

Letter to the Editor

Title: Message to BESS Developers

During our January 27th Commissioners' Court meeting, Kelly Stalder, Deputy Chief – Inspections & Engineering with the Texas State Fire Marshal's Office presented to our Kerr County Commissioners Court and informed the court what they can and can't do for us with respect to Battery Energy Storage System (BESS) facilities that are attempting to invade our county. You can view the presentation and hear the discussion by watching the YouTube video at this link: [Kerr County Commissioners' Court , January 27, 2025](#).

Note: The State Fire Marshal's presentation starts at around 1:27 minutes into the video.

The important take away from this discussion is that even though Kerr County is not large enough (*population-wise*) to adopt a fire code and even though we don't have a Fire Marshal (*it would likely add \$130,000+ to our annual budget, which we prefer avoiding*), the State Fire Marshal's office will send an officer to inspect any new BESS facility to their latest Texas State Fire Codes, including NFPA 855 which covers BESS facilities (*at no cost to the county!*). Deputy Chief Stalder informed our court that they would likely require containment around the entire BESS facility and sufficient water stored on site to enable adequate firefighting response.

So, **the message to any developers considering installing a BESS facility in Kerr County is this:** We will ask the State Fire Marshals to conduct an inspection of your facility before you start operations. So, it had better have adequate firefighting resources including thermal runaway protection, fire sprinkler suppression systems, on-site firefighting water at all times as prescribed by NFPA 1, a minimum 10' of separation between BESS and property lines (*to be increased to 500 yards as soon as HB 1378 is passed this session*), more than one road into your site for emergency services ingress/egress, and considering the close proximity to our Gaudalupe River and potential groundwater contamination, full containment around the facility to capture any contaminated water that results from fighting a fire, should one occur. It is in your best interest to factor all of this into your development plan and cost estimates as **it will all be required**. It would be far better if you take your project to another county. Your potentially hazardous batteries and your dependence on tax incentives to make your economics work (*30 – 70% tax incentives are available under the federal Inflation Reduction Act*) are simply not welcome in Kerr County. Around here, most of us are disgusted by the climate crisis scam and all of the unreliable wind and solar energy projects invading our state that are anything but green.

Message to Governor Abbott and ERCOT: **Stop using subsidized, unreliable, harmful, and just plain ugly energy that benefits the CCP more than anyone else.**

Rich Paces
Kerr County Commissioner, Precinct 2

For more information and a copy of the Fire Marshal's presentation visit:
www.RichPaces.com