



RESOLUTION NO. 2026-013

**A RESOLUTION OF THE HUDSPETH COUNTY COMMISSIONERS COURT
REGARDING THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE
OF TEXAS**

WHEREAS, the State Republican Executive Committee unanimously adopted the RESOLUTION ON THE ESTABLISHMENT OF ADDITIONAL DATA CENTERS IN THE STATE OF TEXAS on February 7, 2026; and

WHEREAS, the pace of data center construction has exponentially increased across the United States and within the State of Texas, driven by increasing demand for digital infrastructure, data aggregation, artificial intelligence, cryptocurrency mining and related transaction settlement processes, and cloud computing services; and

WHEREAS, data centers constitute critical infrastructure underpinning modern commerce, healthcare, education, communications, financial systems, artificial intelligence development, cloud computing, cybersecurity operations, and national defense capabilities; and

WHEREAS, the continued development of advanced data infrastructure is an essential component of Texas' and the United States' economic competitiveness and national security posture in an increasingly global technological competition, and the State of Texas has emerged as a national leader in attracting data center investment due to its business-friendly climate and energy resources; and

WHEREAS, responsible long-term planning is necessary to ensure that critical infrastructure growth occurs in a manner that protects grid reliability, water sustainability, fiscal integrity, and the quality of life of existing residents; 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, large-scale data center developments may require substantial land conversion, including the clearing or repurposing of agricultural lands, rangelands, and open spaces that support local food production, rural economies, wildlife habitats, and natural drainage patterns, and without appropriate siting, mitigation, and conservation planning, such development could result in fragmentation of habitat, loss of prime farmland, increased stormwater runoff, and long-term impacts to native species and ecological systems; and

WHEREAS, the State of Texas electrical grid, managed by the Electric Reliability Council of Texas (ERCOT), is experiencing rapidly increasing demand for electricity; and

WHEREAS, in his 2026 State of the Union Address, President Donald J. Trump called upon major technology companies developing large-scale data centers to assume responsibility for supplying their own power needs, including by constructing dedicated generation facilities, in order to protect residential and small-business ratepayers from increased electricity costs and to preserve electric grid reliability; and

WHEREAS, projection data indicate that without expanded generation capacity, transmission infrastructure, and reliability safeguards, Texas could face substantial shortfalls in electricity generation and grid reliability over the coming decade, increasing the risk of service interruptions and higher energy costs for residential, agricultural, and commercial consumers; and

WHEREAS, rapid increases in large, continuous-load electricity demand attributable to hyperscale and similar data center facilities raise important reliability planning considerations, particularly during peak summer demand and extreme weather events; and

WHEREAS, Texas faces recurring drought conditions and ongoing water supply challenges in many regions of the state, impacting municipal, agricultural, and industrial water users; and

WHEREAS, certain data center cooling technologies, including open-loop evaporative systems, may require substantial volumes of potable water, and cumulative regional demand associated with multiple facilities could materially affect local water availability, particularly in drought-prone areas; and

WHEREAS, current state-level regulatory frameworks provide limited uniform requirements for transparent reporting of projected electricity demand and water consumption associated with proposed data center facilities; and

WHEREAS, counties bear primary financial responsibility for the maintenance and repair of county roads, drainage systems, and certain emergency response infrastructure, yet possess limited statutory authority to require proportionate cost participation from certain large-scale developments impacting such infrastructure;

WHEREAS, counties have limited statutory authority over electric generation regulation and grid oversight, yet bear responsibility for protecting public health, safety, infrastructure integrity, and natural resources within their jurisdiction;

WHEREAS, under current Texas law, counties do not possess general zoning authority and are not granted broad land-use regulatory powers comparable to those of municipalities, thereby limiting the ability of counties to regulate the location, density, and operational characteristics of large-scale developments such as data centers within unincorporated areas;

NOW, THEREFORE, BE IT RESOLVED BY THE HUDSPETH COUNTY COMMISSIONERS COURT THAT:

SECTION I. POSITION OF THE COURT

The Hudspeth County Commissioners Court supports responsible economic development, including appropriately designed and sited data center facilities. However, the Court formally expresses opposition to the use of open-loop evaporative cooling systems or other high-volume potable water consumption technologies in large-scale, high continuous-load data center facilities within water-constrained regions, absent demonstrated sustainable supply and mitigation safeguards. The Court further opposes any data

center development that fails to incorporate adequate safeguards to protect county resources and residents.

The Court further states that support for additional data center development in the State of Texas should be conditioned upon the implementation of comprehensive, enforceable safeguards to:

- Protect electric grid reliability and prevent cost burdens on residential, agricultural, and small-business ratepayers;
- Ensure responsible, sustainable, and transparent water use practices;
- Protect agricultural lands, rangelands, wildlife habitats, and natural drainage systems by requiring careful site selection, avoidance of prime farmland and ecologically sensitive areas where practicable, and appropriate mitigation of habitat fragmentation and stormwater impacts;
- Prevent degradation of county roads, drainage systems, and other public infrastructure; and
- Safeguard community welfare, public health, and environmental quality.

SECTION II. TRANSPARENCY AND REPORTING

The Court urges the State of Texas and relevant regulatory agencies to require full and transparent public reporting of anticipated electricity demand, water usage, and infrastructure impacts for all proposed data center developments prior to final approval.

SECTION III. INDEPENDENT IMPACT ANALYSIS

No future data center project should proceed without a rigorous, independent assessment of:

- Impacts on ERCOT grid reliability and transmission capacity;
- Impacts on regional water availability and drought contingency planning;
- Impacts on agricultural lands, rangelands, wildlife habitats, natural drainage patterns, and potential habitat fragmentation, including effects on prime farmland, soil integrity, and stormwater runoff;
- Long-term infrastructure costs borne by taxpayers; and
- Effects on surrounding residential, agricultural, and commercial land uses.

SECTION IV. RESOURCE SUSTAINABILITY STANDARDS

The Court encourages adoption of statewide planning and regulatory standards prioritizing sustainability, including:

- Integration of water-efficient or closed-loop cooling technologies;
- Utilization of reclaimed, recycled, or non-potable water sources where feasible;
- Demand response participation and load management requirements to protect grid stability.

SECTION V. LEGISLATIVE ACTION REQUESTED

The Hudspeth County Commissioners Court respectfully requests that the Governor and Texas Legislature:

1. Designate this matter as an **interim study priority** for appropriate legislative committees to evaluate grid reliability, water consumption, local authority, infrastructure impacts, and fiscal implications; and

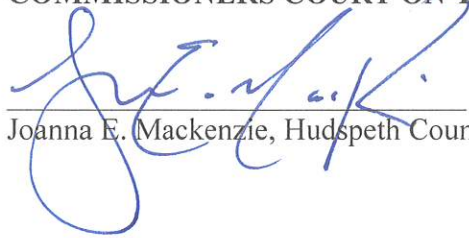
2. Consider, if circumstances warrant timely action, inclusion of this issue on the call of a **Special Session of the Texas Legislature** to address urgent reliability, water supply, and local governance concerns; and
3. Enact legislation providing counties and municipalities meaningful participation and authority in land use, infrastructure planning, and resource impact review related to large-scale data center developments.

SECTION VI. DISTRIBUTION

Copies of this Resolution shall be transmitted to:

- Greg Abbott, Governor of Texas;
- Dan Patrick, Lieutenant Governor of Texas;
- Tan Parker, Texas State Senator;
- Andy Hopper, Texas State Representative;
- The Public Utility Commission of Texas;
- The Electric Reliability Council of Texas;
- The Texas Water Development Board; and
- Appropriate regional and local governmental bodies.

PASSED AND APPROVED UNANIMOUSLY BY THE HUDSPETH COUNTY COMMISSIONERS COURT ON THIS 14TH DAY OF APRIL, 2026.



Joanna E. Mackenzie, Hudspeth County Judge

Attest:



Brenda Sanchez, District & County Clerk