

Member Organizations

Alamo Group of the Sierra Club
Aquifer Guardians in Urban Areas
Austin Regional Sierra Club
Bexar Audubon Society
Bexar Green Party
Boerne Together
Cibolo Nature Center
Citizens Allied for Smart Expansion
Citizens for the Protection of Cibolo Creek
Environment Texas
First Universalist Unitarian Church of San Antonio
Friends of Canyon Lake
Friends of Government Canyon
Fuerza Unida
Green Party of Austin
Hays Community Action Network
Helotes Heritage Association
Helotes Nature Center
Hill Country Planning Association
Guadalupe River Road Alliance
Guardians of Lick Creek
Kendall County Well Owners Association
Kinney County Ground Zero
Medina County Environmental Action Association
Northwest Interstate Coalition of Neighborhoods
Preserve Castroville
Preserve Lake Dunlop Association
San Antonio Audubon Society
San Antonio Conservation Society
San Geronimo Nature Center
San Geronimo Valley Alliance
San Marcos Greenbelt Alliance
San Marcos River Foundation
Santuario Sisterfarm
Save Barton Creek Association
Save Our Springs Alliance
Scenic Loop/Boerne Stage Alliance
Securing a Future Environment
SEED Coalition
Solar San Antonio
Sisters of the Divine Providence
Smart Growth San Antonio
Texas Water Alliance
West Texas Springs Alliance
Wildlife Rescue & Rehabilitation
Wimberley Valley Watershed Association

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July 27, 2011

Amy Sittemeyer
TCEQ
Field Operation Support Division
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Reference: Comments on Proposed Technical Guidance Manual for Best Management Practices for Quarry Operations on the Edwards Aquifer

Dear Ms. Sittemeyer,

Please accept these comments on behalf of the forty-eight member organizations of the Greater Edwards Aquifer Alliance, along with our appreciation for the opportunity to submit them. We appreciate, as well, the efforts of the TCEQ staff in recognizing and addressing regulatory deficiencies regarding the operation of quarries on the Edwards Aquifer.

Our comments are as follows:

Regarding Section 2.1, Separation from Groundwater on the Recharge Zone; GEAA joins the EAA staff in recommending the design approach be revised to incorporate water level data from the nearest Edwards Aquifer water level monitoring well, and not use distant wells that are located in the artesian zone of the aquifer. Recharge zone water levels typically fluctuate over a much greater range than do typical artesian zone wells. There exists an extensive network of Edwards Aquifer water level monitoring wells with water level records ranging from many years to many decades. These records are available from the EAA (for the southern Segment of the aquifer) and from the Barton Springs/Edwards Aquifer Conservation District (for the Barton Springs segment of the aquifer). Many of the network wells are located in or near the recharge zone where quarry operations are likely to occur. Potential quarry operators will gain a more realistic understanding of water level conditions in any given area by using recharge zone water level records from wells closer to their prospective project. In addition, we echo the EAA staff suggestion that obtaining water level records directly from regional agencies that collect such data, (e.g. EAA or Barton Springs/Edwards Aquifer Conservation District) would provide a more comprehensive selection of usable data points rather than obtaining data from a local water purveyor's web page.

Furthermore, during extended wet climatic conditions, the Edwards Aquifer water table commonly rises into quarry pits regardless of the operators desire to design pits so they will not intersect the water table.

It would be helpful if the guidance document would inform potential quarry operators that attempts to dewater the Edwards Aquifer water table by pumping from a quarry pit will require a groundwater withdrawal permit from the EAA or, at minimal, indicate that "other rules may apply."

We thank you for addressing many components of quarry operations that have long been a cause of concern to GEAA and our member groups. We particularly appreciate Section 4.2 , "As portions of the quarry are abandoned, stabilization should occur in that portion, rather than waiting until the entire quarry is abandoned." We are aware of quarry operations that are following this directive already, and have witnessed the recovery of wildlife habitat as a result of this practice. We further recommend that plans for recovery of the site be required from the outset.

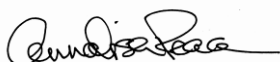
We also agree with the comments of Dr. Robert Fitzgerald regarding site inspections. Currently, TCEQ has no requirement to inspect a site during the application process for a proposed aggregate quarry, requiring only an air permit and a WPAP; the latter of which may be presented to TCEQ 48 hours prior to beginning a quarry operation. Clearly, this does not allow enough time for an adequate evaluation of the WPAP by TCEQ personnel. Under current requirements, a permit can be approved once the WPAP, the SPP and a storm water plan have been submitted, despite that fact that TCEQ personnel have not visited the site and only have a paper plan signed by a licensed engineer hired by the aggregate company. We believe it would be better for the applicant to notify TCEQ regarding the proposed quarry site to schedule a site visit by TCEQ personnel as step one in the permitting process. In this way, TCEQ can evaluate the proposed quarry site and make appropriate suggestions before the quarry is actually developed. We also recommend that there be an additional, unannounced, site visit each year. Currently, there is one comprehensive site visit required for operational quarries per year.

We further recommend that quarries on the Edwards Aquifer must not be allowed to apply for a No- exposure certification.

Although this may not be the appropriate venue to address the hearing process for permitting quarries, GEAA takes this opportunity to once more request that TCEQ provide for more public participation by providing public meetings, public hearings and contested case hearings for the water pollution abatement plans. This could be achieved by changing the WPAP to a Water Pollution Abatement *Permit*. Currently, public hearings on permits for new quarries can only address air quality issues. A venue for hearings to address concerns related to water issues, in particular as they relate to the Edwards Aquifer, is lacking under current TCEQ governance.

Again, thank you for the opportunity to submit these comments, and for providing those of us who rely on the Edwards Aquifer solid improvements to the regulation of quarry operations within our region.

Sincerely,



Annalisa Peace
Executive Director