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Comal residents continue to oppose quarry

By Elena Bruess Staff Writer

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Vulcan Materials, an Alabama-based construction company, wants to make a 1,500-acre limestone quarry between New Braunfels and Bulverde. Marvin Pfeiffer, Staff / San Antonio Express-News

Comal County community members are contesting an air quality permit for a proposed 1,500-acre limestone quarry between New Braunfels and Bulverde, arguing that the quarry is harmful for human health and welfare.

Environmental organizations in Hill Country requested a rehearing with the full 3rd Court of Appeals this month after Vulcan Materials — an Alabama-based construction company — secured its air quality permit for its new quarry from the state.

A district court decision stripped the permit from Vulcan in 2021, but a three-judge panel of the 3rd Court of Appeals reversed that result Sept. 29, allowing Vulcan its permit.

This flip-flop frustrated environmentalists and residents who have opposed the quarry since the construction company applied for the permit in 2017.

“I’ve spent an inordinate amount of time on this, but you know this has turned into more than just me protecting where I live and my family,” said Milann Guckian, president of Preserve our Hill Country Environment Foundation, a nonprofit

established to protect the region. “What we’ve come to understand is this is a statewide problem and permitting like this is a problem.”

Residents, such as Guckian, asserted that the three-judge panel was unfair because only two of them were current, elected judges. The court appointed a third judge, who is retired, to the panel, and he authored the opinion. He wrote that the quarry’s impact would be minimal and its contamination levels would be low, meaning further investigation would not be necessary.

“We put in a motion for rehearing in front of the full appeals court,” Guckian said, “which means all six judges, the ones elected by the citizens of Texas, not from somebody who just lost their seat.”

The proposed quarry spurred community members to raise concerns over contamination of the Edwards Aquifer and surrounding air quality. The Edwards Aquifer recharge zone, which is the most vulnerable part of the aquifer system, is just 3 miles from the proposed quarry site. Additionally, the quarry would emit hazardous dust and tiny particulates into the air, and increase traffic in the area.

Increased truck traffic emits pollution as well by spewing diesel exhaust into the air — which is harmful to breathe, said Cliff Kaplan, program director at Hill Country Alliance, a nonprofit dedicated to protecting the region’s environment. Additionally, quarry blasting — which drills holes into the earth and fills them with explosives — can be damaging to surface and groundwater.

“Impacts from a quarry like this one range from air quality to contamination of the aquifer and water consumption,” Kaplan said. “These operations use a lot of water. Also, the impact on roads, often county roads, are just not engineered or funded to have constant heavy truck traffic on them.”

The company submitted modeling data to the Texas Commission on Environmental Quality — the state’s environmental regulator — in 2017 to show that the substances coming from the quarry would be harmless.

The results showed that the expected contamination was too low for concern. However, Vulcan considers any specific data on this testing a “trade secret” and does not have to publish it or disclose it to the TCEQ or the community. There are more than 1,000 active stone quarries across Texas. Their numbers have risen sharply, going from 639 in 2013 to 1,056 in 2020. In Hill Country, there are 142 quarries, including 27 in Bexar County — the most in the region.

Across Texas, air quality permits are overwhelmingly approved by the TCEQ. However, contesting these permits is expensive and time-consuming. The residents in Comal County created the Preserve Our Hill Country Environment nonprofit just to keep moving forward.



The crowd holds up disagree signs at a hearing in 2018 at Boerne Middle School North concerning Vulcan Materials' plan to open a concrete batch plant. Contributor file photo

“We’re going to keep going on no matter what; we’re going to just keep trying to fight this,” Guckian said. “We’re not going to go away. Yes, it’s tiring at times, frustrating at times, but it’ll be worth it for all of us.”