

Hill Country Energy Sub-Regional Planning Commission

May 20, 2025 Meeting Minutes

A meeting of the Hill Country Energy Sub-Regional Planning Commission (HCESRPC) took place in the Kerr County Courthouse on May 20th, 2025. It was opened at 2:00 pm with a prayer offered by Commissioner Paces and pledges of allegiance to the American Flag and the Texas Flag.

The following members of the Board, as appointed by the Kendall and Kerr County Commissioners Courts, were in attendance:

Rich Paces, Kerr County Commissioner, Precinct 2,

Jeff Holt, Kerr County Commissioner, Precinct 3,

Chad Carpenter, Kendall County Commissioner, Precinct 4,

Linda Bullard, Landowner Representative.

Commissioner Jennifer McCall was unable to attend.

Texas State Representative, Wes Virdell, was unable to attend.

A quorum being present, the Commission considered, discussed and took action as described below for each item on the posted meeting agenda.

1. Approval of the May 6, 2025 Meeting Minutes.

A motion was made by Commissioner Holt to adopt the Draft Minutes of May 6th, 2025 as posted on the Website, and seconded by Commissioner Carpenter. The Motion passed 4-0, and the Minutes were adopted without amendment.

2. Board Member Input on Developing Information

Commissioner Holt reported that he and Commissioner Paces held a meeting with the Gillespie County Judge Daniel Jones, County Attorney Sarah Neal, and Commissioner Keith Kramer regarding the possibility of Gillespie County's joining our 391 Commission. There is strong grassroots resistance to the proposed Harper BESS in Gillespie County. A proposal to the Gillespie County Commissioners Court for Gillespie County's adhesion to the Hill Country Energy Sub-Regional Planning Commission will be considered in one of their upcoming meetings.

Commissioner Carpenter reported that the East Point project is moving ahead, and the interconnection agreement has been approved. Nothing has been heard from the other company.

Ms. Bullard reported that Nancy White will be giving a presentation at the Hood County Republican Club on May 27th which will be livestreamed, distributed a flyer providing details, and said that she plans to watch the livestream. She had had a long and very interesting telephone discussion with

Nancy White, who had followed up with links to information on environmental and health impacts of the Moss Landing fire, the health impact of noise pollution from wind turbines (and this would apply to cryptocurrency mining operations as well), the impact of federal subsidies to the green energy sector, cybersecurity risks for the grid, and the causes and implications of the recent Iberian blackout, which now seems to have been traced to their heavy reliance on solar power. Ms. Bullard offered to share this documentation with the Commission, and Commissioner Paces asked for the information related to Moss Landing. Ms. Bullard had also participated in a Secure the Grid SREC Subcommittee Zoom, which focused on the movement of grid-related Bills in the Texas legislature and has provided their Bill review for posting to the Website.

3. Update on Communication and Coordination with PUCT, LCRA, ERCOT and TCEQ

PUCT: A fourth notification letter, which is posted on our Website, was sent by Commissioner Paces to Mike Hoke, at PUCT, and to the Chairman of PUCT, as well as copied to our U.S. Representative and our State Representatives and Senators. It is posted on our Website.

ERCOT: Commissioner Holt noted that ERCOT has published its BESS spreadsheet for April, and their forecast of electricity requirement in the State increased from 19,000 MW to 36,000, which means more BESS to meet that need. There are now 1,440 projects which have started the process, an increase from 984 in just one month. And this is just for stand-alone BESS facilities. The ERCOT process begins with site selection, with the final step being acceptance for interconnection to the grid. It is tremendous growth statewide, but there's no increase in our counties. Commissioner Holt noted that we are also tracking the BESS projects which have fallen off the ERCOT list. Ms. Bullard requested information on how many co-located projects are in the pipeline. She also requested an "Intelligence Report" for a future meeting on how ERCOT does its forecasting and the extent to which the large load customers like AI Data Centers and cryptocurrency mining operations are affecting the planning process.

LCRA: Commissioner Paces sent a 3rd notification letter to the LCRA, posted to our Website and with copies to our U.S. Representative and State Senators and Representatives. LCRA has been unresponsive. Their initial response was that they don't have to meet with us.

TCEQ: There has not yet been a response to the questions raised in our meeting with TCEQ and sent to them both in the Minutes of that meeting and in an E-mailed follow-up from Commissioner Paces. Commissioner Paces will again follow up with Kelly Cook.

Attorney General: Commissioner Holt will reach out to AG Paxton about the legal obligation of State agencies to meet with us. Ms. Bullard noted that we only need the A.G. to render a ruling about the legal requirement of TLC Chapter 391 for the BESS-related State agencies to meet with us for planning coordination; we don't need to try to convince the A.G. about how bad BESS is, only to get him to

position himself on the legal question, and she urged that our request for clarification of our situation vis-a-vis the State agencies be limited to the legal aspect.

Commissioner Paces also sent a letter to President Donald Trump, copied to Chip Roy and posted on the Website, in which he requested the repeal of all subsidies, grants and loans to the green energy sector, including wind and solar installations and BESS facilities, which could be accomplished through an Executive Order. He pointed out that there is going to be a mad rush to secure the BESS funding before the subsidies and other incentives dry up or are removed by the current Administration, noting that >40% of our electric generation capacity in Texas currently comes from wind and solar sources.

Commissioner Paces also referred to ERCOT's recent publication entitled "Advancing Reliability 2024 State of the Grid" and the graph on page 6 titled "By the Numbers" which indicates that ERCOT plans to increase wind and solar generation capacity to 54% of the total generation capacity by 2029 and that to support the increase in dependence on unreliable wind and solar energy the same graph shows BESS capacity is planned to increase from 10,015 MW capacity in 2024, to 35,802 MW capacity by 2029. He encouraged members of the public to also write to the President, Chip Roy, and all Representatives. He reported that Chip Roy is on our side on this matter and is fighting to remove the federal subsidies for "green" energy.

4. Potential Legal Services

Dan Byfield from Stewards of American Liberty has provided the name of an attorney to contact, and Commissioner Paces has a phone date with that person on May 21st. The specific legal service we are looking for is help to get our foot in the door with the State agencies. If anyone knows of a good lawyer for a 391 Commission, please provide the contact. Commissioner Carpenter said that there were citizens prepared to donate money to pay for legal services if needed.

5. Potential Experts for Coordination Testimony

An expert from Moss Landing could be invited to provide testimony by TEAMS. Ms. Bullard offered to reach out to the relevant Moss Landing groups for a speaker, when the need arises. Ms. Bullard proposed Nancy White of Save Van Zandt County.

6. Bills in the Texas Legislature Relevant to BESS

Barbara Ferguson provided a summary of the movement of BESS-related bills through the Legislature. The Secure the Grid Subcommittee has been compiling guides, which are posted to the HCESRPC Website. There was a general discussion with the public about the legislative situation. Ms. Bullard noted that the House Concurrent Resolution on protecting the Edwards Aquifer was referred to the Natural Resources Committee two months ago, and they do not appear to have brought it forward.

7. Discussion and Appropriate Action on Other Administrative Matters

Regarding Gillespie County's adhesion to our 391 Commission, Ms. Bullard wanted clarification that a proposal for inclusion would first need to come to our Commission for a Motion which, if adopted, would then be presented to Kerr and Kendall County Commissioners Courts for their action. The next step will be for the Gillespie County Commissioners Court to decide if they want to join our 391 Commission. Commissioner Paces remarked that Bandera County might also be considered in the future, although their current concern is more with solar farms.

8. Public Comments

A member of the public raised the need to educate property owners about the risks of selling or leasing their land to BESS developers, many of whom are foreign companies and who are not being honest about the dangers and liability involved. David Nash urged everyone to immediately contact Senator Schwertner, Chairman of the Business and Commerce Committee, to request a hearing on HB 3824, which is related to fire safety standards and emergency operations plans for BESS and has a chance to pass. Susan Bell was concerned that the public needs to be better informed about BESS and what they can do to support the efforts of our Commission; she said a breakdown is needed of where the BESS are going, requested to be put on our distribution list, made suggestions about meetings and groups where information could be disseminated and proposed that letters be sent to newspapers; she also offered that her name could be listed on the HCESRPC Website for the public to contact for more information. Commissioner Paces responded that we would be happy to work with her.

9. Set Next Meeting

The next meeting will take place in the Kendall County Courthouse on Tuesday, June 3, at 2:00 p.m.

There being no further business, the meeting was closed at 3:15.

– Submitted by Linda Bullard, Secretary