

From: [Sunset Advisory Commission](#)
To: [Janet Wood](#)
Subject: FW: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Thursday, August 25, 2016 5:08:31 PM

-----Original Message-----

From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Thursday, August 25, 2016 3:41 PM
To: Sunset Advisory Commission
Subject: Public Input Form for Agencies Under Review (Public/After Publication)

Agency: RAILROAD COMMISSION TEXAS RRC

First Name: Rainer

Last Name: Judd

Title: Co-President

Organization you are affiliated with: Self, Judd Foundation

Email: rjudd@juddfoundation.org

City: Marfa

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

Please consider having:

- Checks and balances
- Environmental reviews
- Cultural and economic sensitivity to project sites • No campaign contributions to commissioners

Any Alternative or New Recommendations on This Agency:

I'm speaking on behalf of the majestic land that we locals call Far West Texas. It sits in the high plains between great mountain ranges, buffering it like a special jewel from the sprawling modern world just beyond.

My father, the artist Donald Judd, spent two decades working in New York City as a critic and an artist before he finally made money to afford himself a Land Rover. He went looking for the most beautiful desert he could find. He looked in Baja, Mexico, Arizona, and California. He even considered Australia. He chose the small town of Marfa, Texas. I first traveled there when I was 2. I attended Marfa Elementary School from 2nd grade to 7th grade. Raised by the gentle people of Marfa and Presidio, Brewster, and Jeff Davis Counties I have respect and admiration for the life they make there. My father built what is now Judd Foundation and it's sister organization, Chinati Foundation. He bought ranch land. He raised us to take long walks, to look at rocks, to read for hours, to dialogue and wonder, to look at the stars, to defend the natural world. He instilled in us the connection between nature and a life of making art. He showed us, by example, that speaking up for nature, for peace, for basic rights was part of the role of the artist.

That the artist took time to think, to write, to make work, to play a part in shaking the boat of apathy, the status quo, mendacity, and injustice.

There are bulldozers today making way for a pipeline through the very heart of Far West Texas. This is against the will of 35 plus ranchers, many of whom have cared for the land for generations. They have no recourse. There have

been no checks and balances. The only check has been the one that Energy Transfer Partners made in the small box for “Common Carrier” of the Railroad Commission T-4 Application.

As Austin Attorney Rex White points out, “a careful look at the permit granted by the Commission to Energy Transfer Company, L.P. and Trans-Pecos Pipeline, LLC fails to disclose facts that qualify the proposed Trans-Pecos Pipeline for the status of ‘common carrier’. The Railroad Commission has not made that determination.”

This 143 miles pipeline is a project commissioned out of Mexico, hiring a consortium of companies to construct and operate it. There has been no environmental review on the entire project. The endangered species, archaeological sites, Big Bend National Park, McDonald Observatory, internationally recognized art foundations, and the critically important ranchers all have an interest in the land and water of this region. In the big picture, here is a pristine region, untouched by the multi-faceted blight of oil and gas, that is being bulldozed with no word to the people as to why.

We feel like there is no government. At the state or national level. No one to answer our questions as to why eminent domain can be used when there is no public service apparent to the people of Texas or the United States.

I will continue to, with a good many people everywhere, work to bring this issue to light. I can only imagine that both the US Government and the State of Texas are in support of this pipeline. The resources of wild land, art and the peoples’ faith in due process are at stake. My brother and I have been honored to be stewards of our fathers’ art, spaces and work since 1994.

Tens of thousands of people travel each year to see the art at Judd Foundation and the vistas at Big Bend National Park. If the Texas Railroad Commission is not giving oversight then who is? I ask that this Review Committee take responsibility to review and change the route of this Mexico proposed pipeline. Please step up and guide us in our role of stewardship for this special high desert region.

I hope anyone in earshot of this statement will travel to Far West Texas to see it for yourself. The land speaks for itself. Thank you. Most sincerely, as my heart breaks, Rainer Judd

My Comment Will Be Made Public: I agree