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ANGELINA COUNTY COMMISSIONERS COURT
RESOLUTION 010-26
SUPPORTING THE LIMITED REGULATORY AUTHORITY OF COUNTIES IN RURAL AREAS ON EMERGING TECHNOLOGIES INCLUDING DATA CENTERS AND BATTERY STORAGE FACILITIES

WHEREAS, Texas is a premier destination for innovation and our counties have long welcomed the tax base and economic growth that accompany digital and energy infrastructure; and

WHEREAS, The pace of data center and battery storage facility construction has exponentially increased across the United States and within the State of Texas; and

WHEREAS, local concerns have emerged across Texas regarding the potential adverse impacts of large-scale data center developments on surrounding communities, the environment, public health, consumer utility costs, land use compatibility, and strain on local infrastructure and resources; and

WHEREAS, the scale of emerging technologies has shifted from modest facilities to "gigawatt-scale" campuses, creating a regulatory gap at the county level that has become a significant liability for residents; and

WHEREAS, counties have no significant land use authority; and

WHEREAS, the 24/7 operation of large-scale cooling fans and backup generators creates low-frequency noise pollution, while large-scale battery installations present unique public safety challenges, including specialized emergency response requirements, impacting the health and property values of neighboring families; and

WHEREAS, a single data center facility can consume millions of gallons of water per day for evaporative cooling, and the potential for chemical runoff (in the event of a fire) from battery sites threatens local aquifers and utility resources in counties already managing depleted groundwater levels; and

WHEREAS, the frequent use of non-disclosure agreements (NDAs) prevents public transparency, leading to community distrust and unnecessary litigation when residents learn of massive projects only after permits are issued;

NOW, THEREFORE, BE IT RESOLVED that the Angelina County Commissioners Court requests that the Texas Legislature grant counties limited and specific authority to regulate emerging technologies including data center and battery energy storage developments including but not limited to the following:

1. Reasonable Buffer Zones & Noise Mitigation: Authority to mandate minimum setback requirements and sound-attenuation standards for facilities including battery enclosures and cooling units adjacent to residential or agricultural zones to protect the "quiet enjoyment" of Texas homes. Reasonable noise limitations and limits at the property line. The use of low-noise chiller systems and sound attenuated generator enclosures.
2. Light pollution standards based on the International Dark Sky standards to limit glare and spillover.
3. Water Availability & Resource Protection: Authority to require a certified Water Impact Statement and Environmental Safety Plan for high-load industrial users, granting counties the standing to negotiate water usage limits, alternative cooling technologies, or containment strategies for hazardous materials if a project threatens local water security, soil health, or agriculture sustainability.
4. Mandatory Public Hearing Process: Requirement for a public hearing process for any data center or battery storage facility exceeding a specific megawatt (MW) or megawatt-hour (MWh) threshold to ensure community engagement, coordination with local first responders, and a predictable path for development.
5. Construction techniques and materials to reduce thermal footprint and heat emissions.
6. Professionally designed landscape plan; tree canopy and vegetative screening.
7. Cooling systems, generators, and electrical equipment to be fully enclosed and/or visually screened.

NOW THEREFORE BE IT RESOLVED that the Angelina County Commissioners Court supports limited regulatory authority of counties in rural area on emerging technologies including data centers and battery storage facilities in order to reduce potential impacts on surrounding communities and neighborhoods, the environment, public health, land use compatibility and strain on local infrastructure and resources.

Adopted and approved this 14th day of July, 2026.

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Keith N. Wright
County Judge

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Tim Sprinkle, Comm. PCT 1

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Kermit Kennedy, Comm. PCT 2

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Tom Berry, Comm. PCT 3

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Kenneth Jeffrey, Comm. PCT 4

ATTEST:

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Amy Fincher, County Clerk