

# DRAFT

## HILL COUNTY, TEXAS GREEN ENERGY AND DATA CENTER MORATORIUM

TEMPORARY MORATORIUM ON CERTAIN LARGE-SCALE INDUSTRIAL ENERGY STORAGE, POWER GENERATION, AND DATA PROCESSING CONSTRUCTION ACTIVITIES WITHIN THE UNINCORPORATED AREAS OF HILL COUNTY

AN ORDER OF THE COMMISSIONERS COURT OF HILL COUNTY, TEXAS, DECLARING A TEMPORARY MORATORIUM ON THE COMMENCEMENT OF CERTAIN LARGE-SCALE INDUSTRIAL CONSTRUCTION ACTIVITIES RELATED TO BATTERY ENERGY STORAGE SYSTEMS, DATA PROCESSING FACILITIES, LARGE-SCALE POWER GENERATION FACILITIES, AND RELATED SUPPORT INFRASTRUCTURE WITHIN THE UNINCORPORATED AREAS OF HILL COUNTY; MAKING WRITTEN FINDINGS OF NECESSITY PURSUANT TO TEXAS HEALTH AND SAFETY CODE §121.003; PROVIDING FOR PUBLIC HEARING; PROVIDING FOR WAIVER; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Commissioners Court of Hill County possesses statutory responsibilities relating to county roads, bridges, drainage infrastructure, floodplain administration, emergency management coordination, public infrastructure protection, and the protection of public health and safety within the unincorporated areas of the County; and

WHEREAS, the Commissioners Court finds that certain large-scale industrial developments may substantially impact county infrastructure, emergency response capability, groundwater resources, traffic safety, and public welfare before the County can adequately evaluate and prepare mitigation standards; and

WHEREAS, the County has experienced and received reports of roadway deterioration, drainage impacts, increased heavy truck traffic, and emergency response concerns associated with industrial-scale development activities occurring within Hill County; and

WHEREAS, Hill County's rural emergency response system, including volunteer fire departments and emergency medical services, presently maintains limited staffing, specialized suppression equipment, hazardous materials capability, and water supply infrastructure necessary to respond to lithium-ion battery incidents, industrial fires, or large-scale infrastructure emergencies; and

WHEREAS, the Commissioners Court finds that once substantial construction activities commence, impacts to county roads, bridges, culverts, drainage systems, emergency response capability, and groundwater resources may become immediate and irreversible before the County can complete necessary engineering studies and public safety evaluations; and

WHEREAS, the Commissioners Court further finds that evolving State and Federal directives regarding critical infrastructure protection, cybersecurity safeguards, and prohibited technologies necessitate additional review to ensure local compliance with applicable law; and

**WHEREAS, Texas Health and Safety Code §121.003 authorizes the Commissioners Court to enforce measures reasonably necessary to protect public health; and**

WHEREAS, the Commissioners Court finds that a temporary and narrowly tailored moratorium is necessary to allow Hill County sufficient time to evaluate impacts to county infrastructure and public safety systems and to develop uniform mitigation standards relating to roadway protection, emergency response coordination, drainage, and public infrastructure protection;

**NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HILL COUNTY, TEXAS:**

### **SECTION 1. APPLICABILITY**

This temporary moratorium shall apply only to the commencement of new construction activities associated with:

1. Battery Energy Storage Systems exceeding five (5) megawatts capacity;
2. Data processing or data center facilities exceeding one thousand (1,000) square feet;
3. Large-scale power generation facilities exceeding five (5) megawatts capacity; and
4. Associated substations, cooling systems, transmission infrastructure, and industrial support facilities directly related thereto;

located within the unincorporated areas of Hill County.

This moratorium shall not apply to:

- a. Projects currently under active construction as of the effective date of this Order;
- b. Routine maintenance or repair activities;
- c. Agricultural operations; or
- d. Projects located within incorporated municipalities.

### **SECTION 2. PURPOSE OF MORATORIUM**

During the moratorium period, Hill County shall:

1. Conduct roadway engineering and traffic impact evaluations relating to heavy industrial construction traffic;
2. Evaluate emergency response capability, including fire suppression, hazardous materials response, and water availability;
3. Develop standardized roadway use and infrastructure mitigation requirements;
4. Evaluate drainage, culvert, and floodplain impacts associated with industrial-scale development;
5. Coordinate with State agencies regarding critical infrastructure protection and applicable cybersecurity guidance;





Contractors Bonding and Insurance Company  
 P.O. BOX 3967  
 PEORIA, IL 61612-3967  
 Phone: (800) 645-2402 Fax: (309) 683-1610

# Official Bond And Oath

Bond No. **LSM0962139**

**KNOW ALL MEN BY THESE PRESENTS:**

That we, Jennifer Bonds, as Principal, and Contractors Bonding and Insurance Company, a corporation duly licensed to do business in the State of Texas, as Surety, are held and firmly bound unto the Hill Cnty Justice Of The Peace in the penal sum of Five Thousand Dollars And No Cents DOLLARS (\$ 5,000.00), to the payment of which sum, well and truly to be made, we jointly and severally bind ourselves and our legal representatives firmly by these presents.

Signed this 4th day of February, 2026.

THE CONDITION OF THIS OBLIGATION IS SUCH, That whereas, the said Principal was duly  elected  appointed to the office of Justice Of The Peace Office Clerk State of Texas, for the term commencing on the 5th day of May, 2026.

NOW THEREFORE, if the said Principal shall faithfully perform the duties of his said office, then this obligation shall be void and of no effect, otherwise to remain in full force and effect.

Countersigned

N/A



Jennifer Bonds

Jennifer Bonds  
Principal

Contractors Bonding and Insurance Company

Eric Raudins  
Eric Raudins

Attorney In Fact

**OATH OF OFFICE  
 (COUNTY COMMISSIONERS and COUNTY JUDGE)**

I, \_\_\_\_\_, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of \_\_\_\_\_ of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemnly swear (or affirm) that I will not be, directly or indirectly, interested in any contract with or claim against the County, except such contracts or claims as are expressly authorized by law and except such warrant as may issue to me as fees of office. So help me God.

Principal

Sworn to and subscribed before me, at, \_\_\_\_\_ Texas, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

SEAL

Notary Public  
 County, Texas

NRG Prairie Energy Center, LLC