

11675 Jollyville Road  
Suite 300  
Austin, Texas 78759



Phone: (512) 250-0411  
Fax: (512) 250-0749  
TexasMunicipalLawyers.com

February 14, 2024

Laurie Gharis  
Chief Clerk  
Texas Commission on Environmental Quality  
Office of the Chief Clerk, MC-105  
PO Box 13087  
Austin, Texas 78711-3087  
*Via E-file*

**Regarding: Rock & Concrete Crusher / Proposed Air Quality Registration # 173335  
Travis Material Group, Ltd.  
*Resolution by the City of Bastrop City Council***

Chief Clerk Gharis:

As legal advisor to the City of Bastrop, Texas, I respectfully submit the attached resolution for your consideration. Please include it among the records on this pending matter.

On behalf of the citizens of Bastrop, including those in our City Limits and Extraterritorial Jurisdiction, the City of Bastrop wishes to express its concern about the proposed project. City officials have received numerous complaints and expressions of opposition to the project.

In accordance with Texas Health & Safety Code §382.112, as a local government the City is recommending to the Commission that exacting scrutiny be given to the permitting standards related to this matter, specifically nuisance dust, ambient air quality, and potential health impacts to neighbors and those in the region. It is also the City's request that the Commission carefully evaluate the project's anticipated impacts on traffic, safety, noise, appearance, and adjacent property values. It is our hope that the Commission will give maximum consideration to the City's recommendations.

Sincerely,

A handwritten signature in blue ink that reads "Alan Bojorquez".

Alan Bojorquez  
City Attorney  
City of Bastrop

enc: Resolution dated December 12, 2023

cc: Mayor Lyle Nelson, Bastrop  
City Manager Sylvia Carrillo, Bastrop

CITY OF BASTROP

RESOLUTION NO. R-2023 - 182

**ROCK & CONCRETE CRUSHING PLANT**

TCEQ Air Quality Registration Number 173335

**A RESOLUTION OF THE CITY OF BASTROP, TEXAS, CALLING FOR REVIEW OF A PROPOSED ROCK AND CONCRETE CRUSHING PLANT TO BE OPERATED BY TRAVIS MATERIALS GROUP, LTD, LOCATED IN THE CITY'S EXTRATERRITORIAL JURISDICTION, AND REQUESTING ADDITIONAL INFORMATION AND AUTHORIZING THE MAYOR TO SUBMIT COMMENTS TO STATE OFFICIALS ON BEHALF OF THE CITY COUNCIL**

**WHEREAS,** the City Council of the City of Bastrop ("City Council") finds it to be in the public interest and necessary to monitor certain developments when the risks of such developments do not favor the public safety, health, and general welfare of the City of Bastrop (the "City"); and

**WHEREAS,** Travis Materials Group, Ltd. (the Operator), has proposed and is pursuing a permanent rock and concrete crushing plant operation located in the City's Extraterritorial Jurisdiction (ETJ), Area A, in Bastrop County, Texas, near the intersection of FM 969 and Wilbarger Bend Road (the Proposed Facility); and

**WHEREAS;** the Operator filed documentation on July 12, 2023, seeking a permit from the Texas Commission on Environmental Quality ("TCEQ"), Air Quality Registration Number 173335, for which technical review was completed on October 4, 2023; and

**WHEREAS,** it is anticipated that the TCEQ conduct a public meeting on the proposed permit at which point public comment will be received and considered; and

**WHEREAS,** this issue has been brought before the City of Bastrop by citizens concerned about the health and safety of the Proposed Facility; and

**WHEREAS,** the City Council seeks to have a better understanding of the potential health and safety risks associated with the Proposed Facility, including air emissions and stormwater management (and the possible discharge of pollutants), all of which implicate the federal Clean Air Act and the Clean Water Act, as administered by the State of Texas; and

**WHEREAS,** in addition to environmental risks, the Proposed Facility may increase the volume and size of commercial vehicular traffic to the area; and

**WHEREAS,** the City Council seeks a reasonable analysis of the Proposed Facility site addressing the anticipated the environmental risks and traffic impacts, and whether the geographic location is compatible with the proposed facility; and

**WHEREAS,** the City Council finds it to be in the public interest to gather additional data, articulate the City's concerns, and ask state officials to carefully scrutinize the Proposed Facility.

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Bastrop:**

**Section 1:** The City Council hereby requests that the City Manager gather additional information and evaluate the potential impact of the Proposed Facility.

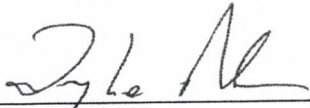
**Section 2:** The City Council hereby requests that the City Attorney work with the City Manager to draft possible comments to appropriate state agencies, offices, and representatives conveying the City Council's concerns.

**Section 3:** The City Council hereby authorizes the Mayor to submit comments to state officials on behalf of the City Council consistent with this Resolution.

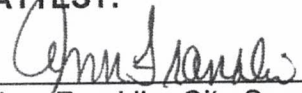
**Section 4:** The meeting at which this Resolution was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Texas Open Meetings Act.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, Texas,  
on this, the 12th day of December 2023.

APPROVED:

  
\_\_\_\_\_  
Lyle Nelson, Mayor

ATTEST:

  
\_\_\_\_\_  
Ann Franklin, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney