			10-10-2	
D	ri	nt	Fo	rm
_		111	1 (1	

TCEQ - Office of the Chief Clerk

MC-105 Att: SOAH Docket Clerk

PO Box 13087

Austin TX 78711-3087

Applicant Name: BM Dorchester LLC

TCEQ Docket Number: 2025-0482-AIR

Notice of Hearing

### **AFFIDAVIT OF PUBLICATION**

STATE OF TEXAS	§
COUNTY OF: Grayson	§
Before me, the undersigned authority, of	on this day personally appeared
Sherry Groves	, who being by me duly
	resenting newspaper)
sworn, deposes and says that (s)he is t	he Agent
	(title of person representing newspaper)
of the Herald Democrat	; that said newspaper is generally
(name of new	
B. L.	
circulated in <u>Dorchester</u>	municipality to location of facility/proposed facility)
(municipality of hearest)	manicipality to location of facility) proposed facility)
that the attached notice was published	in said newspaper on the following date(s):
May 22, 2025	
	(date(s))
	Sherry Groves
	Newspaper Representative's Signature
	Tremspaper Representative a signature
Subscribed and sworn to before me this	s the 29th day of May
20 25 , to certify which witness	my hand and seal of office.
	Son Wush
STACI WOODS	Notary Public in and for the State of Texas
(Seal) Notary ID #131272 My Commission Exp September 7, 20	pires \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \
(COF)	Print or type Name of Notary Public
*	My Commission Expires 9 7 25
	00001

# **LIFESTYLES**



Spiderwort at creek courtesy photo

# The Garden Revolution

#### **Bv Beckv Emerson** Carlberg

Special to the Herald Democrat

My garden has been revamped untold times as it evolves into a potted plant extravaganza. So many containers of all sizes and most are on the concrete driveway and floor of the non-existing garage where two greenhouses now reside. The rest are on the tile annex to the west that ends at the small potting shed, summer home of the Star Jasmine. The entire area was wiped out in the May 19th 2013 tornado.

While working outside, a delivery person came carrying a box. I spoke about all the pots. He raised his eyebrows and asked how many pots and how many types did I grow? I had to tell him pot as clay or plastic and could tell he was a bit crest-fallen. He brightened up and retorted pot can now be grown in Oklahoma. I agreed, but it must be medical-grade and require a license. So much for talking about cherry tomatoes or Hibiscus.

The Kentucky Coffee tree remained outdoors through the winter as did the Arkansas Bluestems, the Yucca, the raspberry and a few others. The rest are more tropical and are currently acclimating to the Oklahoma spring. Joining them are Comfrey plant, Cross Vine and Yellow Crownbeard, courtesy of Master Gardener Linda Smith.

The Comfrey by my rain gauge did not survive. The replacement has a better chance in partial shade by the birdbath that is

regularly filled with water. The new Cross Vine (Bignonia capreolata), planted by the plant shed, gets its name from the cross-shaped pattern inside a cut stem. The plant looks like a Trumpet Vine (Campsis radicans), but the tube flowers have yellow throats unlike the trumpet blooms with solid red or orange. Nevertheless, they are related and in the same trumpet-vine plant family Bignoniaceae.

Putting in the Cross vine necessitated removing a lot of overpowering Japanese Honeysuckle and Arundo Donax, a very invasive tall reed originally from the Greater Middle East. For the time being, the Cross vine is in control.

Yellow Crownbeard (Verbesina helianthoides) also did not survive in the triangle by the road, but a new collection has been added next to the Jerusalem artichokes (Helianthus tuberosus). Within hose range. The idea is these plants in the sunflower family would bolster each other and give words of encouragement during the hot summer. Giant Hyssop (Agastache sp) was planted behind the sunflowers as added support.

The heirloom tomatoes, okra, and potatoes are up and away. Might need to move the potatoes into larger pots if they stay alive. Last year the vine borers attacked and that ended my potato venture. The Delicata squash has taken over a 25 gallon pot, but we're not out of the woods yet. Squash is notorious for attracting hungry insects. The Plumeria

and fig plants are hanging out in partial shade under the cottonwood tree, while pineapples perk up along the east side of the greenhouse.

Next morning I found a small patch of Gaura parviflora along one backroad. The very short Gaura with small flowers blooms in spring. Knowing this might not be the best

time to transplant, I made sure there were several in the area before pulling one out. Next to the Gauras were a few thread-leaf Coreopsis, so two of those joined the

As soon as I was home, the wildflowers were put into pots of good quality potting soil. They didn't care how good and drooped their heads to the ground. The Whirling Butterfly Gaura (Oenothera lindheimeri), growing in the driveway, had no future where they had planted themselves. They too were dug and potted. These should become much taller and

bloom later in the season. Unless the weather has other plans. The pea to grape-sized hail fell for several minutes at 10 pm and again at 2:10 am in two separate storms. Three inch to baseball-sized ice orbs hit to the west. Other than some small branches and leaves brought down, the rips and holes were minimal.

So far so good. The hose can just about reach everyone. The summer solstice is less than a month away. As spring swings into summer, the leaf cover will change and the plants will either flourish or need to be re-positioned elsewhere.

Plants in the front yard under the oaks presented a surprise. The Carolina roses (Rosa Carolina) have more blooms then they've had for years. Growing in two areas, the striking fragrant deep pink flowers sparkle in the landscape. Native to this area, the water requirements are low and they can tolerate partial shade. Attractive to hummingbirds and bees, the Polyphemus moth is a special visitor. The giant silk moth with a 6 inch wingspan has huge purple eyespots on the hindwings. She lays her eggs not only on deciduous trees and shrubs but also



Herbicide covered green milkweed courtesy photo

the Carolina rose. After the eggs hatch, the caterpillars dine on the plant. The very visible large larvae are bright green with red dots on the side.

The green milkweeds are so prominent with their flowers standing out among the grasses and along sides of roads. Where herbicide was sprayed 2 years ago, most native plants have never returned, but the milkweeds have tried. Not without modifications. The inner flowers are very tiny, but the reflexed floral petals below are extremely large and narrow. The leaves are smaller.

For the most part, invasives have moved in: Musk thistles, tall fescue, Bermuda grass and Johnson grass. I miss the Dewberries, fleabanes,

winecup mallows, sunflowers and other natives that beautified the roadsides and provided nourishment for the wildlife.

Maybe that's the way it is here. Few of my neighbors have gardens or flowers. They just mow the same area year after year. Those of us who realize our native plants and animals are at risk are doing what we can. Even tiny little postage stamp gardens or pots of flowers or veggies work! Leave bands or corridors un-mowed. Wildflowers used to blanket this area. You may be amazed after a year or two what nature can do without a power mower.



field of wildflowers courtesy photo

# TO ALL INTERESTED PERSONS AND PARTIES:

BM Dorchester LLC, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit 167047, Prevention of Significant Deterioration (PSD) Air Quality Permit PSDTX1602, and Greenhouse Gas PSD Permit GHGPSDTX212, which would authorize construction of a Portland Cement at the following driving directions: from the intersection of Highway 289 and Highway 902 east of Dorchester head east on Highway 902 for approximately 0.80 miles - the site will be located directly north of Highway 902 after the intersection of Taylor Road, Dorchester, Grayson County, Texas 75459. This application was processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. Additional information concerning this application is contained in the public notice section of this newspaper.

# **Herald Democrat**

heralddemocrat.com • 903.893.8181

**PUBLISHER Jeremy Gulban** jgulban@cherryroad.com

**EDITOR Future Brown** 

903-893-8181 opt. 7 • sbrown@heralddemocrat.com

**ADVERTISING Becky Matchen** bmatchen@cherryroad.com

SUBSCRIPTION AND CIRCULATION 903-893-8181 opt. 1 • subscriberservices@heralddemocrat.com

CherryRoad

**GRAPHIC DESIGN Andrea Reategui** mreateguichavarri@cherryroad.com heralddemocrat.com • 903.893.8181

The Herald Democrat is published daily Tuesday through Sunday at 603 S. Sam Rayburn Fwy., Sherman, TX 75090 (also P.O. Box

Postmaster: Send change of address to Herald Democrat. P.O. Box 1128, Sherman, TX 75091. USPS 494060. Print delivery available only within the newspaper distribution area.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



NOTICE OF HEARING **BM Dorchester LLC** SOAH Docket No. 582-25-17420 TCEQ Docket No. 2025-0482-AIR Air Quality Permit Nos. 167047 and PSDTX1602

#### APPLICATION.

BM Dorchester LLC, 1008 Southview Circle, Center, TX 75935-4537, has applied to the Texas Commission on Environmental Quality (TCEQ) for issuance of Proposed Air Quality Permit 167047 and Prevention of Significant Deterioration (PSD) Air Quality Permit PSDTX1602, which would authorize construction of a Portland Cement Plant at the following driving directions: from the intersection of Highway 289 and Highway 902 east of Dorchester head east on Highway 902 for approximately 0.80 miles - the site will be located directly north of Highway 902 after the intersection of Taylor Road, Dorchester, Grayson County, Texas 75459. This application was processed in an expedited manner. as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101 Subchapter J. The proposed facility will emit the following air contaminants in a significant amount: carbon monoxide, nitrogen oxides, organic compounds, particulate matter including particulate matter with diameters of 10 microns or less and 2.5 microns or less, sulfur dioxide, sulfuric acid, and greenhouse gases. In addition, the facility will emit the following air contaminants: hazardous air pollutants and lead.

The degree of PSD increment predicted to be consumed by the proposed facility and other increment-consuming sources in the area is as follows:

Sulfur Dioxide		
Maximum Averaging Time	Maximum Increment Consumed (μg/m³)	Allowable Increment (μg/m³)
3-hour	12	512
24-hour	4.5	91
Annual	0.3	20
$\mathrm{PM}_{10}$		
Maximum Averaging Time	Maximum Increment Consumed (μg/m³)	Allowable Increment (μg/m³)
24-hour	29	30
Annual	3	17
Nitrogen Dioxide		
Maximum Averaging Time	Maximum Increment Consumed (μg/m³)	Allowable Increment (µg/m³)
Annual	0.4	25
$\mathrm{PM}_{2.5}$		
Maximum Averaging Time	Maximum Increment Consumed (μg/m³)	Allowable Increment (μg/m³)
24-hour	8.7	9
Annual	1.4	4
(A)		

This application was submitted to the TCEQ on November 8, 2021. The executive director has determined that the emissions of air contaminants from the proposed facility which are subject to PSD review will not violate any state or federal air quality regulations and will not have any significant adverse impact on soils, vegetation, or visibility. All air contaminants have been evaluated, and "best available control technology" will be used for the control of these contaminants.

The executive director has completed the technical review of the application and prepared a draft permit which, if approved, would establish the conditions under which the facility must operate. The permit application, executive director's preliminary decision, draft permit, and the executive director's preliminary determination summary and executive director's air quality analysis, will be available for viewing and copying at the TCEQ Central Office, the TCEQ Dallas/Fort Worth Regional Office, and at the Howe Community Library, 315 South Collins Freeway, Howe, Grayson County, Texas. The facility's compliance file, if any exists, is available for public review at the TCEQ Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas.

# DIRECT REFERRAL.

The Consolidated Notice of Receipt of Application and Intent to Obtain Permit and Notice of Application and Preliminary Decision was published in English on July 9, 2024, and in Spanish on July 9, 2024. A Public Meeting was held on March 25, 2024. On March 20 2025, the Applicant filed a request for direct referral to the State Office of Administrative Hearings (SOAH). Therefore, the chief clerk has referred this application directly to SOAH for a hearing on whether the application complies with all applicable statutory and regulatory requirements.

# CONTESTED CASE HEARING.

The State Office of Administrative Hearings (SOAH) will conduct a preliminary hearing via Zoom videoconference. A Zoom meeting is a secure, free meeting held over the internet that allows video, audio, or audio/video conferencing.

> 10:00 a.m. - June 25, 2025 To join the Zoom meeting via computer: https://soah-texas.zoomgov.com/ Meeting ID: 160 229 8633 Password: TCEQ742 or

> To join the Zoom meeting via telephone: (669) 254-5252 or (646) 828-7666 Meeting ID: 160 229 8633 Password: 6485788

Visit the SOAH website for registration at: http://www.soah.texas.gov/ or call SOAH at (512) 475-4993.

The purpose of a preliminary hearing is to establish jurisdiction, name the parties, establish a procedural schedule for the remainder of the proceeding, and to address other matters as determined by the judge. The evidentiary hearing phase of the proceeding which will occur at a later date, will be similar to a civil trial in state district court. The hearing will be conducted in accordance with the Chapter 2001, Texas Government Code; Chapter 382, Texas Health and Safety Code; TCEQ rules including 30 Texas Administrative Code (TAC) Chapter 116, Subchapters A and B; and the procedural rules of the TCEQ and SOAH, including 30 TAC Chapter 80 and 1 TAC Chapter 155. The hearing will be held unless all timely hearing requests have been withdrawn or denied

To request to be a party, you must attend the hearing and show you would be affected by the application in a way not common to the general public. Any person may attend the hearing and request to be a party. Only persons named as parties may participate at the hearing.

In accordance with 1 Tex. Admin. Code § 155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH."

# INFORMATION.

If you need more information about the hearing process for this application, please call the Public Education Program, toll free, at (800) 6874040. General information regarding the TCEQ can be found at www.tceq.texas.gov.

Further information may also be obtained from BM Dorchester LLC at the address stated above or by calling Mr. Michael Meister, Trinity Consultants at (361) 883-1668.

Persons with disabilities who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-4993, at least one week prior to the hearing.

Issued: May 9, 2025

Laurie Gharis

Laurie Gharis, Chief Clerk Texas Commission on Environmental Quality Published in the Herald Democrat May 22, 2025.

3490710

# **PUBLIC NOTICE**

# City of Anna Ordinances

Ord 1145-2025-05 AN ORDINANCE OF THE CITY OF ANNA, TEXAS AMENDING THE ANNA CITY CODE OF ORDI-NANCES BY AMEND-G ATTACHMENT (IFC 2015 AMEND-ENTS), SECTION MENTS), 105.8.1 (CONSTRUCTION PERMIT FEES) AND TABLE 105.8.1 THERE-TO AND TABLE 105.8.2 (CONSTRUCTION/PER-MIT RE-INSPECTION FEES/AFTER HOURS INSPECTION FEES;
INSPECTION OF EXISTING PREMISES)
BY ADOPTING LOCAL
AMENDMENTS TO THE
2015 EDITION OF THE
INTERNATIONAL FIRE

# PUBLIC NOTICE

CODE AND PROVIDING FOR AN EFFECTIVE DATE.

Ord 1146-2025-05 AN ORDINANCE OF THE CITY OF ANNA, TEXAS CANVASSING THE RE-TURNS OF A GENERAL ELECTION OF THREE CITY COUNCIL PLACES FOR THREE-YEAR TERMS EXPIRING MAY

Ord 1147-2025-05 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANNA, TEXAS, ORDERING A RUNOFF ELECTION TO BE HELD ON JUNE 7, 2025, FOR THE PURPOSE OF ELECTING ONE CITY COUNCIL MEMBER; DESIGNAT-AN ORDINANCE

#### PROJECT ANNOUNCEMENT

#### SOUTHEASTERN OKLAHOMA STATE UNIVERSITY Landscaping 2025/2026

Southeastern Oklahoma State University is now soliciting bids for the above-mentioned project. For a bid packet go to https://www.se.edu/current-bids Bids are due no later than 2:00 p.m., May 29, 2025.

Published in the Herald Democrat May 1, 22, 2025. 3364860

#### NOTICE OF PUBLIC HEARING

Notice is hereby given that the City Council of the City of Van Alstyne, Texas, will hold a public hearing on **June 10, 2025, 6:30 p.m.**, Van Alstyne City Hall, 152 N Main Drive, Van Alstyne, Texas. The purpose of the hearing is to give all interested persons the right to appear and be heard on the proposed annexation by the City of Van Alstyne, Texas, of the property located at 919 Spence Rd, Van Alstyne, Texas, legally described as:

Lot 1, Block "A", of Holy Family Addition, as per plat of record in Document No. 2020-185, Plat Records, *Grayson County, Texas.* 

All interested citizens are invited to attend this public hearing and participate in same. More information may be viewed at www.cityofvanalstyne.us. Published in the Herald Democrat May 22, 2025.

3499930

Docket No. 57296

Notice for Publication

NOTICE OF APPLICATION OF Mustang Special
Utility District TO AMEND ITS CERTIFICATE
OF CONVENIENCE AND NECESSITY TO
PROVIDE SEWER UTILITY SERVICE IN Grayson COUNTY, TEXAS

Mustang Special Utility District (Mustang SUD) has filed an application with the Public Utility Commission of Texas to amend its sewer Certificate of Convenience and Necessity (CCN) No. 20930 for the provision of retail sewer utility service in Grayson County. Texas.

The requested area overlaps the district boundaries

Choctaw Watershed Water Improvement District (WID) Greater Texoma Utility Authority

Kings Crossing Municipal Utility District Red River Authority of Texas.

If these districts do not request a public hearing, the Commission shall determine that the district is consenting to the Mustang Special Utility District's request to provide retail sewer utility service in the requested area.

The requested area is located approximately <u>1</u> mile southeast of downtown Dorchester, Texas, and is generally bounded on the north by Farm to Market Road 902; on the east by Matthews Road; on the south by Hall Cemetery Road; and on the west by John <u>Field Lane</u>.

The requested area includes <u>0</u> customer connections and approximately 1,424.3 acres of uncertificated area to amend (add) to Mustang SUD (CCN No. 20930).

The application proposes the addition of approximately 1,424.3 acres to CCN No. 20930.

A copy of the maps showing the requested area are available at: 7985 FM 2931, Aubrey, TX 76227

Persons who wish to intervene in the proceeding or comment upon action sought should contact the Public Utility Commission, P.O. Box 13326, Austin, Texas 78711-3326, or call the Public Utility Commission at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals with text telephones (TTY) may contact the commission at (512) 936-7136. The deadline for intervention in the proceeding is (30 days from the mailing or publication of notice, whichever occurs later, unless otherwise provided by the presiding officer). You must send a letter requesting intervention to the commission which is received by that date. The letter must include the person's name, address, email address and fax number if applicable.

If a valid public hearing is requested, the Commission will forward the application to the State Office of Administrative Hearings (SOAH) for a hearing. If no settlement is reached and an evidentiary hearing is held, SOAH will submit a recommendation to the Commission for a final decision. An evidentiary hearing is a legal proceeding similar to a civil trial in state district court.

A landowner with a tract of land at least 25 acres or more, that is partially or wholly located within the requested area, may file a written request with the Commission to be excluded from the requested area ("opt out") within (30) days from the date that notice was provided by the Utility. All opt out requests must include a large-scale map, a metes and bounds description of the landowner's tract of land, landowner's name, address, email address and fax number, if applicable.

A landowner that opts out from the requested area releases the applicant's obligation to provide retail water or sewer utility service to the removed land for any reason.

Persons who wish to request this option should file the required documents with the: Public Utility Commission of Texas

Central Records 1701 N. Congress, P. O. Box 13326 Austin, TX 78711-3326

In addition, the landowner must also send a copy of the opt out request to the Utility. Staff may request additional information regarding your request.

Si desea información en español, puede llamar al 1-888-782-8477.

Published in the Herald Democrat May 22, 29, 2025. 3499140

# **PUBLIC NOTICE**

ING POLLING PLACES: ORDERING NOTICES OF ELECTION TO BE GIVEN; AUTHORIZING EXECUTION OF ELECTION CONTRACTS; PROVIDING A REPEAL-ING CLAUSE; PROVIDING A SEVER-ABILITY CLAUSE; AND PROVIDING FOR AN EF-FECTIVE DATE.

Democrat May 22, 29, 3494240

#### NOTICE OF PUBLIC HEARING

Published in the Herald

2025.

The Commissioners Court of Grayson Countv. Texas will hold a Public Hearing on Tuesday, June 10, 2025, at 10:00 a.m. in the Grayson County Courthouse Commissioners Courtroom at 100 W. Houston, Sherman, Texas, at which time the Grayson County Commissioners will:

Discuss and receive comments pursuant to Texas Transportation Code 251.013 on a proposed Order of the Commissioners Court to Redesignate Farmington Road to Blythe Road (located between Howe and Van Alstyne) and Redesignate County Road 80 to Willy Vester Road/ Pemberly Court (located east of Van Alstyne).

All interested persons are invited to speak and present evidence for or against the proposed Or-

NOTICE OF TANCE AT ASSIS-PUBLIC MEETINGS: Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Julie Lollar (903) 813-4237 prior to the meeting so that appropriate arrangements can be made.

Published in the Herald Democrat May 22, 2025.

#### TABC PERMIT RENEWAL **COWBOY CLUB VA**

RENEWAL APPLICATION HAS BEEN MADE FOR A PRIVATE CLUB PER-REGISTRATION MIT, PRIVATE CLUB LATE HOURS PERMIT, AND A BEVERAGE CARTAGE PERMIT FOR COWBOY CLUB VA, 15027 US HWY 75, VAN ALSTYNE, GRAYSON COUNTY, TEXAS 75495. SAID APPLICATION HAS BEEN MADE TO HAS BEEN MADE TO THE TEXAS ALCOHOL-IC BEVERAGE COMMIS-SION IN ACCORDANCE WITH THE PROVISIONS OF THE TEXAS AL-COHOLIC BEVERAGE CODE. OFFICERS ARE AS FOLLOWS: AMANDA KEHLER PRESIDENT/ SECRETARY, RICHARD BROWN, VICE-PRESI-DENT/TREASURER Published in the Herald Democrat May 22, 29,

3499450

#### PUBLIC HEARING LAKE RAY ROBERTS **ZONING BOARD**

The Lake Ray Roberts Zoning Board will hold a meeting Thursday, May 29th, 2025 at 6:00 P.M. at Tioga City Hall located at 600 N Main St, Tioga, TX 76271 to consider the following:

1) The request to approve special use permit to allow a private-use landing strip in an area zoned "A" (Agriculture) for A (Agirculture) for 17.623 acres, 6-0239 Case Joel T A-G0239, currently in the ETJ of Tioga. Located at the SE corner of Main Street & FM 121. (Parcel IDs: 131447)

2) To approve special use permit to allow a Warehouse to remain in a "FL" (Flood Zone District) for à 4.274-acre tract located on Buck Creek Road approximately 500 feet west of its intersection with US 377 (Parcel ID 385062).

All interested citizens and property owners of Grayson County are invited to attend the public hearing and participate in the same.

 $\begin{array}{cc} NOTICE & OF \\ TANCE & AT \end{array}$ ASSIS-TANCE AT MEETINGS: PUBLIC Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact Melissa Mizell at (903) 813-4581 prior to the meeting so that appropriate arrangements can be

Published in the Herald Democrat May 22, 2025. 3501520