

**RESOLUTION OF THE BOARD OF THE HILL COUNTRY ENERGY
SUB-REGIONAL PLANNING COMMISSION**

WHEREAS, Battery Energy Storage Systems (BESS) are being considered to be located in Kerr and Kendall Counties, and

WHEREAS, there is a history of lithium battery instability and overheating that lead to thermal runaway fires and explosions, raising serious concerns regarding their installation in Kerr and Kendall Counties, and

WHEREAS, it is extremely difficult to extinguish a lithium battery fire and our rural volunteer firefighters lack sufficient foam and water to extinguish a lithium battery fire in an BESS facility, and

WHEREAS, Kerr and Kendall Counties are located within a Priority Groundwater Management Area and subject to frequent and extended severe droughts, and

WHEREAS, there is a significant negative environmental impact associated with a lithium battery fire in an BESS facility from the toxic gases that are released and the contaminants could find their way into our creeks and rivers or into our groundwater on which we rely, and

WHEREAS, there are inadequate regulations regarding the eventual disposal of the BESS lithium batteries at the end of their life, ensuring the safe disposal at a suitable approved disposal or recycling site, and

WHEREAS, the installation of a BESS facility will impact and likely lower the value of the adjacent lands, and

WHEREAS, BESS is not a renewable or new source of energy and has a power discharge cycle limited to only a few hours, rendering them useless in any prolonged power outage, and

WHEREAS, the Commissioner Courts of Kerr County and Kendall County have conveyed their opposition to BESS and have approved the creation and joining of a commission pursuant to Chapter 391, of the Texas Local Government Code, to be known as the “Hill Country Energy Sub-Regional Planning Commission” (HCESRPC) to:

- (A) Cooperate and coordinate with local governmental units sharing similar needs to plan for matters dealing with the health, safety, and general welfare of their residents, and the development of Battery Energy Storage Systems (BESS) issues affecting the jurisdiction and residents of the HCESRPC;
- (B) Pursuant to Texas Local Government Code 391, coordinate with the various Texas State and federal government agencies involved in the planning for, the regulation of, and the approval of BESS facilities within the jurisdiction of the HCESRPC;

(C) Protect and preserve the health, safety, and welfare of the people of the HCESRPC;

FOR THESE REASONS, BE IT KNOWN THAT, the Board Members of the HCESRPC are opposed to the installation of BESS facilities within the jurisdictions of Kerr and Kendall Counties.

It is hereby officially found and determined that the meeting at which this resolution was passed was open to the public, and public notice of the time, place, and purpose of said meeting was given, as required by the Open Meetings Act, Chapter 551, Texas Government Code.

PASSED AND APPROVED on this the 28th day of February, 2025.

KENDALL COUNTY, TEXAS:


Kerr County Commissioner,
Rich Paces


Kendall County Commissioner,
Jennifer McCall


Kerr County Commissioner,
Jeff Holt


Kendall County Commissioner,
Chad Carpenter


Landowner Representative,
Linda Bullard