

EI-18784



Eagle Pass RR Contact List

Coburn, David to: 'haveckyd@stb.dot.gov'
Cc: "Runyan, Joshua"

01/24/2012 10:21 PM

3 attachments



EPRR_Coord_List.xlsx



Exhibit STB Studied Alts.pdf



2011_12-21_Certificate_Formation.pdf

Dave -- I have attached the latest iteration of Eagle Pass RR contact list, identifying the persons and agencies which should receive the initial contact letter. Our client has made preliminary contact with many of the local officials to apprise them of the plans to build the railroad. A figure to accompany the letter is also attached. However, if you would prefer a figure that shows only the proposed alignment and not the studied alternatives, please advise.

Please note two additional points relative to the consultation letter. First, the railroad has now been officially formed under Texas law as the Eagle Pass Railroad, LLC. Relevant formation documents are attached.

Second, based on the discussions with the local officials and the environmental analysis that is almost completed, we believe that it would be useful to note in your initial consultation letter that the railroad bypasses downtown Eagle Pass, where the UP line currently runs. Rail traffic through the downtown area is something of an issue and thus the bypass should be viewed positively.

Please let me know if you have any questions. Regards. David

David H. Coburn
Steptoe & Johnson LLP
1330 Connecticut Avenue, N.W.
Washington, DC 20036
202.429.8063 Direct
202.261.0565 Direct Facsimile
202.429.3902 Central Facsimile
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Office of the Secretary of State

CERTIFICATE OF FILING OF

Eagle Pass Railroad, LLC
File Number: 801524425

The undersigned, as Secretary of State of Texas, hereby certifies that a Certificate of Formation for the above named Domestic Limited Liability Company (LLC) has been received in this office and has been found to conform to the applicable provisions of law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the secretary by law, hereby issues this certificate evidencing filing effective on the date shown below.

The issuance of this certificate does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 12/21/2011

Effective: 12/21/2011



A handwritten signature in cursive script, reading "Hope Andrade".

Hope Andrade
Secretary of State

FILED
In the Office of the
Secretary of State of Texas

DEC 21 2011

Corporations Section

CERTIFICATE OF FORMATION
OF
EAGLE PASS RAILROAD, LLC

I, the undersigned organizer of Eagle Pass Railroad, LLC (the "Company"), acting pursuant to the Texas Business Organizations Code, hereby adopt the following Certificate of Formation for the Company.

ARTICLE I
NAME

The name of the Company is Eagle Pass Railroad, LLC.

ARTICLE II
TYPE OF ENTITY BEING FORMED

The Company is a domestic limited liability company.

ARTICLE III
PURPOSE

The Company is organized for the purpose of transacting any and all lawful business for which limited liability companies may be organized under the laws of the State of Texas.

ARTICLE IV
REGISTERED OFFICE AND AGENT

The street address of the initial registered office of the Company is 8000 IH10 West, Suite 600, San Antonio, Texas 78230, and the name of the Company's initial registered agent at such address is AHMSA International, Inc.

ARTICLE V
ORGANIZER

The name and address of the organizer of the Company is Kathy Mercado, 600 Congress, Suite 2100, Austin, Texas 78701.

ARTICLE VI
MANAGEMENT

The business of the Company shall be conducted under the exclusive management of its manager(s), who shall have exclusive authority to act for the company in all matters. The names and addresses of the initial managers of the Company are:

Name

Address

Andres Gonzalez Saravia COS

Campos Eliseos 29
Colonia Rinconde, DP DPV

Abel Ayala Flores

Campos Eliseos 29
Colonia Rinconde, DP DPV

ARTICLE VII
INDEMNIFICATION

To the extent permitted by the Texas Business Organizations Code, the members of the Company shall authorize the Company to indemnify any present or former manager, member or officer of the Company against judgments, penalties (including excise and similar taxes), fines, settlements and reasonable expenses actually incurred by the person in connection with a proceeding in which the person was, is or is threatened to be made a named defendant or respondent because the person is or was a manager, member or officer of the Company.

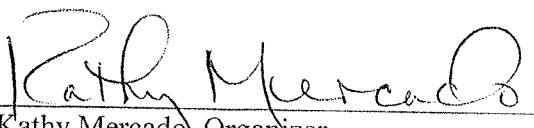
ARTICLE VIII
EXEMPTION FROM LIABILITY

A manager of the Company shall not be liable to the Company or its members for monetary damages for an act or omission in the manager's capacity as a manager, except to the extent that any applicable law may prevent such manager from being relieved of such personal liability. Any repeal or modification of this Article shall be prospective only and shall not adversely affect any limitation of the personal liability of a manager of the Company existing at the time of such repeal or modification.

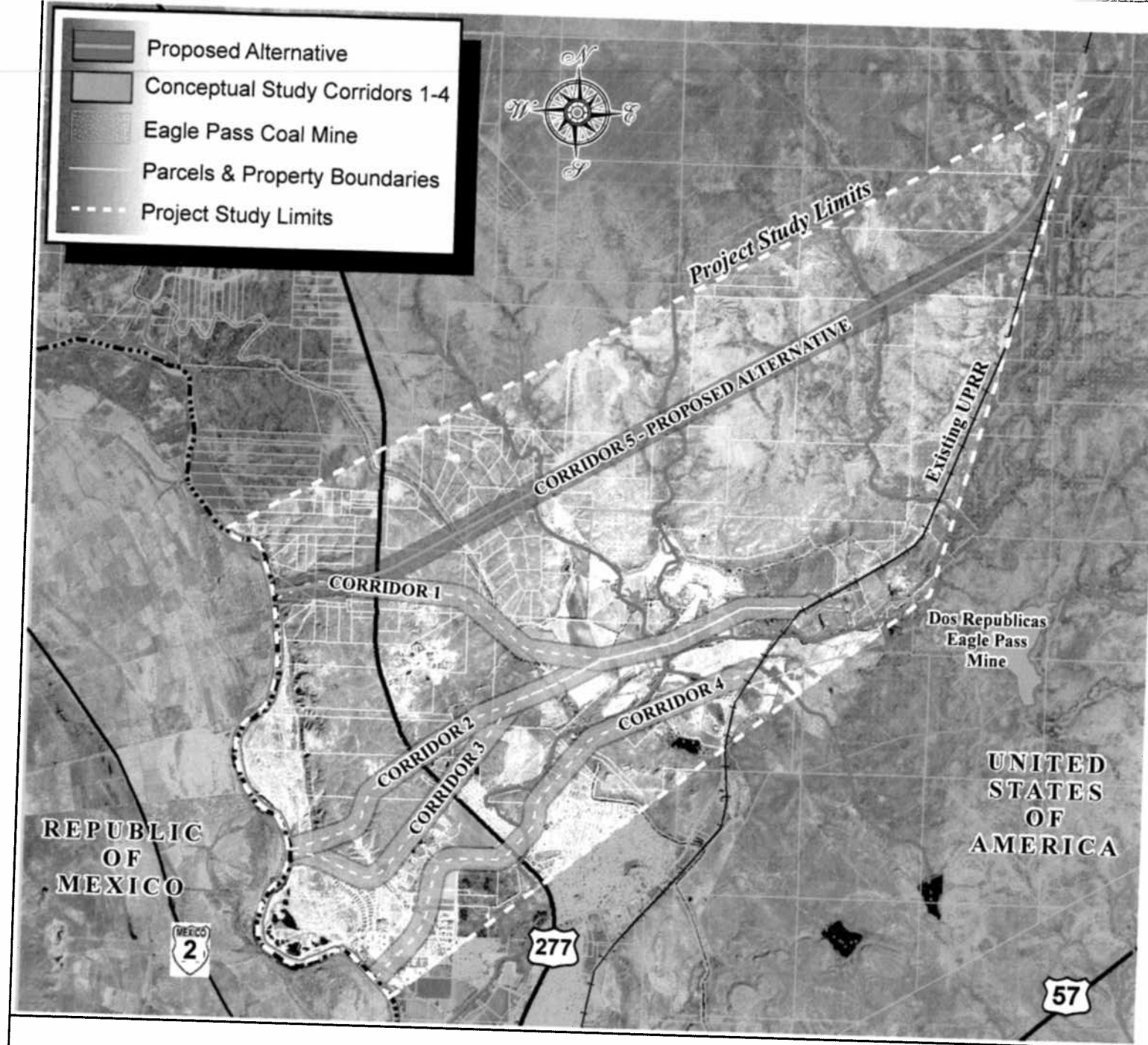
ARTICLE IX
NO FIDUCIARY DUTIES

A manager of the Company shall have no fiduciary duties to the Company or to any member of the Company, including but not limited to any duty to present corporate opportunities to the Company and any duty not to compete with the Company or its business.

IN WITNESS WHEREOF, I have executed this Certificate of Formation this December 21, 2011.


Kathy Mercado, Organizer

Agency Name		Contact	PARTICIPATING AGENCIES							
			Title	Address	City	State	Zip	Email	Phone Number	Fax
City of Eagle Pass		Brian M. Shea	Planning Director	3295 Bob Rogers Dr.	Eagle Pass	Texas	78852	??@cityofeagpass.com	830-773-7781	830-773-7803
City of Eagle Pass		Daniel Valenzuela	City Manager	100 S. Monroe	Eagle Pass	Texas	78852	citymgr@cityofeaglepass.com	830-773-1111	830-773-9170
City of Eagle Pass		Gloria Barrientos	Assistant City Manager	100 S. Monroe	Eagle Pass	Texas	78852		830-773-1111	830-773-9170
Middle Rio Grande Development Council		Leodoro Martinez, Jr.	Executive Director	P.O. Box 1199	Carrizo Springs	Texas	78834	leodoro.martinez@mrgdc.org	830-876-3533 X1201	
Maverick County Water Control and Improvement District No. 1		Roy Cooley (Cynthia Martinez)	General Manager	Rt. 2, Box 4700	Eagle Pass	Texas	78852	mcwcid1@hughes.net	830-773-5129	830-757-5607
Maverick County Development Corporation (MDCDC)		Raul E. Perez	MDCDC Executive Director	P.O. Box 3693	Eagle Pass	Texas	78853	raul.perez@eaglepassmcdc.com	830-773-6166	830-773-6287
Maverick County		Ricardo Ramos	County Attorney	208 Converse Street	Eagle Pass	Texas	78852	ricardo.ramos@co.maverick.tx.us	(830) 773-3520	(830) 757-2863
Maverick County		Sara Montemayor	County Clerk	500 Quarry Street, Suite 2	Eagle Pass	Texas	78852	sara.montemayor@co.maverick.tx.us	830-773-2829	830-752-4479
Texas Dept. of Transportation		Mario Medina	Interim District Engineer	1817 Bob Bullock Loop	Laredo	Texas	78043	mario.medina@txdot.gov	956-712-7405	
		Blanca Castro	Admin Asst							
U.S. Customs and Border Protection		Gilbert Sepulveda	Asst. Port Director for Trade Operations	160 Garrison St.	Eagle Pass	Texas	78852		830-752-3593	
U.S. Customs and Border Protection		Liz Morales	Admin Manager	160 Garrison St.	Eagle Pass	Texas	78852		830-752-3557	
U.S. Customs and Border Protection		Cynthia Rodriguez	Port Director, Port of Eagle Pass	160 Garrison St.	Eagle Pass	Texas	78852		830-752-3101	
International Boundary and Water Commission		Ed Drusina, P.E.	Commissioner	4171 North Mesa, Ste. C-100	El Paso	Texas	79902-1441		915-832-4101	
International Boundary and Water Commission		John Merino	Principal Engineer	4171 North Mesa, Ste. C-100	El Paso	Texas	79902-1441		915-832-4749	
International Boundary and Water Commission		Gilbert Anaya	GIS Coordinator	4171 North Mesa, Ste. C-100	El Paso	Texas	79902-1441		915-832-4702	
International Boundary and Water Commission		Duane Price	Boundary and Realty Officer (Permits) Director, Program Development	4171 North Mesa, Ste. C-100	El Paso	Texas	79902-1441		915-832-4139	
Federal Highway Administration		Michael T. Leary	Commander (DPB), 8th Coast Guard District	300 East Eighth Street, Room 826	Austin	Texas	78701-3233		512-536-5940	
U.S. Coast Guard		Commander Rear Admiral Mary E. Landry		Hale Boggs Federal Building, 500 Poydras Street	New Orleans	LA	70130		504-671-2128	
Federal Rail Administration		Alexandra Newcomer	International Affairs	1200 New Jersey Avenue SE - Mail Stop 15	Washington	D.C.	20590	alexandra.newcomer@dot.gov	202-493-6394	202-493-6401
US Fish and Wildlife		Allison Arnold	Senior Fish and Wildlife Biologist	10711 Burnet Road, Suite 200	Austin	Texas	78758	Allison_Arnold@fws.gov	(512) 490-0057 X242	512 490-0974
Texas Parks and Wildlife		Clayton Wolf	Director of Wildlife	4200 Smith School Road	Austin	Texas	78744		(512) 389-8092	
Texas Parks and Wildlife		Matt Wagner	Deputy Director	4200 Smith School Road	Austin	Texas	78744		(512) 389-4778	
Texas Parks and Wildlife		Linda Campbell	Private Lands and Public Hunting Program Director	4200 Smith School Road	Austin	Texas	78744		(512) 389-4395	
Texas Historical Comm.		Dr. James E. Bruseeth	Regional Archeology Division	P.O. Box 12276 Austin	Austin	Texas	78711	jim.bruseeth@thc.state.tx.us	512-463-6096	512-463-8927
Texas Historical Comm.		Tiffany Osburn	Mountain/Pecos and Plains	P.O. Box 12276 Austin	Austin	Texas	78711	tiffany.osburn@thc.state.tx.us	512-463-6096	512-463-8927
Texas Historical Comm.		Mark H. Denton	Team Leader, State and Federal Review Section	P.O. Box 12276 Austin	Austin	Texas	78711	mark.denton@thc.state.tx.us	512-463-6096	512-463-8927
USDA/NRCS-Texas		Serafin Aguirre	District Conservationist Eagle Pass Field Office	2210 VETERANS BLVD STE 130	Eagle Pass	Texas	78852	serafin.aguirre@tx.usda.gov	830-773-2518	830-773-8302
Texas Commission on Environmental Quality		Kyonna Miramontes	Water Quality Division Industrial Permits	PO Box 13087	Austin	Texas	78852		512-239-6922	
U.S. Army Corps of Engineers Ft. Worth District			Regulatory Program	819 Taylor Street	Ft. Worth	Texas	76102		817.886.1731	



STUDIED ALTERNATIVES

NEW SHORT LINE FREIGHT RAILROAD
& INTERNATIONAL BRIDGE

DRAFT
ENVIRONMENTAL RECORD
MAVERICK COUNTY, TEXAS

POZNECKI INC
AMARILLO
ENGINEERING • SURVEYING • ENVIRONMENTAL