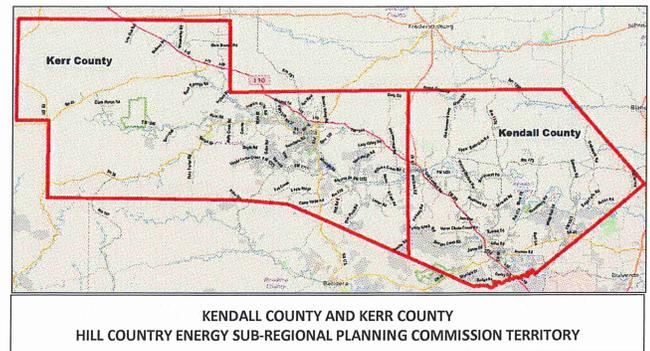


HILL COUNTRY ENERGY SUB-REGIONAL PLANNING COMMISSION



March 3, 2025

Ms. Kelly Keel, Executive Director
MC 109
TCEQ
P.O. Box 13087
Austin, TX 78711-3087

Dear Ms. Keel,

On February 11, 2025, the Hill Country Energy Sub-Regional Planning Commission (HCESRPC) was created, under Chapter 391 of the Texas Local Government Code, to provide for special planning needs as it pertains to Kendall and Kerr Counties.

With the Texas Commission on Environmental Quality (TCEQ) being a governmental agency, the HCESRPC hereby places the TCEQ on notice that they must coordinate the planning for any development, installation or operation of Battery Energy Storage System (BESS) facilities in Kendall County or Kerr County, and such coordination shall be conducted in a meaningful way and to the greatest extent feasible with the HCESRPC at the regional level as required by the Section 391.009(c) of the Local Government Code. Section 391.009(c) states:

“In carrying out their planning and program development responsibilities, state agencies shall, to the greatest extent feasible, coordinate planning with commissions to ensure effective and orderly implementation of state programs at the regional level.”

It is our understanding that the Electric Reliability Council of Texas (ERCOT) has identified a need for over 900 BESS facilities throughout the State of Texas, and that several facilities are currently being considered for installation in Kendall and Kerr Counties which lie within an environmentally sensitive, priority groundwater management area prone to severe drought and frequent wildfires, which could be greatly exacerbated by the installation of lithium battery energy storage systems that have an alarming history of thermal runaway fires releasing hazardous air born particles, the spread of which could be disastrous for our residents.

700 Main, Ste. 101
Kerrville, Texas 78028
(830) 343-9107
Email: rpaces@co.kerr.tx.us

As such, we request that the TCEQ prepare to meet with the governing body of our regional commission in the Kerr County courthouse located at 700 Main, Kerrville, Texas on one of the suggested dates shown below. If neither of these dates will work for you, please give us an alternative date, which shall be no later than March 31, 2025. It is imperative that the coordination process commence at the earliest date possible.

Suggested dates for our first coordination meeting:

1. March 14, 2025 at either 10:00 am or 2:00 pm, or
2. March 21, 2025 at either 10:00 am or 2:00 pm.

We ask that TCEQ representatives be prepared to answer all questions from our commission regarding TCEQ's current and future plans regarding the full cycle and worst case environmental impact studies of these BESS facilities and how they might impact our residents and their health, safety and general welfare, as well as our economies. Your prompt response is appreciated.

As a duly formed commission under Chapter 391 of the Texas Local Government Code, it is our responsibility to cooperate to improve the health, safety, and general welfare of our residents and to plan for and guide the unified, far-reaching development of our region, eliminate duplication, and to promote economy and efficiency in the coordinated development of our region.

From this point forward, any effort by your agency, your assigns, or other private contractors or developers to study, plan, or prepare to construct or install any BESS facilities within our combined jurisdictions must first be coordinated with the Hill Country Energy Sub-Regional Planning Commission.

We look forward to working with you in this regard.

Respectfully yours,

HILL COUNTRY ENERGY SUB-REGIONAL PLANNING COMMISSION



Richard S. Paces
President, HCESRPC

Cc: Wes Virdell, State Representative, District 53