

**RESOLUTION IN OPPOSITION TO THE APPLICATION BY
"130 ENVIRONMENTAL PARK" FOR MUNICIPAL SOLID WASTE LANDFILL PERMIT
NO. 2383**

WHEREAS, Caldwell County is a subdivision of the State of Texas;

WHEREAS, the Commissioners Court of Caldwell County, Texas, has a duty to its residents to ensure the health, safety, and welfare of its residents and the public at large;

WHEREAS, Section 121.003 of the Texas Health and Safety Code broadly authorize the Commissioners Court of Caldwell County to enforce any law that is reasonably necessary to protect the public health;

WHEREAS, the Commissioners Court has a duty to preserve and protect the natural resources of the County;

WHEREAS, the Commissioners Court recognizes that the Carrizo-Wilcox Aquifer is a major aquifer that serves as an important source of groundwater for residents of Caldwell County and supplies water for agricultural, rural residential, and commercial uses in Caldwell County, the City of Lockhart, and the City of Luling;

WHEREAS, the Commissioners Court recognizes that the Leona Formation provides an additional valuable source of groundwater and feeds numerous springs and seeps;

WHEREAS, the Commissioners Court recognizes that contaminants associated with municipal solid waste facilities have the possibility of creating risks of polluting groundwater and surface water if released;

WHEREAS, the proposed 130 Environmental Park landfill footprint would be located just west of Dry Creek, and surface water would drain towards Dry Creek;

WHEREAS, the application for the 130 Environmental Park landfill notes that alternative daily cover may be requested in the future;

WHEREAS, landfills may possibly generate a variety of nuisance conditions, including but not limited to odors, windblown waste, disease vectors, and scavenging animals, if the guidelines set forth by the Texas Commission on Environmental Quality (TCEQ) are not strictly met;

WHEREAS, Sections 251.003 and 251.014 of the Texas Transportation Code permit the Commissioners Court to make and enforce all necessary rules and orders for the construction, maintenance, and improvement of public roads and state highways;

WHEREAS, the Commissioners Court of Caldwell County may exercise general control over roads, highways, and bridges in the County pursuant to Texas Transportation Code Section 251.016;

WHEREAS, the proposed 130 Environmental Park solid waste landfill would likely generate substantial truck traffic and be located within 1,500 feet of the intersection of Highway 183 and FM 1185, a dangerous intersection within the County;

WHEREAS, the proposed landfill could eventually generate about 900 trips per day;

WHEREAS, the proposed location of the landfill is currently surrounded by rural residential uses and is home to numerous forms of wildlife;

WHEREAS, the proposed landfill presents an industrial use that is inconsistent with the existing uses in the area;

WHEREAS, the elevation of the proposed landfill is expected to eventually reach over 730 feet msl, or over 130 feet above surface, making it the tallest structure in this area of the County; and

WHEREAS, the Commissioners Court is of the opinion that the proposed location for the "130 Environmental Park" landfill is inconsistent with the protection of the County's natural resources and the current interests of its residents.

THEREFORE, BE IT RESOLVED that the Caldwell County Commissioners Court opposes the proposed 130 Environmental Park solid waste landfill.

PASSED AND APPROVED on the 23 day of Feb. 2015, by the Caldwell County Commissioners Court.

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Ken Schawe
County Judge

Alfredo Muñoz
Alfredo Muñoz
County Commissioner, Pct. 1

Edward Moses
Edward Moses
County Commissioner, Pct. 2

Ernest Madrigal
Ernest Madrigal
County Commissioner, Pct. 3

Joe Roland
Joe Roland
County Commissioner, Pct. 4

Attest:

Carol Holcomb
Carol Holcomb
County Clerk

