

# Leah Cuddeback

To Whom It May Concern,

I am concerned that the proposed list of Best Management Practices for Aggregate Production Operations is grossly inadequate. For starters, they do not address practices to minimize water consumption, noise, and light pollution, as was directed to by the Texas Legislature. The BMPs for the areas they do address — dust and water storage — also warrant serious improvement.

Our region is dealing with a historic drought and long term weather conditions are expected to be increasingly more arid. As heavy industrial APO businesses grow across the Hill Country region (particularly in Comal and Hays County, where I live) we are only increasing our demand for water - and in the case of these operations, extreme water waste.

The BMPs you share should have a focus on water consumption and management - it's ridiculous that they do not currently include such precautions, especially since there are known examples of better water management in APOs that could be shared. Texans for Responsible Aggregate Mining (TRAM) shared numerous examples of better, more specific recommendations which appear to have been ignored - and the below three recommendations regarding water especially should be added to your final draft.

- 1) Water quality: Vegetation is an inexpensive and effective way to protect soil from erosion and filter contaminants, protecting water quality in nearby streams and aquifers. It also protects air quality by holding dust down and filtering the air. Vegetative controls should consist of native plants appropriate for the Texas ecoregion where the site is located and must not include any noxious or invasive species.
- 2) Water use: Maximize the use of process wastewater, which cannot be discharged without treatment but can be reused in site operations. Managing fine tailings to reduce the amount of tailings in settling ponds with a tailings thickener system and/or flocculant and thickener are key BMPs that are understood, accepted and utilized by many APOs. These facilities can provide additional recycled water to reduce overall APO water use, water loss and reduce land use.
- 3) Riparian health and safety: The following is a list of suggested BMPs for riparian areas. Incorporating these practices into your operations will preserve the quality of the land and water and reduce the risk of catastrophic "pit capture" (when a river breaks through the riverbank or constructed levy and merges with the mine pit, as has happened countless times in Texas, due to poor mining practices):
  - a. Maintain undisturbed setbacks from at least 50 feet from the water's edge and preferably 200 feet.
  - b. Create a buffer between mining activities and the waterway.
  - c. Leave large woody debris in the floodplain.
  - d. Quarry above the water table only.
  - e. Minimize use of heavy equipment in riparian areas to protect vegetation and reduce soil compaction.

The TCEQ should further develop their list of BMPs, making sure to thoroughly address all of the issues that the Legislature directed them to address. As they currently stand, these are vague

management practices, NOT best.

Sincerely,

Leah Cuddeback