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Proclamation

Of

The Hill County Commissioners Court

WHEREAS, the Commissioners Court of Hill County, Texas, has statutory duties under the laws of the State of Texas to protect and maintain county infrastructure, roads, bridges, drainage systems, floodplain management systems, and public safety; and

WHEREAS, the Commissioners Court recognizes the increasing development of large-scale industrial and technology-related facilities, including data centers and associated utility infrastructure, within unincorporated areas of the county; and

WHEREAS, the Commissioners Court desires to ensure that all development occurring within the unincorporated areas of Hill County complies with all applicable state laws, county regulations, engineering standards, and public infrastructure protection requirements; and

WHEREAS, Texas Transportation Code §251.016 authorizes the Commissioners Court to exercise general control over county roads, highways, and bridges; and

WHEREAS, Texas Transportation Code §251.003 authorizes the Commissioners Court to make and enforce necessary rules and orders for the construction and maintenance of public roads; and

WHEREAS, Texas Transportation Code §§254.005 and 254.006 authorize and require the county to address drainage, culverts, natural water flow, and roadway flooding protection associated with county roads and rights-of-way; and

WHEREAS, Texas Local Government Code Chapter 232 authorizes counties to regulate plats, subdivisions, roadway standards, drainage infrastructure, utility coordination, and related infrastructure matters within the county's lawful jurisdiction; and

WHEREAS, Hill County participates in floodplain management and public infrastructure responsibilities associated with state and federal requirements, including applicable FEMA and National Flood Insurance Program standards; and

WHEREAS, the Commissioners Court recognizes its obligations to protect public

infrastructure, emergency access routes, roadway safety, drainage systems, and the health, safety, and welfare of county residents;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. All large-scale industrial development projects proposed within the unincorporated areas of Hill County shall comply with all applicable federal, state, and county laws, regulations, standards, permits, and engineering requirements.
2. Developers are encouraged to coordinate with the Hill County Development Services Department, Emergency Management personnel, floodplain administrators, and other applicable county officials prior to commencement of development activities.
3. Hill County shall continue to enforce all applicable statutory authorities relating to:
 - a. County roadway protection;
 - b. Drainage and stormwater management;
 - c. Culvert and natural water flow protection;
 - d. Floodplain management;
 - e. Access permitting;
 - f. Road use and roadway damage mitigation;
 - g. Platting and subdivision review where applicable under Texas law;
 - h. Emergency access and public safety coordination; and
 - i. Any other authority lawfully granted to the county under the Constitution and laws of the State of Texas.
4. The Commissioners Court directs county staff to coordinate with applicable state and regional agencies, including the Texas Department of Transportation, the Texas Commission on Environmental Quality, regional utility providers, emergency services entities, and floodplain management authorities as appropriate.
5. Nothing in this Resolution shall be construed as prohibiting lawful development, nor shall this Resolution be interpreted as creating regulations beyond the authority granted to counties under Texas law.

PASSED AND APPROVED by the Commissioners Court of Hill County, Texas, on
this ____ day of _____, 2026.

Shane Brassell
County Judge

Jim Holcomb
Commissioner Pct. 1

Larry Crumpton
Commissioner Pct. 2

Scotty Hawkins
Commissioner Pct. 3

Martin Lake
Commissioner Pct. 4

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Hill County Major Industrial Development Review Policy

Purpose

The purpose of this policy is to establish a consistent process for the review of large-scale industrial developments that may have significant impacts on county infrastructure, transportation systems, water resources, emergency services, public safety, drainage systems, and other county interests. The Commissioners Court finds that projects such as data centers, battery energy storage facilities, electrical generation facilities, large renewable energy projects, and similar developments require a level of technical review beyond the expertise and resources available within county government. This policy is intended to provide a mechanism for obtaining independent professional evaluation of information submitted by project developers and to assist the Commissioners Court in making informed decisions regarding matters that may come before the County.

Applicability

This policy shall apply to any industrial, utility, energy, technology, or infrastructure project that, in the judgment of the Commissioners Court or Development Services Department, has the potential to create substantial impacts on county roads, bridges, drainage infrastructure, groundwater resources, emergency services, public safety operations, or other county functions. The Commissioners Court may designate additional project types for review under this policy as circumstances warrant.

Submission Requirements

Prior to requesting county approvals, development agreements, road use agreements, tax abatements, infrastructure agreements, subdivision approvals, or any other discretionary action by the County, the applicant shall submit a complete development review package to the Development Services Department. The submission shall include all information required by the Hill County Major Industrial Development Review Checklist as adopted and amended by the Commissioners Court.

Development Services shall review the submission for completeness. A submission determined to be incomplete may be returned to the applicant with a request for additional information. No formal review shall commence until Development Services determines that the required materials have been provided.

Independent Technical Review

Following acceptance of a complete submission, the County shall retain one or more qualified professional firms to conduct an independent review of the information provided by the applicant. Such firms may include engineers, hydrogeologists, transportation specialists, environmental consultants, acoustical consultants, emergency management professionals, financial analysts, or other technical experts deemed necessary by the County.

The purpose of the independent review shall be to evaluate the accuracy, adequacy, and completeness of the materials submitted by the applicant and to identify any potential impacts upon county infrastructure, public resources, emergency response capabilities, or public health and safety.

The independent reviewer shall act solely on behalf of the County and shall not be subject to the direction or control of the applicant.

Escrow Funding

Because the review of major industrial developments may require substantial professional services, applicants shall provide funding sufficient to cover the County's anticipated review expenses. Prior to commencement of the review process, the applicant shall deposit funds into an escrow account in the amount of \$150,000 established by the County for that purpose.

The amount of the initial deposit shall be determined by Development Services based upon the size, complexity, and anticipated impacts of the proposed project. If the County determines that additional funds are necessary to complete the review, the applicant shall replenish the escrow account upon request. Review activities may be suspended until sufficient funds are available.

The County shall utilize escrow funds solely for costs associated with technical, engineering, environmental, legal, financial, or professional review services related to the proposed development.

Any unused escrow funds remaining after completion of the review process shall be returned to the applicant.

Review Findings

Upon completion of the technical review, the independent reviewer shall provide a written report to Development Services and the Commissioners Court. The report may identify deficiencies in

the submitted materials, recommend additional studies, propose mitigation measures, or provide professional opinions regarding the project's potential impacts.

The report may also include recommendations concerning road improvements, traffic management, drainage facilities, water resources, emergency response capabilities, environmental protection measures, noise mitigation, lighting controls, utility infrastructure, or other matters relevant to the proposed development.

The findings and recommendations of the reviewer shall be advisory in nature and shall not be binding upon the Commissioners Court.

Commissioners Court Consideration

Upon receipt of the review report, the Commissioners Court may consider the findings when evaluating any request for county action associated with the proposed development. The Court may request additional information, require further review, negotiate development-related agreements, impose lawful conditions through authorized agreements, or take any other action permitted by law.

Nothing in this policy shall be construed as creating an obligation upon the County to approve any project, agreement, permit, incentive, or request submitted by an applicant.

Administrative Authority

The Development Services Department is authorized to administer this policy, establish application procedures, coordinate reviews, engage qualified consultants pursuant to applicable procurement requirements, and recommend modifications to the review checklist as necessary to address emerging technologies and development practices.

The Commissioners Court may amend this policy and the associated review checklist from time to time as deemed necessary to protect the interests of Hill County and its citizens.

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HILL COUNTY MAJOR INDUSTRIAL DEVELOPMENT REVIEW CHECKLIST AND REQUIRED SUBMITTALS

For Data Centers, Battery Energy Storage Systems (BESS), Electrical Generation Facilities, Renewable Energy Projects, and Other Large-Scale Industrial Developments

PURPOSE

The purpose of this checklist is to establish the minimum information required for submission to Hill County Development Services for proposed large-scale industrial developments that may impact county infrastructure, transportation systems, groundwater resources, drainage systems, emergency services, public safety, and surrounding property owners. Submission of the information contained herein does not constitute approval of a project. The information required by this checklist shall be subject to independent technical review as determined by Hill County.

SECTION 1. INITIAL DEVELOPMENT APPLICATION PACKAGE

1.01 Project Identification

The applicant shall provide documentation addressing the following:

- (a) Legal entity ownership structure;
- (b) Parent company disclosures;
- (c) Registered agent information;
- (d) Site control documentation, including deeds, purchase agreements, lease agreements, and easements;
- (e) Project description;
- (f) Campus master plan;
- (g) Phasing schedule;
- (h) Expected construction timeline;
- (i) Estimated operational lifespan;
- (j) Decommissioning plan; and

(k) Expected expansion acreage.

1.02 Site Mapping

The applicant shall provide the following mapping and survey information:

- (a) Boundary survey;
- (b) ALTA survey;
- (c) Existing conditions survey;
- (d) FEMA floodplain map;
- (e) Topographic survey;
- (f) Wetlands delineation;
- (g) Drainage map;
- (h) Utility corridor map;
- (i) Identification of existing water wells located within five (5) miles of the project site;
- (j) Existing residences and schools map;
- (k) Adjacent land use map;
- (l) Transmission infrastructure map;
- (m) Pipeline map; and
- (n) Railroad map.

SECTION 2. LAND USE AND COUNTY DEVELOPMENT REVIEW

2.01 Platting and Subdivision Requirements

The applicant shall provide, as applicable:

- (a) Preliminary plat;
- (b) Final plat;

- (c) Replat;
- (d) Development agreement;
- (e) Utility easements;
- (f) Drainage easements; and
- (g) Public right-of-way dedication.

2.02 Road and Transportation Review

The applicant shall provide:

- (a) Traffic Impact Analysis (TIA);
- (b) Heavy haul route study;
- (c) Construction traffic plan;
- (d) Bridge capacity analysis;
- (e) Pavement degradation study;
- (f) Road maintenance agreement;
- (g) TxDOT driveway or access permit;
- (h) Oversize or overweight route plan; and
- (i) Emergency access analysis.

The County may require mitigation measures including developer-funded road improvements, turn lanes, signalization, road widening, and dust control measures where determined necessary by the independent reviewer or Commissioners Court.

SECTION 3. WATER SUPPLY REQUIREMENTS

3.01 Water Source Documentation

The applicant shall provide:

- (a) Total projected water demand;

- (b) Peak water demand;
- (c) Annual water consumption estimate;
- (d) Cooling technology description;
- (e) Closed-loop versus evaporative cooling analysis;
- (f) Water recycling plan;
- (g) Backup water supply plan; and
- (h) Drought contingency plan.

3.02 Hydrogeological Studies

The applicant shall provide:

- (a) Aquifer impact study;
- (b) Groundwater availability study;
- (c) Drawdown modeling;
- (d) Neighboring well interference analysis;
- (e) Long-term sustainability study; and
- (f) Recharge impact analysis.

3.03 Water Rights and Provider Coordination

The applicant shall provide:

- (a) Water utility commitment letter;
- (b) Groundwater district approvals;
- (c) Water transport agreements; and
- (d) Surface water rights documentation, if applicable.

The applicant shall identify all coordination conducted with the Texas Water Development Board, applicable Groundwater Conservation Districts, River Authorities, and Water Supply Corporations.

SECTION 4. WASTEWATER AND SEWER REQUIREMENTS

4.01 Wastewater Disposal Plan

The applicant shall provide:

- (a) Estimated wastewater generation;
- (b) Industrial wastewater characterization;
- (c) Pretreatment analysis;
- (d) Sanitary sewer engineering plans;
- (e) Septic feasibility study, if applicable; and
- (f) Package plant permit documentation.

4.02 State Permits

The applicant shall identify all applicable permits and approvals, including:

- (a) TPDES wastewater permits;
- (b) Industrial discharge authorizations; and
- (c) Reuse or reclaimed water approvals.

Documentation shall identify coordination with the Texas Commission on Environmental Quality.

SECTION 5. STORMWATER AND DRAINAGE REQUIREMENTS

5.01 Drainage Studies

The applicant shall provide:

- (a) Hydrologic study;
- (b) Hydraulic study;
- (c) Detention and retention design;
- (d) One hundred (100) year flood analysis;

- (e) Increased runoff analysis;
- (f) Erosion and sediment control plan; and
- (g) Downstream impact study.

5.02 Stormwater Permitting

The applicant shall provide:

- (a) Stormwater Pollution Prevention Plan (SWP3);
- (b) Notice of Intent filing documentation; and
- (c) Evidence of compliance with applicable Construction General Permits.

5.03 Floodplain Review

The applicant shall provide:

- (a) FEMA compliance certification;
- (b) No-rise certification;
- (c) CLOMR or LOMR documentation, if applicable; and
- (d) Floodplain development permit information.

SECTION 6. ELECTRICAL INFRASTRUCTURE AND POWER REVIEW

6.01 ERCOT and Grid Analysis

The applicant shall provide:

- (a) ERCOT interconnection status;
- (b) Transmission availability study;
- (c) Power demand forecast;
- (d) Peak load analysis;
- (e) Backup generation plan;
- (f) Blackstart or islanding capability analysis; and

- (g) Reliability assessment.

6.02 On-Site Generation

Where gas turbines, reciprocating engines, or other generators are proposed, the applicant shall provide:

- (a) Air emissions inventory;
- (b) Fuel storage plan;
- (c) Stack analysis;
- (d) Emergency generator operating hours;
- (e) Noise study; and
- (f) Air permit applicability analysis.

SECTION 7. AIR QUALITY AND EMISSIONS REVIEW

7.01 Air Permitting

The applicant shall provide all applicable air permitting documentation, including:

- (a) TCEQ air permit applicability determinations;
- (b) Minor source permits;
- (c) Standard permits;
- (d) Prevention of Significant Deterioration permits; and
- (e) Generator emissions modeling.

The applicant shall identify anticipated emissions of nitrogen oxides, volatile organic compounds, particulate matter, greenhouse gases, and other regulated pollutants.

SECTION 8. NOISE IMPACT REQUIREMENTS

8.01 Noise Analysis

The applicant shall provide:

- (a) Baseline ambient noise study;

- (b) Daytime and nighttime decibel analysis;
- (c) Property-line noise modeling;
- (d) Low-frequency noise analysis;
- (e) Generator testing noise analysis;
- (f) Transformer noise analysis; and
- (g) Cooling fan noise analysis.

8.02 Noise Mitigation

The applicant shall provide:

- (a) Noise mitigation plan;
- (b) Acoustic wall design;
- (c) Berm plan; and
- (d) Vegetative screening plan.

SECTION 9. LIGHT POLLUTION REQUIREMENTS

9.01 Lighting Analysis

The applicant shall provide:

- (a) Photometric study;
- (b) Night sky impact analysis;
- (c) FAA lighting analysis;
- (d) Glare study;
- (e) Shielded fixture design; and
- (f) Operational lighting plan.

The applicant shall identify proposed compliance measures related to dark-sky practices, downward-directed lighting, property-line illumination levels, and security lighting controls.

SECTION 10. ENVIRONMENTAL AND ECOLOGICAL STUDIES

10.01 Federal Environmental Review

The applicant shall provide documentation regarding:

- (a) National Environmental Policy Act review, if applicable;
- (b) Environmental Assessments; and
- (c) Environmental Impact Statements.

10.02 Biological Studies

The applicant shall provide:

- (a) Threatened and endangered species survey;
- (b) Migratory bird analysis;
- (c) Habitat assessment;
- (d) Wetlands delineation; and
- (e) Stream impact study.

10.03 Wetlands and Waters

The applicant shall provide documentation regarding:

- (a) Section 404 permits; and
- (b) Section 401 Water Quality Certifications.

SECTION 11. HAZARDOUS MATERIALS AND FIRE PROTECTION

11.01 Hazardous Materials Review

The applicant shall provide:

- (a) Battery Energy Storage System plan;
- (b) Lithium-ion hazard assessment;

- (c) Fuel storage plan;
- (d) Chemical inventory;
- (e) Spill prevention plan;
- (f) Fire suppression system design; and
- (g) Hazardous materials response plan.

11.02 Emergency Coordination

The applicant shall document coordination with:

- (a) County Fire Marshal;
- (b) Local Volunteer Fire Departments; and
- (c) Emergency Management Coordinator.

SECTION 12. PUBLIC SAFETY AND EMERGENCY PLANNING

12.01 Emergency Planning

The applicant shall provide:

- (a) Emergency Operations Plan;
- (b) Cybersecurity response coordination plan;
- (c) Mutual aid coordination plan;
- (d) Evacuation route analysis;
- (e) Hazard mitigation analysis;
- (f) Disaster recovery plan; and
- (g) Severe weather continuity plan.

SECTION 13. ECONOMIC AND FISCAL IMPACT REVIEW

13.01 Economic Impact Documentation

The applicant shall provide:

- (a) Tax impact analysis;
- (b) PILOT agreement disclosures;
- (c) Abatement requests;
- (d) Employment projections;
- (e) Permanent job estimates; and
- (f) Construction job estimates.

The applicant shall provide any additional information requested by Hill County, Development Services, the County's independent engineering consultant, or Commissioners Court necessary to evaluate the potential impacts of the proposed development.

ADOPTED BY THE HILL COUNTY COMMISSIONERS COURT THIS ____ DAY OF _____, 2026.

HILL COUNTY, TEXAS

SHANE BRASSELL
COUNTY JUDGE

ATTEST:

COUNTY CLERK
HILL COUNTY, TEXAS