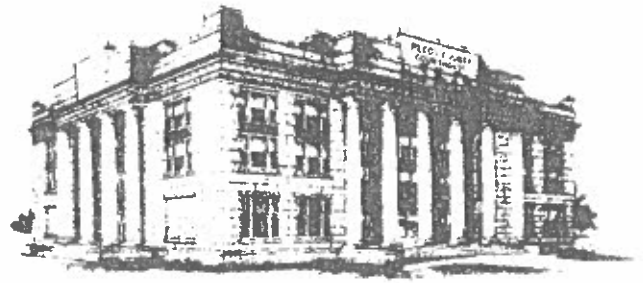


County of Pecos



January 30, 2025
Fort Stockton, Texas 79735



JOE SHUSTER

County Judge
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GINA MARQUEZ
Administrative Assistant

Honorable Brooke T. Paup, Chairwoman
Honorable Bobby Janecka, Commissioner
Honorable Catina R. Gonzales, Commissioner
Honorable Laurie Gharis, Ph.D., Chief Clerk
Texas Commission on Environmental Quality
P.O. Box 13087
Austin Texas 78711-3087

Re: TCEQ Docket No. 2025-0017-MIS; Petition for Inquiry seeking a review of the Middle Pecos Groundwater Conservation District

Dear Chairwoman Paup, Commissioners, and Dr. Gharis:

Please register Pecos County strongly opposed to the Petition for Inquiry filed in this TCEQ docket. This letter serves as a response to that petition. The County is an "affected person" as we have "legally defined interests in groundwater in the management area" – we own land and water rights in Pecos County and hold groundwater permits issued by Middle Pecos GCD.

I personally have a long, positive history with the District, working to form it at the Texas Legislature in the late 1990s and actively engaged with its elected Board of Directors and its General Managers over the past 20+ years. I took office in 2003; the year the District took steps after its successful November 2002 confirmation election to organize itself. I am a native of Fort Stockton, I served on Fort Stockton's City Council for three years, including twelve years as its Mayor. In my capacity as County Judge and Mayor I recognized the critical importance of responsible groundwater management and stewardship of our local groundwater resources. I can attest to the District's commitment to achieving that goal.

I understand that the Texas Legislature empowered the Commission to hold districts accountable under Section 36.3011 of the Texas Water Code (Commission Inquiry and Action Regarding District Duties). That statute is clear that a district (1) that fails to adopt rules or (2) that appears to fail to design rules that (a) adequately protect groundwater in the "management area" and (b) achieve "desired future conditions" should undergo the scrutiny of a review panel. The Middle Pecos GCD has rules in place. The substance of those rules reflects the type of accountability the Legislature expected.


I personally have witnessed the seriousness and intensity of work this District's Board, staff and professionals undertake on important permitting matters and the policy decisions they must make to set taxes and a budget, and to protect and responsibly manage Pecos County's groundwater resources, which I understand are measured by aquifer levels and those levels over time (i.e., the "desired future conditions" of our aquifers). Our County has one of the most robust well-monitoring networks in the state, with nearly 200 monitoring wells and several wells monitored in "real-time" with transducers. I have seen presentations by some of the state's foremost groundwater experts who are interpreting the District's data and supporting the District's management decisions. That effort and the District's results should be commended.

I am disappointed to see Cockrell Investment Partners pursuing its petition at TCEQ. I grew up with and worked tirelessly on groundwater issues with its long-time local farm manager, Glenn Honaker, who served as the District's Board President for many years. I am proud of my County for supporting Mr. Honaker and the District in alignment with the City of Fort Stockton, Pecos County WCID No. 1, and several other important stakeholders *opposed to* Fort Stockton Holdings' 50,000+/- acre-foot marketing effort. We stood by the District in the lawsuits. We listened carefully to our public during town hall meetings, legislative hearings, and District meetings to join in support of the 2017 settlement among all those opposed to FSH's project in those lawsuits. That settlement was fair for all. It resulted in an export reduction down to 28,400-acre feet, and strict permit conditions.

Cockrell did not participate in the town hall meetings, legislative hearings, or litigation. It was not until after Mr. Honaker's retirement that Houston-based Cockrell's corporative representatives showed up in 2017. I understand and respect that they have another perspective on groundwater management to protect their pecan farming interests. However, I must respectfully disagree with their approach with the petition. Middle Pecos GCD is responsibly managed, and already adopted the rules that the petition claims are not in place. The review-panel process would only be wasteful of public resources, including the Commission's and our local taxpayers'.

For these reasons, I respectfully urge you to dismiss the petition.

Sincerely,



Joe Shuster, County Judge

VERIFICATION

STATE OF TEXAS §
COUNTY OF PECOS §

SUBSCRIBED AND SWORN TO BEFORE ME on this 30 day of January, 2025.



Gina S. Marquez
Notary Public in and for the State of Texas

cc: Ms. Kelly Keel, Executive Director, TCEQ
Honorable César Blanco, Senator - District 29
Honorable Wes Virdell, Representative - District 53
Commissioners, Pecos County Commissioners Court
Board Members, Middle Pecos GCD
Mr. Ty Edwards, General Manager - Middle Pecos GCD
TCEQ Service List

Mailing List
Middle Pecos Groundwater Conservation District
TCEQ Docket No. 2025-0017-MIS

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Groundwater Management Area 7:**

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**Groundwater Conservation Districts within
Groundwater Management Area 3:**

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