

Jon Niermann, *Chairman*  
Emily Lindley, *Commissioner*  
Bobby Janecka, *Commissioner*  
Kelly Keel, *Interim Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

August 28, 2023

**CERTIFIED MAIL**

9489 0090 0027 6002 7027 88

Commissioners Court of Guadalupe County  
c/o The Honorable Kyle Kutscher  
County Judge  
Guadalupe County Courthouse  
101 East Court Street  
Seguin, Texas 78155

Re: Sky Ranch Municipal Utility District  
TCEQ Internal Control No. D-08162023-031  
CN: 606171916 RN: 111792487

Honorable Judge Kutscher:

Information filed with the referenced petition (application) indicates the land (303.684 acres) within the proposed Sky Ranch Municipal Utility District (District) is located entirely outside the corporate limits of any municipality and is located, in whole or in part, within your county; therefore, Texas Water Code Section 54.0161, is applicable to this project.

In compliance with Texas Water Code Section 54.0161, notification is hereby given that this application has been filed with the Texas Commission on Environmental Quality (TCEQ). Pursuant to Texas Water Code Section 54.0161, the County Commissioners Court may make a recommendation regarding the creation of the proposed District. The Commissioners Court may submit to the TCEQ its written opinion stating whether it recommends the creation of the proposed District, and any findings, conclusions, and other information that the Commissioners Court thinks would assist TCEQ in making a final determination on the petition. It is requested that the Commissioners Court respond as soon as possible if it intends to submit a recommendation regarding the creation of this District.

Texas Water Code Section 54.0161 requires that any written opinion be received by the TCEQ at least 10 days before the date set for the TCEQ to act on the application.

Please note that this opportunity to comment on the application is separate and apart from the right of the Commissioners Court, or any affected person, to protest the application and request a hearing pursuant to Texas Water Code Sections 49.011 and 54.018 and applicable TCEQ rules.

The Honorable Kyle Kutscher  
Page 2  
August 28, 2023


To assist in obtaining information on this project necessary for the Commissioners Court's consideration, the representatives of the Petitioner for the proposed District are provided below.

Mr. Ken Heroy, P.E.  
Jones-Heroy & Associates, Inc.  
13915 North Mopac Expressway, Suite 408  
Austin, Texas 78728  
(512) 989-2200

Mr. John Bartram  
Armbrust & Brown, PLLC  
100 Congress Avenue, Suite 1300  
Austin, Texas 78701  
(512) 435-2300

If you have any additional questions, please contact Dennis Mostowy of the Districts Bond Team at (512) 239-5232, or via email at [dennis.mostowy@tceq.texas.gov](mailto:dennis.mostowy@tceq.texas.gov).

Sincerely,



Daniel Finnegan, Team Lead  
Districts Bond Review Team  
Water Supply Division  
Texas Commission on Environmental Quality

DF/dm