

Court Order # 38595a
Kerr County Commissioners' Court Resolution
Regarding Aggregate Production Operations (APO) in Kerr County

WHEREAS Aggregate Production Operations (quarries, concrete batch plants, and hot mix asphalt plants) are necessary for the growth of Kerr County and our state; and

WHEREAS Aggregate Production Operations have been and attempt to be good neighbors; and

WHEREAS Aggregate Production Operations can be detrimental to our Hill Country's beauty; and

WHEREAS Aggregate Production Operations can be detrimental to air and water quality; and

WHEREAS Aggregate Production Operations when located near developed neighborhoods can present nuisances impacting quality of life and property values; and

WHEREAS There are no local or state requirements and regulations regarding reclamation of the land once quarry operations are complete; and

WHEREAS Kerr County has no authority to regulate Aggregate Production Operations outside of floodplain administration; and

WHEREAS The Texas Commission on Environmental Quality (TCEQ) is the permitting authority for such operations; and

WHEREAS The Court acknowledges and supports the rights of all stakeholders;

THEREFORE BE IT RESOLVED that the Kerr County Commissioners' Court encourages existing and potential Aggregate Production Operations to adopt Best Management Practices (BMP) as in order to minimize adverse health effects and nuisance issues. Proven best management practices assure industry profitability and shields citizens, schools and businesses from dust, noise, traffic, water and river degradation; and be it

FURTHER RESOLVED that Kerr County Commissioners' Court does hereby urge the Texas State Legislature to enact legislation to protect interests of the aggregate operators, provide materials necessary for the state's growth and maintain quality of life for Hill Country residents and visitors.

Passed and Adopted the 1st day of March, 2021



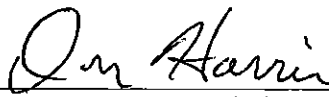
Rob Kelly, County Judge

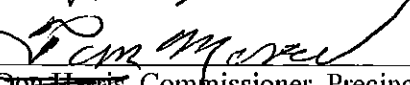
NOT PRESENT

Harley David Belew, Commissioner Pct. 1

NOT PRESENT

Jonathan Letz, Commissioner Pct. 1



~~Tom Moser~~, Commissioner, Precinct 2
Don Harris 4


~~Don Harris~~, Commissioner, Precinct 4
TOM MOSER 2

Kerr County Commissioner's Court

Resolution in Support of Texans for Responsible Aggregate Mining

WHEREAS, Texas is experiencing a period of significant growth, resulting in a need for aggregate materials for roads, building construction, energy production, and other commercial activities, and

WHEREAS, Aggregate Production Operations (APO) in Texas are not required to adopt best management practices (BMPs) that are required in other states, so the majority of operators do not use these practices in Texas, and

WHEREAS, as a result, the expanding APO industry is having an increasingly negative impact on the health, safety, property rights, property values, natural resources, and long-term quality-of-life in neighboring communities, and

WHEREAS, Texans for Responsible Aggregate Mining (TRAM), comprised of member groups from across the state, seeks to work with lawmakers, state agencies, and good-faith industry operators to create state standards for BMPs in the APO industry and to adopt those standards into law, and

WHEREAS, TRAM seeks to address the following Seven Key Issues that, when addressed, will result in healthier, safer, and more desirable communities, as well as a stronger APO industry in Texas:

- 1) Air particulate emissions
- 2) Water use and availability
- 3) Surface and ground water contamination and flooding
- 4) Rapid development of APOs without adequate regulatory oversight
- 5) Truck traffic (emissions, road safety, and maintenance)
- 6) Nuisance issues (blasting, noise, odor, light trespass, ,visible blight)
- 7) Economic impacts

WHEREAS, TRAM is a vehicle by which local resident groups can speak with one voice to policy makers and in the media, pursue a collective strategy, develop working relationships with good-faith industry operators and other interested parties, and disseminate information to member groups;

NOW, THEREFORE LET IT BE RESOLVED, that KERR COUNTY COMMISSIONER'S COURT supports the adoption of laws that strengthen Texas communities, as well as the APO industry, by addressing the Seven Key Issues associated with aggregates activity.

LET IT ALSO BE RESOLVED, that KERR COUNTY COMMISSIONER'S COURT supports TRAM's pursuit of such laws through thoughtful collaboration with policy makers and industry, for the benefit of all Texans.

Passed and Adopted the 19 day of MARCH, 2021

Rob Kelly, County Judge

Not Present
Harley David Belew, Commissioner Pct. 1

Not Present
Jonathan Letz, Commissioner Pct. 1

Tom Moser, Commissioner, Precinct 2

Don Harris, Commissioner, Precinct 4