

[Logo of Frontera Renovable]

Petitioner: **Frontera Renovable, S. de R.L. de C.V.**

Project: **"Tres Mesas Wind Farm"**

Re: **Submittal of Environmental Impact Statement, Special modality.**

**MR. JESÚS GONZÁLEZ MACÍAS**

FEDERAL DELEGATE FOR TAMAULIPAS

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**LUIS FERNANDO VILLARREAL IBARRA**, on behalf of the company called **FRONTERA RENOVABLE, S. DE R.L. DE C.V.** ("**FR**" or "**my principal**"), capacity and authority authorized in terms of public deed No. 162,306 granted upon Mr. Cecilio Gonzalez Marquez, Notary Public No. 151 for the Federal District, certifying the granting of powers in favor of the undersigned, attached hereto as certified copy and regular copy for comparison as **APPENDIX 1**; with domicile to receive all types of notifications and communications at Calle 8 y 9 Chihuahua número 963C, fraccionamiento San José, CP 87040, in Ciudad Victoria, Tamaulipas and; authorizing with the most extended terms of section 19 of the Federal Law of Administrative Procedure ("**LFPA**"), to perform all types of duties, management and appearances necessary to process this matter the attorneys Luis Veral Morales, Octavio Carvajal Trillo, Alejandro Aldana Galban, Cristina Hernández Calzada, Luis Gabriel Martínez, Estuardo Anaya Soto, Daniel Gómez Ramírez and/or Gabriel Rodrigo Bustamante Brambila, as well as Armando Briones, Miriam Sámano Rosillo, Ana Eugenia Alanís Quiroz, Silvia Sámano Beristáin, Verónica Aidée Palacios de la Torre and/or Jesús Xavier Félix, before you Mr. Federal Deputy, I hereby appear and present:

That by means hereof and based on the provisioned in section 28, fraction II and VII, section 30 first paragraph and 167 Bis of the General Law of Ecological Balance and Environmental Protection ("**LGEEPA**"), section 5, paragraph k) and O), section 9, fraction 10, sections 12, 17 and 19 of the Regulations of the LGEEPA in Environmental Impact Assessment ("**REIA**") matters; and sections 19 and 35 of the Federal Law of Administrative Procedure ("**LFPA**"); I hereby submit for the Environmental Impact Assessment Procedures ("**PEIA**") the Environmental Impact Statement, Special modality ("**EIS-S**") for the project called "Tres Mesas Wind Farm" ("**The Project**"), consisting in the construction and operation of a wind farm and related infrastructure, located within the site known as "Tres Mesas" to the northeast of the municipality of Llera de Canales and bordering the municipality of Casas, both in the State of Tamaulipas; the latter, as per the following:

I. ANTECEDENTS

1. Frontera Renovable, S. de R.L. de C.V. is a Mexican company with foreign capital, incorporated as per public deed number 19 dated February two, 2007, granted before Ms. Maria Elena G. Orozco Aguirre, Notary Public No. 52 for the city of Saltillo, Coahuila. Certified copy and regular copy attached hereto for comparison of the aforementioned instruments as APPENDIX 2.
2. The commercial purpose of FR is, among others, the development, construction, operation and maintenance of renewable energy generation plants such as those derived from wind,

solar, geothermal, hydraulic, biomass, biodiesel energy and any other type of energy in Mexico as per the legislation in the matter.

3. After certifying the commercial purpose of the company, next we present the following:

## II. LEGAL CONSIDERATIONS

4. In accordance with the sections mentioned herein, the works and activities my principal intends to develop are subject to an environmental impact assessment for being a wind farm, in terms of section 28 of the LGEEPA which sets forth:

*“Section 28. The Environmental Impact Assessment is the procedure through which the Department sets forth the conditions to which the performance of works and activities that may cause ecological unbalance or exceed the limits and conditions established in the applicable provisions to protect the environment and preserve and restore ecosystems will be subject, in order to avoid or reduce to minimum the negative effects on the environment. Therefore, in the cases established by the Regulation issued for said purpose, **any person willing to carry out any of the following works or activities shall previously request the authorization in environment impact matter from the Department:***

*[...]*

*II.- Oil, petrochemistry, chemistry, syderurgical, paper, sugar, cement and **electrical** industry;*

*[...]*

*VII.- Changes in the land use of forest areas, as well as in rain-forest and arid areas;”*

*(Emphasis added)*

5. Likewise, section 5°, paragraphs k) fraction I and O) of the REIA establishes:

*“Section 5.- Any person willing to carry out any of the following works or activities shall previously request the authorization in environment impact matter from the Department:*

*[...]*

*K) ELECTRICAL INDUSTRY:*

*I. **Construction of** nuclear-electric, hydroelectric, carbon electric, geothermal, wind or thermal **power stations**, conventional, combined-cycle or turbogas unit power stations, except for generation stations with capacity below or equal half MW, used for backup in residential units, offices and housing;*

*[...]*

*O) CHANGES IN THE LAND USE IN FOREST LANDS, AS WELL AS IN RAIN-FOREST AND ARID AREAS:*

*I. **Change in the land use** for agricultural and farming, aquaculture, real estate development, urban infrastructure, general communication roads activities or for establishment of commercial, industrial or utility facilities at sites with forest vegetation, except for construction of family housing and establishment of*

*commercial or utility facilities in sites of less than 1,000 square meters, whenever the constructions does not involve demolition of trees on a surface larger than 500 square meters, or the elimination or fragmentation of the habitat of flora or fauna specimens subject to special protection regime in accordance with the Mexican Official Standards and other applicable legal instruments;”*  
(Emphasis added)

6. Due to the aforementioned and in compliance with the legal provisions mentioned, we hereby submit the **EIS-S** for the Project (**APPENDIX 3**), submitted in original document and four CDs.
7. The Environmental Impact Study subject to assessment includes: I. General Data of the Project, the petitioner and the responsible person for the environmental impact study; II. Project Description; III. Relationship with applicable legal provisions in environmental matter and, if any, with regulations on land use; IV. Description of the environmental system indicating the environmental issues detected in the area of influence of the project; V. Identification, description and assessment of environmental impacts; VI. Preventive and mitigation measures for environmental impacts; VII. Environmental forecast and, if any, alternative assessment, and VIII. Identification of methodological instruments and technical elements supporting the information indicated in the previous factors.
8. Likewise, it is worth mentioning that the EIS-S and its counterparts include an Executive Summary.
9. In summary, we hereby attach a sealed copy of the corresponding evidence of Payment of government charges made through **Assistance Page for payment of paperwork and services (e5cinco)(APPENDIX 6)** and the letter under oath indicated in section 35 Bis 1 of the **LGEEPA (APPENDIX 7)**.
10. Finally, grounded on section 167 Bis of the LGEEPA and section 35 of the LFPA, I hereby grant my express consent for notices referred to this paperwork to be delivered through the following e-mail addresses: [fernando@oces.com](mailto:fernando@oces.com) and [gubstamante@vc.com.mx](mailto:gubstamante@vc.com.mx).

Based on the aforementioned, to this Federal Regional Office I request:

**FIRST.-** To place formally on the record my appearance and to recognize my capacity and authority.

**SECOND.-** To confirm notification of domicile and e-mail addresses to receive all types of notifications and communications, as well as the authorized persons indicated above.

**THIRD.-** To place formally on the record the reception of the Environmental Impact Statement, Special modality and the appendixes composing it for the Tres Mesas Wind Project.

**FOURTH.-** After concluding the paperwork as per the Law, to issue the authorization in environmental impact matter for the development and operation of the Project mentioned herein.

Ciudad Victoria, Tamaulipas, on the date of submission hereof.

**I DECLARE UNDER OATH**

[Illegible signature]

**LUIS FERNANDO VILLAREAL IBARRA**

**LEGAL REPRESENTATIVE**

**FRONTERA RENOVABLE, S. DE R.L. DE C.V.**

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**LIST OF APPENDIXES**

**APPENDIX ONE.- PUBLIC DEED NO. 162,306 GRANTED BEFORE MR. CECILIO GONZALEZ MARQUEZ, NOTARY PUBLIC NO. 151 FOR THE FEDERAL DISTRICT, CERTIFYING THE GRANTING OF POWERS IN FAVOR OF THE LEGAL REPRESENTATIVE.**

**APPENDIX TWO.- PUBLIC DEED NUMBER 19 DATED FEBRUARY TWO 2007, GRANTED BEFORE MS. MARIA ELENA G. OROZCO AGUIRRE, NOTARY PUBLIC NO. 52, RECORDING THE INCORPORATION OF FRONTERA RENOVABLE, S. DE R.L. DE C.V.**

**APPENDIX THREE.- ENVIRONMENTAL IMPACT STATEMENT, SPECIAL MODALITY, IN ORIGINAL DOCUMENT AND THREE COPIES IN CD**

**APPENDIX FOUR.- PAYMENT OF GOVERNMENT CHARGES IN FORMAT ESINCO MADE AT A BANKING INSTITUTION.**

**APPENDIX FIVE.- LETTER UNDER OATH SET FORTH IN SECTION 35 OF THE LGEEPA**

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Ciudad Victoria, Tamaulipas; June 4, 2013

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**MR. JESÚS GONZÁLEZ MACÍAS**  
FEDERAL DEPUTY FOR TAMAULIPAS  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**Re: Letter Under Oath as per section 35 Bis 1 of the  
General Law on Ecological Balance and Environmental Protection**

In accordance with section 35 Bis 1, of the General Law on Ecological Balance and Environmental Protection (LGEEPA) we hereby declare under oath that the information contained in the Environmental Impact Assessment, Special modality, for the Project **“Tres Mesas Wind Farm”** and its appendixes is true, accurate and incorporates the best existing techniques and methodologies, as well as information and the most effective prevention and mitigation measures, therefore assuming any liability for the content thereof; the latter without prejudice of the duties of the Department of Environment and Natural Resources, to verify compliance of the provisions contained in said Law.

Based on the aforementioned, we hereby accept that should there be any false statement in the information provided, the Department shall apply the corresponding sanctions.

**SINCERELY,**

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**LUIS FERNANDO VILLAREAL IBARRA**  
LEGAL REPRESENTATIVE  
FRONTERA RENOVABLE, S. DE R.L. DE C.V.

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**ANA EUGENCIA ALANÍS QUIROZ**  
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