



JOHNSON COUNTY COMMISSIONERS COURT



4-13-2026

Christopher Boedeker
County Judge

Rick Bailey
Commissioner
Precinct 1

Kenny Howell
Commissioner
Precinct 2

Mike White
Commissioner
Precinct 3

Larry Woolley
Commissioner
Precinct 4

THE STATE OF TEXAS

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RESOLUTION 2026-08

COUNTY OF JOHNSON

RESOLUTION CALLING FOR ENHANCED REGULATION OF DATA CENTERS IN THE STATE OF TEXAS

WHEREAS, Johnson County supports responsible economic development and recognizes that advanced technology infrastructure, including data centers and artificial intelligence facilities, will play an important role in Texas’ future economy; and

WHEREAS, hyperscale computing facilities can require extraordinary levels of electric generation and transmission capacity, and rapid load growth without adequate planning could place additional strain on the ERCOT grid and local transmission infrastructure; and

WHEREAS, certain data center cooling technologies can require significant volumes of water, and local communities deserve transparency regarding projected water demand and its potential impact on regional water supplies; and

WHEREAS, large-scale industrial development with significant power or water demands may have substantial impacts on local infrastructure, emergency services, and long-term land use planning; and

WEREAS, suburban and rural counties often lack the regulatory tools available to municipalities despite being increasingly targeted for large-scale industrial and energy infrastructure development; and

WHEREAS, the pace of data center construction has exponentially increased across the United States and within the State of Texas; 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, the State of Texas electrical grid, managed by the Electric Reliability Council of Texas (ERCOT), is experiencing rapidly increasing demand for electricity; and

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

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 JOHNSON COUNTY COMMISSIONERS COURT THAT:

SECTION 1. POSITION OF THE COURT

The Commissioners Court supports responsible economic development, including 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 data center facilities within Johnson County and other water-constrained regions. The Court further opposes any data center development that fails to incorporate adequate safeguards to protect County resources and existing 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 2. 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 3. 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 4. 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 5. LEGISLATIVE ACTION REQUESTED

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

1. Examine policy options that would improve transparency regarding projected electricity demand and water usage of large-scale computing facilities; and
2. 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
3. Evaluate ways to ensure coordination with local governments when large-scale industrial projects may significantly impact local infrastructure, energy services, or natural resources; and
4. Consider whether counties should be granted limited tools to assess infrastructure and resource impacts associated with hyperscale industrial developments; and
5. 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
6. 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 6. DISTRIBUTION

Copies of this Resolution shall be transmitted to:

- Greg Abbott, Governor of Texas;
- Dan Patrick, Lieutenant Governor of Texas;
- Phil King, Texas State Senator;
- Helen Kerwin, Texas State Representative;
- The Public Utility Commission of Texas;
- The Texas Commission on Environmental Quality;
- The Electric Reliability Council of Texas;
- The Texas Water Development Board; and
- Appropriate regional and local governmental bodies.

Said Resolution was moved and approved on this, the 13th day of April 2026.

Christopher Boedeker

Christopher Boedeker, Johnson County Judge

Voted: yes, no, abstained

Rick Bailey

Rick Bailey, Comm. Pct. 1

Voted: yes, no, abstained

Kenny Howell

Kenny Howell, Comm. Pct. 2

Voted: yes, no, abstained

Mike White

Mike White, Comm. Pct. 3

Voted: yes, no, abstained

Larry Woolley

Larry Woolley, Comm. Pct. 4

Voted: yes, no, abstained

April Long

ATTEST: April Long, County Clerk

