

OPA

JUN 13 2006

BY gr

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
2006 JUN 12 PM 4:37
CHIEF CLERKS OFFICE

Fax # 512-239-3311

Re: Permit 78844 ²/₅ ^{Foggers}

After learning Saturday that there is a possibility of a Cement Plant at the bottom of the hill to my home. I'm upset with the thought of dirty air being blown in the up draft & ruining my property - affecting my breathing - my husband and I are both seniors with allergies.

Handwritten initials or marks at the bottom right corner.

I've made numerous calls today; however, no one has been able to confirm any of the following

- 1) Was the proper notification published?
- 2) Has the land purchaser or Cement Co. Owner definitely decided on this location.
- 3) What we need to do to protest this type of industry in our back yard.
- 4) The person I spoke with said I would need Technical information to protest - I ask for the name of the Company but they do not have any history. So, this maybe the only "bad" history is that they do not have any history.

- 5) I understand the the
Commissioners Of only
controls Driveways & Septic -
- 6) Who can help a homeowner?

This whole area is built up
with homes -

Please respond and if there
is anyway to delay approval
of the permit - I would
certainly appreciate it.

Edwina Bagley
3491 Karat Ridge
Canyon Lake TX 78132-2016
830-643-9562

OPA

AUG 10 2006

August 9, 2006

BY DL

Reference: Canyon Lake Ready Mix Appl for Air Quality Standard Permit
Registration Number - 78844

*WSP
52887*

Dear Sir or Madam:

Please do not allow the about application. The air pollution in this populated area would be immense. There are plenty of sites off FM 306 where this business could operate with less impact to the air quality.

Thank you,

Mr. & Mrs. K. Bolt

Mr. And Mrs. K. Bolt
2496 Island View
Canyon Lake, Texas 78133

2006 AUG 10 AM 10:07
CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

DL

14 Aug 2006

2006 AUG 16 AM 10:20

AUG 16 2006

CHIEF CLERKS OFFICE

BY

D

To Whom It May Concern

WSP
5288X

re: no to Cement Plant on 2673
Reg # 78844

Air Quality

Please be aware of potential
to harm the nesting area
of the Golden-cheek warbler.

In our area of Canyon Lake,
Tx there is large tracts of land
all around where the
cement plant wants to build.
The dust that will be blown
into the area will harm
their nesting habitat

We have high winds
thru the valley - and you
guessed it - cement dust
will be blown into this
valley. If you need proof
please feel free to come
here.

Davis + Jones Buddy
1005 Highland Terrace
Canyon Lake TX 78133

see
1

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY



2006 AUG 16 AM 10: 20

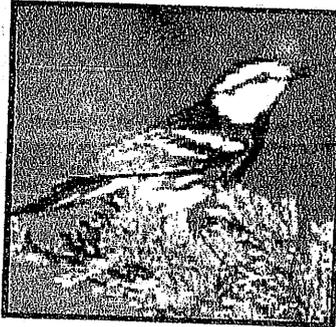
They are here in our area :)

[Site Map](#)

CHIEF CLERKS OFFICE

[Home](#)

I work at The Crossings, located in Texas Hill Country on acreage set aside as a land preserve for the protection of the golden-cheeked warbler. The following is information on this lovely little song bird!



The Golden-cheeked Warbler is a rare species with one of the most restricted breeding ranges in all of North America. Texas is the only state in the union where this bird nests. Except for two fall migration records from Florida and the Farallon Islands off California, this bird has never been found anywhere else in the U.S. Unfortunately, the impacts of a century and a half of urbanization and land-clearing for

agriculture have conspired to reduce numbers of this beautiful bird to an estimated 5,000 to 15,000 pairs confined to a 30 plus county area of the Edwards Plateau, Lampasas Cut Plains and Llano Uplift. On May 4, 1990, it was placed on the Federal Endangered Species List by means of an emergency rule due to significant declines in population, reductions of overall range and continuing loss of nesting habitat in several key counties.

Winter Distribution and Migration: Golden-cheeks winter in the pine-oak highlands of southern Mexico and Central America. They migrate overland until they reach their Texas breeding grounds.

Description: The Golden-cheek measures from 4.5 to 5 inches long with a wingspan of 8 inches. The male has a black back, throat and cap with snappy yellow cheeks with a black stripe through the eye. The females resemble the males, though they are less colorful.

Habitat: Golden-cheeks are strict habitat specialists found breeding only in "cedar brakes" of the Texas Hill Country. While the 30 to 50 foot juniper-oak woodlands may not hold a candle to the magnificent forests of Appalachia or the Pacific Northwest, in a very real sense, this bird is an "old growth forest" species. It shares many of the same problems besetting other habitat specialists like the Great

Canyon Lake

Spotted Owl and Cerulean Warbler.

Prime nesting habitat consists of tall, dense, mature stands of Ashe Juniper mixed with hardwoods such as Plateau live oak, Texas red oak, Shin oak, Texas ash, Cedar elm, Arizona walnuts, Escarpment black cherry, and hackberries. This type of woodland thrives in relatively moist areas such as steep-sided canyons and slopes dotted with springs and seeps. Where you find steep canyons with old junipers and thick patches of hardwoods cloaking the sides, deciduous trees along drainage bottoms, creeks and draws, you will find the bird enjoying an ideal mix of vegetation. They can also be found in lower densities in drier, flatter upland juniper-oak habitats consisting of post oak, live oak and blackjack oak, but this is not considered their prime habitat.

Warblers require a combination of mature Ashe juniper and hardwoods in their nesting habitat. A common question asked is why do they need mature trees and how old does a juniper have to be to consider it mature. Mature juniper trees vary in age and growth form depending on many factors on the site where they are growing. Soils, moisture, aspect, slope and location as well as past land use practices all play a role. Trees which have shredding bark at least near the base are an essential element on the nesting territory, as the females uses this bark to construct the nest. Trees need to be at least 20 to 30 years old and 15 feet tall before they show this quality. Interestingly, no other species of juniper occurring within the bird's range provide acceptable nesting material for the female Golden-cheek.

Habitat structure is also important. Birds prefer wooded areas with a moderate to high density of trees with dense foliage in the upper canopy. They prefer large tracts over small isolated tracts, a good mix of juniper and hardwoods with variability in tree heights and lots of deciduous tree cover. A pure stand of scrubby juniper is not ideal habitat at all. Ideal habitat must also have water. Proximity to water is essential for drinking and bathing. Prime habitat also seems to occur on steep canyon slopes with rugged terrain perhaps because of the greater surface run-off and seepage that occurs there. This favors luxuriant growth of deciduous trees and more insect food production. Fires historically don't affect steep slopes nor are they practical for agricultural clearing which may also be key factors.

Foraging: Golden-cheeks feed almost entirely on insects, especially soft-bodied caterpillars, spiders, beetles and other small critters found in the foliage of the tree canopy. They tend to avoid the spiny type caterpillars, though. Oaks are especially important as foraging

Canyon

Dust
will
settle
into
these
areas

trees during the nesting season. Relatively moist conditions such as those found in canyon bottoms, along draws and creeks and cool wooded slopes are great for the production of insects.

Territory and Nesting: Male Golden-cheeks arriving in mid-March will set up a territory from 3 to 6 acres which he will defend vigorously through song against all other males of the species. Territories in prime habitat tend not to be as large and those in sub-optimal habitats. The female alone builds the nest. Golden-cheek nests are examples of near-perfect camouflage. They are perhaps the hardest for biologists doing nest surveys to find. You need sharp eyes, a keen search image, and tenacity to find one, they blend in so perfectly with their surroundings. Adding to the difficulty is the relatively high level averaging 15 feet (5'-32') off the ground. In late March and early April the female lays a single clutch of 3 to 4 eggs. Golden-cheeks usually lay only one clutch of eggs, unlike Cardinals and Mockingbirds, permanent residents, who may pull off up to three broods during a summer. Exceptionally, should a first clutch be destroyed or predated early in the season, Golden-cheeks will re-nest. During the incubation period, performed by the female, the male stays close by defending the territory and singing loudly from his favorite song posts. Eggs hatch in 12 days and young fledge 8 or 9 days after. The male takes on more paternal responsibilities as the fledglings continue to grow. At this time, family groups can be found both on territory and in creek bottoms on foraging trips.

Song: The best way to find a Golden-cheek is by hearing its song. The song is not hard to recognize once you become familiar with the wheezy buzzy notes. There are two main variations, Song-type A (ascending) and Song-type B (descending). Golden-cheeks also have a distinctive single, sharp chipping note which can be heard when the birds are foraging in the trees. This is very important for finding females and young which do not sing. It can also be a good clue to the proximity of a nest.

Natural Enemies: Golden-cheeks have a number of natural enemies including rat snakes and coach whips that climb up trees to the open-cup nest and eat eggs or a brood of nestlings. Scrub jays and especially Blue Jays have been cited as both egg and nestling predators. With the increase in urbanization, a large increase in the Blue Jay population has put extra strain on a declining warbler population. Other common predators include Virginia opossum, Fox squirrel, great-tailed grackles and possibly ring-tailed cats. Fire ants have also been mentioned They can eat hatchlings, cause adults to desert the nest by stinging the brood patch of the female while she is sitting on the eggs, and probably by reducing the invertebrate prey

ACCURATE INSPECTIONS

**David Bray
ICRC 62534**

CERTIFIED SENIOR CARPET INSPECTOR

720 Highland Terrace Dr., Canyon Lake, TX 78133
Tel & Fax 830-899-6821 / Mobile 830-708-0992

8/3/06

OPA

AUG 08 2006

BY de

Handwritten: F. O. O. O. C. C. / J. S. N.

T. C. E. Q. Office of the Chief Clerk
MC-105
P. O. Box 13087
Austin, TX 78711-3087

re: permit # 78844

Sir,
Refer to Canyon Lake Redy Mix, Inc. application for air quality standard permit, registration 78844.

It has come to our attention that Mr. William P. Murphy has received a permit to construct a batch concrete plant at 5001 F. M. 2673, Canyon Lake, TX. I am writing to strongly object on the grounds of health hazard. We can see this location from our property and the prevailing Southeast wind will put the dust and Portland directly into our house, to say nothing of the increase in diesel exhaust from large trucks. Allergy to dust is already a problem for me and this will only make matters worse.

The neighborhood directly in the line of fire for this dust and dirt and exhaust is made up of a lot of elderly people who came here to retire and get away from this type of pollution health hazard. Please give us some consideration when issuing these permits for industrial operations in a residential area.

Thank you for your consideration,
David Bray

Handwritten signature: David Bray

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 AUG - 8 AM 10:19
CHIEF CLERKS OFFICE

Edward W. Burdick
661 Highland Terrace Drive
Canyon Lake, TX 78133

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

2006 AUG 18 AM 10:47

August 17, 2006

CHIEF CLERKS OFFICE

ICEQ OFFICE OF THE CHIEF CLERK
MC-105
P.O. Box 13087
Austin, TX 78711-3087

*NSR
78844*

OPA

AUG 21 2006

BY

[Signature]

RE: Canyon Lake Ready Mix Inc. Application for
Quality Standard Permit Registration Number 78844

Dear Sir or Madam:

I am writing this letter in response to the Notice of Application for a concrete batch plant to be located in the vicinity of our area, neighborhood, and residence. As noted in the published application, refer to the Canyon Lake Ready Mix Inc. application for air quality standard permit registration number 78844, this proposed facility would emit various air contaminants and most notably, particulate matter.

My concern is the location of the facility which is upwind of the entire southern area of Canyon Lake. With the normal wind patterns and the topography of the area, this very fine particulate could easily dissipate over a large area of Canyon Lake where thousands of families reside. Many of these residents are elderly and are susceptible to known respiratory conditions, if the fine particulate matter to be emitted by this facility is approved for operation.

The health of our community is in jeopardy. As is noted in county records, the area is also growing with an increasing number of elderly retirees and families with young children.

Please do not approve this application in the proposed location.

Sincerely,

Edward W. Burdick

Edward W. Burdick

EWB/ab

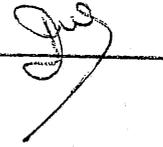
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OPA

August 13, 2006

AUG 17 2006

BY



CHIEF CLERKS OFFICE

206 AUG 17 AM 10:09

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

TCEQ Office of the Chief Clerk
MC-105
P.O. Box 13087
Austin, TX 78711-3087

*Loose
MSC*

To Whom It May Concern:

I am writing in regards to the proposed Concrete batch plant, proposed registration number 78844 in Canyon Lake. My family and I specifically relocated to this area from Houston for the improved quality of life particularly the quality of air. Houston is notorious nationwide for the number of red alert air pollution days and it would be awful for the same thing to happen to such a beautiful area. Growing up in such an environment has caused long term health problems for my husband that are also expensive.

I definitely want to be kept apprised of the situation and would be glad to address any hearings directly with my concerns.

Sincerely,



Erin Davis
1036 Highland Terrace Drive
Canyon Lake, Tx 78133

[Faint, illegible text at the bottom of the page]



August 2, 2006

OPA

AUG 04 2006

Barry Hargrove
642 Highland Terrace
Canyon Lake, TX 78133

BY *[Signature]*

TCEQ, Office of the Chief Clerk
MC-105
P.O. Box 13087
Austin, TX 78711-3087

*78844
NSN*

CHIEF CLERKS OFFICE

2006 AUG -4 AM 9:56

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

RE: Canyon Lake Ready Mix, Inc. Application for Air Quality Standard Permit Registration # 78844

Dear Sirs:

The above referenced permit application is for a cement "batch" plant to be located on FM 2673 just below the hill I live on at Canyon Lake. I suffer from allergies and have great concern about the reduced air quality if this cement plant is allowed so close to my home and my neighbors.

The front of my home faces South-South East and with the prevailing winds from that direction, the pollution and particulate matter will blow directly toward me.

The potential is so great for the severely negative health effects this "batch" plant will have on me as well as many others in such close proximity.

I feel certain you would have the same fears and concerns were your home located so near and down wind of such an operation. With the potential for such adverse health effects and air quality, I plea with all sincerity for your help and further investigation.

Sincerely,

Barry Hargrove
Barry Hargrove

August 7, 2006

TCEQ Office of the Chief Clerk
MC-105
P. O. Box 13087
Austin, TX 78711-3087

OPA
IPT AUG 09 2006
BY DL
78844
NSR

2006 AUG -9 AM 9:44

CHIEF CLERKS OFFICE

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Ref: Canyon Lake Ready Mix, Inc. application for Air Quality Standard Permit - Registration # 78844

I have been diagnosed with pleural plaque and pleural thickening of the lung walls related to asbestos exposure. I have been instructed by my doctor to avoid smoke, dust and other particulate matter, as it would be dangerous to my health to aggravate my condition. I moved to Canyon Lake 11 years ago because of the relatively clean air in the area.

My home is approx. 2500 feet due north of the location of the proposed industrial plant.

There is a prevailing south wind from the proposed location to my home. I am requesting the subject permit be denied and the plant be required to locate in a remote area where the dust will not be a hazard to my health.

Please place me on the mailing list to receive information on this permit application.

Respectfully,



Paul D. Hunsucker, Sr.
1409 Highland Terrace Drive
Canyon Lake, TX 78133

21

CPA

AUG 04 2006

BY [Signature] August 1, 2006

T. Leacock
N. S. C. A.

TO: TCEQ, Office of the Chief Clerk

From: Dale Leacock, Canyon Lake, TX 78133

RE: Permit Registration # 78844 - Canyon Lake
Ready Mix, Inc.

Dear Sirs:

I just retired and have plans to build on Lot 11 - Highland Terrace. My property is on top of a hill directly in line with the proposed cement plant on FM 2673.

After living for years with the smog in Houston, finally I'm able to move to the Hill Country. Fresh air! And now this cement plant threatens the air quality for many, many people in the immediate area, including me.

Please, please investigate this further before permitting this cement plant and jeopardizing our health. With ~~aggravated~~ asthma and breathing problems I fear I may never be able to live in beautiful

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2006 AUG - 11 AM 9:50
CHIEF CLERK'S OFFICE

Canyon Lake especially since my property is directly downwind of this proposed plant

I beg you to reconsider allowing and permitting this pollution maker so near so many older and unsuspecting citizens of the south side of Canyon Lake.

I thank you in advance for your consideration and further investigation.

Sincerely,

Dale Leacock

52887
NSR

Jackie M. Lovell
3720 Lariat Ridge
New Braunfels, TX 78132

830-899-3306 fax 830-899-3346 cell 830-832-7804

June 26, 2006

OPA

JUN 28 2006

BY



LOVELL
NSR

CHIEF CLERKS OFFICE

2006 JUN 28 AM 10:07

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Office of the Chief Clerk
TCEQ MC-105
P. O. Box 13087
Austin, TX 78711-3087

Application for Air Quality Reg #78844

Gentlemen:

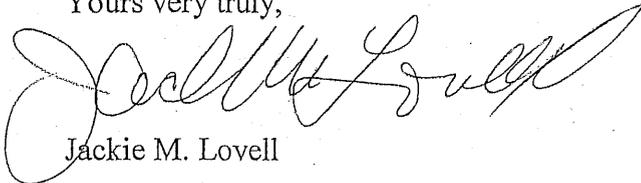
Please accept this letter as my personal aversion and protest to the proposed batch concrete plant planned for 5004 FM 2673, Canyon Lake, Texas.

The planned site is directly next door to personal residences and just down the hill from my home. The dust pollution will be an environmental issue. The noise pollution will be unbearable to those of us living so close. The site currently has been stripped of all vegetation without regard to neighbors and our environment.

There currently is no sign at the site indicating for sure what is to take place and when.

Thank you for your time and attention to this file.

Yours very truly,



Jackie M. Lovell

21

Manfred & Arline Nieder
606 Highland Terrace Dr., Canyon Lake, TX 78133-5267
Tel. (830) 899-5707 - Fax (830) 899-5725
email: manfred@gvtc.com

8-5-2006

TCEQ Office of the Chief Clerk
MC-105
P.O. Box 13087
AUSTIN, TX 78711-3087

*78844
Nieder*

OPA

AUG 09 2006

BY *ll*

CHIEF CLERKS OFFICE

2006 AUG -9 PM 2:56

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

Ref.: Canyon Lake Ready Mix Inc. Application for Air Quality Standard Permit
Registration # 78844

It was with great disappointment that we saw the referenced application. We live on Highland Terrace, one of the premier subdivisions in Canyon Lake, less than 1 mile due north of the proposed site for the Ready Mix Plant. Besides the natural beauty of this area, we considered air quality as one of the key factors for our decision to move to Canyon Lake 7 years ago, since my wife suffers from serious sinus allergies.

With the prevailing winds coming from the south (>90% of the time), we would be the primary recipients of the pollution created by the proposed plant. Of particular concern are cement & aggregate dust and the emissions from all the heavy diesel engines associated with the delivery of raw materials and the transport of the finished product.

Since there are already 2 concrete plants within 15 miles of Canyon Lake – one in New Braunfels, and another one on Hwy46, just west of Hwy 281 – we would hope that reason prevails.

Respectfully yours,



Manfred J. Nieder

ll

FAX TO 3311
ATT: Brent ~~...~~ 2 pages
2006 SEP 12 AM 11:28
#3309 #18

CHIEF CLERKS OFFICE

George P. Walker III
P. O. Box 2022
Canyon Lake, TX 78133-0007
Tel: (830) 964-2237
Email Address: gwalker@gvtc.com

NSR
52887

OPA

SEP 13 2006

July 28, 2006

BY DL

Texas Commission of Environmental Quality
P. O. Box 13087
Austin, TX 78711-3087

Halger Chatelle

Re: Air Quality Permit #78844
Canyon Lake Ready Mix, Inc.

Gentlemen:

My wife and I wish to add our voices in protest of the Commission issuing a permit to Canyon Lake Ready Mix, Inc., to build a cement batch plant south of FM 2673 west of Sattler, Texas. We own property and an office building just east of Lois Lane and north of FM 2673, about 350' to 400' from the proposed batch plant. We have owned this property since 1985 when we built our office building.

The location of the Canyon Lake Ready Mix plant will greatly increase large truck traffic on this two-lane FM road, making traveling on this roadway more dangerous for school buses and automobile drivers. The air quality will be affected by concrete dust in the air, and noise pollution will certainly be increased. Also, the water needs for this type of plant are so great that our well will probably not be functional. Surely, there is open land more suitable for this type of commercial business that would not impact adjacent homeowners and nonpolluting businesses. Property values in the area will most certainly be lowered by the issuing of this Permit resulting in lost revenue for Comal County.

For the above reasons, we respectfully request that this Air Quality Permit be denied to Canyon Lake Ready Mix, Inc. Thank you.

Very truly yours,

George P. Walker III
George P. Walker III

Jeanne L. Walker
Jeanne L. Walker

DL