing the implementation of the Comprehensive Environmental Protection Program for the project and providing senior oversight and expertise on environmental compliance and regulatory issues for the project developer, including writing of procedures to comply with federal and state environmental regulations, design-build contract provisions, and environmental commitments. Mr. Buntz provided experienced guidance to ensure quality of deliverables to both the developer and the owner. The project was completed and opened to traffic in November 2013.

- *I-35 Improvements from Loop 340 South to Loop 340 North, TxDOT Waco District* – As NEPA Task Lead, Mr. Buntz managed the preparation of the EA for the widening of I-35 from six lanes to eight lanes for 7 miles through Waco. The project involved substantive EJ issues, including multiple displacements in minority and low-income neighborhoods. The CIA included profiles of several historically black and Latino neighborhoods along I-35 that had been bisected by the original construction of the interstate in the 1960s. Mr. Buntz organized a community impacts workshop with affected residents who provided feedback related to displacement effects and special relocation considerations, including those for three churches located within the proposed right of way. The project involved a Section 4(f) Evaluation of the use of a portion of the Brazos River Recreational Area and the Paul Quinn College Neighborhood historic district. The HRSR was complex as there were multiple historic cemeteries, historic bridges, and historic residences within the APE that were determined eligible for NRHP listing. Additional issues included quantitative MSAT and CO modeling and analyses that were prepared before the existence of the Statewide Emission Rate Look-up Tables. Additional environmental documentation involved an assessment of the effects on wildlife habitat and water quality, and a cumulative and indirect effects analysis, among other requirements. Mr. Buntz assisted the schematic engineer and the Waco District in implementing the public involvement plan for the project, which included technical working group meetings, community meetings, a public meeting, and a public hearing. Mr. Buntz assisted in developing public meeting notices and publications; prepared slides and materials for the meeting presentations; and helped prepare the meetings summaries and response to public comments. A FONSI was issued in November 2012.

- *State Highway 30 at FM 244 Interchange, TxDOT Bryan District* – As the NEPA Task Lead for this rural safety improvement project, Mr. Buntz managed the preparation of a State Categorical Exclusion (SCE). The NEPA documentation included a waters of the U.S. impact assessment and Section 404 jurisdictional determination, ecological investigations (including Texas Parks & Wildlife Department coordination), community impact assessment, and hazardous materials initial site assessment. The SCE for the project was approved in July 2012.

- *Holders Chapel Road, TxDOT Fort Worth District* – Mr. Buntz served as the NEPA Task Lead for this off-system bridge replacement project in Parker County. The NEPA project documentation included ecological investigations, waters of the U.S. impact assessment and Section 404 permit determination, cultural resources investigations, socioeconomic studies, hazardous materials initial site assessment, and public involvement. The PCE for this project was approved by TxDOT in February 2012.

- *I-35 Improvements from Loop 363 South to Loop 363 North, TxDOT Waco District* – Serving as NEPA Task Lead, Mr. Buntz was responsible for preparing the Environmental Assessment for the widening of Interstate 35 through Temple. The project proposed to widen the interstate from 4 to 8 lanes and upgrade the pavement and other structural portions of the roadway to conform to current highway design standards. The environmental documentation involved community impact analysis, air quality studies (including a quantitative analysis of mobile source air toxics), an assessment of the effects on wildlife habitat and water quality, and a cumulative and indirect effects analysis, among other requirements. A FONSI was issued in November 2011.

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- *Wellborn Road Grade Separation, Texas A&M University/TxDOT Bryan District* – Mr. Buntz completed a Categorical Exclusion (CE) for a railroad grade-separation project in College Station, Texas under an arrangement between Texas A&M University and the TxDOT Bryan District. The project involved construction of a vehicular and pedestrian underpass of the Union Pacific Railroad and Wellborn Road on the A&M Campus. Because a portion of the funding came from TxDOT, the CE documentation was required to follow TxDOT and FHWA standards and be approved by both parties. The environmental documentation included an assessment of vegetation and wildlife habitat, traffic noise analysis, and a socio-economic effects assessment. Due to the National Register eligibility of the Texas A&M University Campus, a historic-age resources eligibility and effects assessment was also completed, leading to a de minimis effect determination under FHWA's Section 4(f) regulations. Approval of the CE for this project was issued in February 2011.

- *I-35 Improvements from FM 1858 to FM 1304, TxDOT Waco District* – Serving as NEPA Task Lead, Mr. Buntz was responsible for preparing the Environmental Assessment for the widening of Interstate 35 between Abbott and West (south of Hillsboro). The project proposed to widen the interstate from 4 to 6 lanes and upgrade the pavement and other structural portions of the roadway to conform to current highway design standards. The environmental documentation involved community impact analysis, air quality studies, including a qualitative discussion of mobile source air toxics, an assessment of the effects to wildlife habitat and water quality, and a cumulative and indirect effects analysis, among other requirements. A FONSI was issued in November 2010.

- *US 183 Roadway Improvements, Williamson County/TxDOT Austin District* – As NEPA Task Lead, Mr. Buntz prepared the Environmental Assessment and coordinated public involvement, Section 404 permitting, and environmental commitments for this urban arterial widening in a rapidly developing part of western Williamson County near Leander and Liberty Hill. The project was largely a response to urbanization in the area, which led to traffic volumes exceeding the capacity and structural design of the existing roadway. The primary task was to complete an indirect and cumulative effects analysis using the National Cooperative Highway Research Program's Report 466, a precursor to TxDOT's current guidance on preparing indirect and cumulative effects. Following receipt of a Satisfactory for Further Processing determination from FHWA, Mr. Buntz prepared and presented the environmental portion of the Public Hearing presentation and contributed to the Public Hearing Summary and Analysis. The FONSI was issued in July 2009. Mr. Buntz continued to support the Austin District and Williamson County (the project sponsor) through the permitting stage, including managing the completion of archeological studies for the Section 106 coordination process and Section 404 permitting with a pre-construction notification and compensatory mitigation plan.

- *I-635/LBJ Managed Lanes CDA, Dallas, Texas, TxDOT Dallas District* – Beginning in 2009, Mr. Buntz developed multiple environmental management plans in support of the Comprehensive Environmental Protection Program for this managed lanes toll road project along I-635 in Dallas County. These plans included Environmental Compliance and Mitigation Plan, Construction Monitoring Plan, Hazardous Materials Management Plan, Environmental Protection Training Plan, and Environmental Management System.

- *North Tarrant Express Concession CDA Segment 1, Fort Worth, Texas, TxDOT Fort Worth District* – Beginning in 2009, Mr. Buntz developed multiple environmental management plans in support of the Comprehensive Environmental Protection Program for this 7-mile toll road project along IH 820 in northern Tarrant County. Plans include Environmental Compliance and Mitigation Plan, Construction Monitoring Plan, Hazardous Materials Management Plan, Environmental Protection Training Plan, and Environmental Management System.

- *State Highway 114/121 Improvements, TxDOT Fort Worth District* – Mr. Buntz completed the project as the NEPA Task Lead gaining approval of the Environmental Assessment from both the Federal Highway Administration and the Federal Aviation Administration. This multi-facility improvements project near the Dallas-Fort Worth International Airport is designed to relieve congestion on several major highway facilities in the area (SH 114, SH 121, SH 360, I-635) and facilitate traffic movements in and out of the airport. Environmental documentation included assessments of socioeconomic and community impacts, impacts to riparian vegetation, wetlands and waters of the U.S., cultural resources, and cumulative and indirect effects analysis. A FONSI was issued in April 2009.

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- *State Highway 130 Segments 1–4 Design-Build Project, TxDOT Austin District* – As Environmental Compliance Manager, Mr. Buntz was responsible for monitoring, documenting, and reporting environmental compliance for the 49-mile toll-road construction project, including management and coordination of the Environmental Compliance Team and NEPA, Section 404/401, TPDES, Section 106 and other regulatory compliance, permitting and mitigation programs. Mr. Buntz's team successfully implemented an Environmental Management System, certified by the Texas Commission on Environmental Quality (TCEQ) at the Gold Level in February 2007. Mr. Buntz managed the design-build phase with no major construction delays due to environmental regulatory issues. The project was completed and opened to traffic in August 2008.

- *State Highway 130 Environmental Impact Statement, Texas Turnpike Authority* – Serving as the NEPA Task Manager, Mr. Buntz assisted in route selection and preparation of a Draft and Final EIS for this major, new-location toll road reliever route for Interstate 35 around Austin. The project originally involved three separate segments, A, B, and C, which were combined into a single, 90-mile EIS in 1999. The project was supported by the community, but the route selection became somewhat controversial, with some elected officials objecting to the original preferred alignment presented in the Draft EIS and at the Public Hearing. Following the Public Hearing, the preferred alignment was changed and the Final EIS was circulated and approved by FHWA in a Record of Decision in 2001. Following the ROD, Hicks & Company was part of the Exclusive Development Agreement team for the design and construction of the new toll road, and Mr. Buntz initially filled the role of Deputy Environmental Compliance Manager and eventually moved into the role of Environmental Compliance Manager. As Environmental Compliance Manager, Mr. Buntz was responsible for monitoring, documenting, and reporting environmental compliance for the 49-mile toll-road construction project, including management and coordination of the Environmental Compliance Inspection team and NEPA, Section 404/401, TPDES, Section 106 and other regulatory compliance, permitting and mitigation programs.

- *University Corridor Environmental Impact Statement, Houston Metropolitan Transit Authority* – Beginning in 2007, Mr. Buntz served as the NEPA Task Manager for this new location, fixed-guideway rail line in the Third Ward neighborhood in Houston. The environmental documentation involved historic resources reconnaissance and National Register eligibility and effect determinations relating to properties in the historic Third Ward. Effects to archeological resources and vegetation were also included in the documentation as well a Section 4(f) Evaluation. Following the Public Hearing, the locally preferred alignment was modified, requiring additional field reconnaissance and analysis.

- *50th Street Improvements, City of Lubbock/TxDOT Lubbock District* – Mr. Buntz served as the NEPA Task Manager and was responsible for the preparation of the Environmental Assessment for this urban arterial roadway widening in Lubbock. Environmental documentation involved environmental justice concerns relating to potential effects to minority residents in a large apartment complex and a Section 4(f) Evaluation for a acquisition of public parkland for the right of way expansion. A FONSI was issued in 2004.

- *Texas Tech Parkway, TxDOT Lubbock District* – Mr. Buntz served as NEPA Task Lead for this new location urban arterial roadway on the campus of Texas Tech University in Lubbock. The environmental documentation involved an assessment of environmental justice concerns in certain low-income areas east of the campus and an analysis of the effects on wildlife habitat relating to prairie dogs and western burrowing owls within the proposed right of way. A FONSI was issued in 2003.