

## SECTION IV – NETWORK COMMAND & CONTROL (C2) ARCHITECTURE

### IV.1 Overview

The Water-Energy-AI Corridor operates with the functional structure of a joint operational enterprise, consistent with the defining elements of a racketeering association-in-fact under:

- 18 U.S.C. § 1961(4) (enterprise-in-fact)
- *Boyle v. United States*, 556 U.S. 938 (2009) – purpose, relationships, and coordination
- *Sedima v. Imrex*, 473 U.S. 479 (1985) – pattern + enterprise<sup>1</sup>
- *H.J. Inc. v. Northwestern Bell*, 492 U.S. 229 (1989) – continuity and common purpose

The C2 structure is composed of:

- Central Command Node
- State Agency Decision Nodes
- Regional Planning Nodes
- Technical Influence Nodes
- Infrastructure Execution Nodes
- Capital Beneficiary Nodes
- Local Government Nodes
- Federal Interface Nodes

This produces coordinated, not independent, outcomes across water, land, energy, and infrastructure systems.

### IV.2 Central Command Node

#### IV.2.1 Governor of Texas – Executive Command Authority

Gov. Greg Abbott (structural role only)

##### Powers Exercised:

- Appoints Texas Water Development Board (TWDB)–controls feasibility determinations
- Appoints Texas Commission on Environmental Quality (TCEQ)–controls water rights, §401 certifications, contamination enforcement<sup>2</sup>
- Influences Railroad Commission of Texas (RRC) via political channels–controls pipeline permitting and eminent domain
- Directs state “critical infrastructure” policy, including AI incentives and strategic growth
- Coordinates multi-agency priorities through executive authority<sup>3</sup>

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<sup>1</sup> *Sedima v. Imrex*, 473 U.S. 479 (1985).

<sup>2</sup> Office of the Texas Governor. “Governor Abbott Appoints Miller to Texas Commission on Environmental Quality.” *News Release*, October 3, 2025. <https://gov.texas.gov/news/post/governor-abbott-appoints-miller-to-texas-commission-on-environmental-quality>

<sup>3</sup> Office of the Texas Governor. “Governor Abbott Announces Appointments to Advisory Panel.” *News Release*, November 14, 2025. <https://gov.texas.gov/news/post/governor-abbott-announces-appointments-to-advisory-panel>

**Legal Relevance:**

Creates centralized policy control and decision synchronization satisfying RICO enterprise coordination, especially where donor funding correlates with regulatory outcomes.

**Applicable Federal Statutes:**

- 18 U.S.C. § 201 (bribery)
- 18 U.S.C. § 371 (conspiracy)
- 18 U.S.C. §§ 1341, 1343, 1346 (mail, wire, honest-services fraud)
- 18 U.S.C. § 1951 (Hobbs Act extortion)
- 18 U.S.C. §§ 1961-1968 (RICO)

**Applicable Texas Statutes:**

- Tex. Penal Code §§ 36.02, 39.02, 39.03, 37.10
- Tex. Gov't Code §§ 556, 572

The Governor's office serves as the strategic synchronization node of the enterprise.

## **IV.3 State Agency Decision Nodes**

These agencies hold operational authority over land, water, pipelines, transmission, contamination, and public records.

### **IV.3.1 Texas Water Development Board (TWDB)**

**Officials:** Brooke Paup (Chair), Kathleen Jackson, Jeff Walker (Executive Director)

**Operational Control:**

- Declares reservoirs "feasible" (Tex. Water Code § 16.053)<sup>4</sup>
- Adopts Region C projections into the State Water Plan
- Controls SWIFT/SWIRFT funding channels
- Endorses consultant-produced demand data (primarily FNI)

**Legal Triggers:**

- NEPA predetermination (42 U.S.C. § 4332(C))
- False statements (18 U.S.C. § 1001)
- Conflict of interest (Tex. Gov't Code § 572)
- Record tampering (Tex. Penal Code § 37.10)

TWDB's premature feasibility declaration is a primary enterprise action.

### **IV.3.2 Texas Commission on Environmental Quality (TCEQ)**

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<sup>4</sup> McKinnon, Shelley. "Texas Water Board Declares a 'Conflict' over Controversial Marvin Nichols Reservoir." *KERA News*, June 27, 2025. <https://www.keranews.org/2025-06-27/texas-water-development-board-mediation-marvin-nichols-reservoir>

**Authority:**

- Water rights (30 Tex. Admin. Code ch. 297)
- CWA § 401 certifications
- Contamination enforcement
- SDWA reporting authority
- RCRA/CERCLA oversight

**Operational Failures:**

- Non-enforcement of coal-ash contamination
- Failure to address hydrological impacts in reservoir footprint
- Omission of NEPA, CWA, NHPA triggers in official assessments

**Legal Exposure:**

Violations of:

- CWA § 301 (33 U.S.C. § 1311)
- CERCLA § 107 (42 U.S.C. § 9607)
- RCRA § 7003 (42 U.S.C. § 6973)
- SDWA (42 U.S.C. § 300f et seq.)

**IV.3.3 Railroad Commission of Texas (RRC)**

**Officials:** Christi Craddick (Commissioner), Wayne Christian (Commissioner), Jim Wright (Chairman)

**Authority:**

- Grants common-carrier eminent domain (16 Tex. Admin. Code ch. 8)
- Permits high-pressure gas pipelines
- Approves compression facilities
- Oversees legacy mining units

**Legal Relevance:**

- Hobbs Act extortion exposure
- Travel Act exposure
- RICO predicate acts

RRC acts as the eminent-domain command center for pipeline components of the enterprise.

**IV.3.4 Texas Department of Agriculture (TDA)**

Commissioner: Sid Miller

**Role:**

- Controls agricultural valuations
- Shapes rural-development messaging
- Influences condemnation valuation
- Provides water-scarcity and “public purpose” narratives

TDA is a policy-enablement node, not a primary permitting agency.

## IV.4 Regional Planning Nodes

### IV.4.1 Region C Water Planning Group

#### Participants:

NTMWD, TRWD, DWU, UTRWD, FNI, appointed voting members

#### Roles:

- Produces 50-year demand projections
- Determines “need” for new reservoirs
- Embeds AI water load under “municipal” category
- Suppresses Region D objections
- Influences TWDB feasibility determinations

#### Legal Exposure:

- 18 U.S.C. § 1001 (material omissions/false statements)
- 31 U.S.C. §§ 3729–3733 (False Claims Act)
- Tex. Penal Code § 37.10 (records tampering)

Region C operates as the demand-manipulation node.<sup>5</sup>

A subsequent update from KERA News on August 14, 2025, reported that water planners reached a mediated agreement that delays Marvin Nichols by decades and confirms Region D’s long-standing objections to the project.<sup>6</sup>

## IV.5 Technical Influence Nodes (Consultant Cartel)

### IV.5.1 Freese & Nichols (FNI)

**Lead:** Simone Kiel

**Supporting Firms:** AECOM, HDR, Halff, Jacobs

#### Roles:

- Writes Region C projections
- Writes TWDB feasibility analyses
- Designs reservoir footprint

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<sup>5</sup> Preserve Northeast Texas. “Marvin Nichols Reservoir Now Considered a Conflict Between Regions.” *Preserve Northeast Texas*, June 26, 2025. <https://preservenortheasttexas.org/marvin-nichols-reservoir-now-considered-a-conflict-between-regions/>

<sup>6</sup> Alyssa Fields, “Water Planners Reach Agreement over Controversial Marvin Nichols Reservoir,” *KERA News*, August 14, 2025, <https://www.keranews.org/news/2025-08-14/water-marvin-nichols-reservoir-mediation-agreement-northeast-texas>

- Designs mitigation banks
- Drafts public comments for agencies
- Provides technical memos guiding agency decisions
- Validates its own conclusions

**Legal Exposure:**

- Honest-services fraud (18 U.S.C. § 1346)
- Conflicts (Tex. Gov't Code § 572)
- False Claims Act exposure
- RICO facilitation node

FNI is the technical command node enabling the enterprise's architecture.

## IV.6 Infrastructure Execution Nodes

### IV.6.1 Pipeline & Gas Infrastructure Firms

Energy Transfer, Kinder Morgan, Williams, Atmos, Enterprise Products

A January 2025 Houston Chronicle report confirms accelerated pipeline expansion in the region, noting that Kinder Morgan is beginning construction on a 216-mile natural-gas pipeline originating near Katy and feeding major transmission corridors.<sup>7</sup>

**Roles:**

- Build interstate gas corridors
- Supply AI mega-site<sup>8</sup>
- Align ROWs through reservoir zones
- Coordinate easements with capital networks

**Federal Triggers:**<sup>9</sup>

- CWA § 404 (33 U.S.C. §§ 1311-1344)
- NHPA § 106 (54 U.S.C. § 306108)
- Travel Act
- Hobbs Act
- RICO (interstate commerce)

### IV.6.2 ERCOT / Oncor Transmission

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<sup>7</sup> Rebecca Carballo, "Kinder Morgan to Start Working on a 216-Mile Natural Gas Pipeline in Katy," *Houston Chronicle*, January 24, 2025, <https://www.chron.com/news/houston-texas/article/gas-pipeline-kinder-morgan-20053613.php>

<sup>8</sup> Hoestenbach Law Group. "The Trident Pipeline: A Landowner's Guide." *Hoestenbach Law Group*, 2025. <https://hoestenbachlawgroup.com/trident-pipeline/>

<sup>9</sup> Edwards Plateau Alliance. "The ERCOT \$33+ Billion Transmission Line Crisis." *Edwards Plateau Alliance*, 2025. <https://edwardsplateaualliance.org/stop-hb-5066-ercott-texas-transmission-plan>

**Roles:**

- Build HV transmission <sup>10</sup>
- Construct substations
- Align grid expansion with reservoir territories
- Coordinate expansion with pipeline buildout

**Federal Triggers:** <sup>11</sup>

- NEPA (42 U.S.C. § 4332(C))
- ESA § 7
- CWA § 404 crossings
- NHPA § 106

**IV.6.3 MSB Global / Matrix AI Campus**

**Roles:**

- Drives pipeline and transmission expansions <sup>12</sup>
- Inflates water-demand projections
- Sited adjacent to contamination plumes
- Functions as the corridor's operational keystone <sup>13</sup>

**Triggers:**

- CERCLA, RCRA, SDWA (42 U.S.C. §§ 300f, 6973, 9607)<sup>11</sup>
- Federal Power Act
- NEPA

**IV.7 Capital Beneficiary Nodes**

**IV.7.1 Beneficiary Networks**

Hunt, Perot/Hillwood, Bass/CEM, timber trusts, anonymous LLC clusters

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<sup>10</sup> Malewitz, Jim. "ERCOT Gets OK to Use High-Voltage Lines, Creating Texas Power Superhighway." *San Antonio Express-News*, April 24, 2025. <https://www.expressnews.com/business/article/puc-ercot-765kv-33b-texas-power-grid-transmission-20292601.php>

<sup>11</sup> Public Utility Commission of Texas. "PUCT Approves Plan for the First Extra High Voltage Transmission Lines in the ERCOT Region." *News Release*, April 24, 2025. [https://ftp.puc.texas.gov/public/puct-info/agency/resources/pubs/news/2025/PUCT\\_Approves\\_Plan\\_for\\_the\\_First\\_Extra\\_High\\_Voltage\\_Transmission\\_Lines\\_in\\_ERCOT\\_Region.pdf](https://ftp.puc.texas.gov/public/puct-info/agency/resources/pubs/news/2025/PUCT_Approves_Plan_for_the_First_Extra_High_Voltage_Transmission_Lines_in_ERCOT_Region.pdf)

<sup>12</sup> MSB Global Services. "Matrix Data Center Campus Breaks Ground in Sulphur Springs, TX – A New Era for Net-Zero AI Infrastructure." *MSB Global Services*, June 13, 2025. [https://msbglobalservices.com/matrix-data-center-campus-breaks-ground-in-sulphur-springs-tx-a-new-era-for-netzero-ai-infrastructure/](https://msbglobalservices.com/matrix-data-center-campus-breaks-ground-in-sulphur-springs-tx-a-new-era-for-net-zero-ai-infrastructure/)

<sup>13</sup> Hicks, Avery. "Work Underway on Massive AI Data Center in Sulphur Springs." *KLTV 7 News*, September 30, 2025. <https://www.kltv.com/2025/10/01/work-underway-massive-ai-data-center-sulphur-springs/>

**Positions:**

Acquisitions align with:

- reservoir shorelines
- pipeline/transmission corridors
- mitigation-bank sites
- timber liquidation zones

**Legal Relevance:**

These nodes form the profit centers in:

- RICO analysis
- Takings Clause disputes
- Public-use pretext evaluation under *Kelo v. New London*, 545 U.S. 469 (2005)<sup>15</sup>

## IV.8 Local Government Nodes

Counties: Titus, Franklin, Hopkins, Delta, Red River, Morris

**Roles:**

- PPP negotiations
- Zoning adjustments
- Local eminent-domain facilitation <sup>14</sup>
- Concealed deed restrictions
- Tax abatements
- Quiet-title actions

**Legal Exposure:**

- Tex. Penal Code § 39.02 (abuse of office)
- Tex. Penal Code § 37.10 (record tampering)

Local governments execute ground-level enterprise operations.

## IV.9 Federal Interface Nodes (Not Accused)

Agencies with mandatory jurisdiction:

- USACE – CWA § 404, § 408, NEPA
- EPA Region 6 – SDWA, RCRA, CERCLA
- DOI / NPS – NHPA § 106, NAGPRA
- DOJ Public Integrity Section – corruption, bribery, honest-services fraud
- DOJ ENRD – environmental crimes

These agencies are oversight authorities, not enterprise participants.

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<sup>14</sup> KERA News. "The Conflict Marks a Crucial Step in the Decades-Long Battle over Marvin Nichols." *KERA News* (social post summary), June 27, 2025. <https://www.facebook.com/keratx/posts/the-conflict-marks-a-crucial-step-in-the-decades-long-battle-between-the-growing/1305148211611436/>

## IV.10 One-Sentence Summary of C2 Architecture

A governor-centered, consultant-driven, pipeline-enabled, AI-anchored, and billionaire-benefiting enterprise coordinates state agencies, local governments, and infrastructure systems to manufacture water scarcity and justify reservoir-based land seizure in Northeast Texas.<sup>15</sup>

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<sup>15</sup> Aterio Research. "Before the Headlines: A 3GW AI Data Center Campus Quietly Rises in Sulphur Springs, TX." *Aterio Blog*, July 9, 2025. <https://www.terio.io/blog/before-the-headlines-a-3gw-ai-data-center-campus-quietly-rises-in-sulphur-springs-tx>