

RESOLUTION 09-05

WHEREAS, the State of Texas is pursuing an aggressive strategy to increase the electricity generating capacity from renewable energy technologies;

WHEREAS, a plan was developed by the Public Utilities Commission of Texas ("PUC") to construct transmission capacity to deliver generated power from the five designated Competitive Renewable Energy Zones ("CREZ") to electric customers in the metropolitan areas, said plan containing massive structures and transmission lines that will cross over portions of Kimble County;

WHEREAS, the PUC has selected the Lower Colorado River Authority Transmission Services Corporation ("LCRA TSC") to construct and operate the segments of the transmission line that will be located in Kimble County;

WHEREAS, these transmission lines with their massive structures will create a visual scar across our county, will constitute a permanent disfigurement of the scenic Texas Hill Country landscape, and will potentially have dramatic, negative economic and health consequences for our residents by affecting tourism and devaluing property;

WHEREAS, the LCRA TSC specified the use of lattice structures in its bid to the PUC, and that such lattice structures have a huge footprint and will maximize the negative visual impact and economic consequences of the transmission lines in our beautiful Hill Country county;

WHEREAS, a group of local landowners and business leaders have organized a group called the Clear View Alliance ("CVA") to voice their concerns regarding the LCRA TSC's proposed routes (or links) through Texas Hill Country counties, including Kimble County; and

WHEREAS, the Kimble County Commissioners Court supports the pursuit of renewable energy sources and recognizes the need to deliver the energy to market.

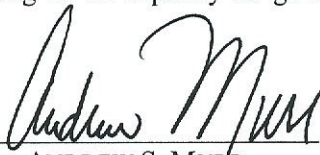
NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS COURT OF KIMBLE COUNTY:

1. That the Kimble County Commissioners Court urges the PUC and the LCRA TSC to respect the input of the citizens of the Hill Country, including the numerous members of the CVA and landowners of Kimble County, and consider the negative and potentially devastating economical, environmental, ecological, historical, riparian, recreational, aesthetic and health impacts and consequences a transmission line (of the scope and magnitude proposed by LCRA TSC) would have on the virtually unblemished landscape of Kimble County and its landowners and citizens;
2. That the Kimble County Commissioners Court urges the PUC and the LCRA TSC to **expand the presently-identified study area** for the possible transmission of energy from the proposed McCamey D Station in northern Schleicher County to the proposed Westwind Station to be located in northern Kerr County or southern Gillespie County;

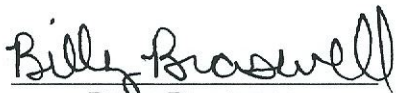
3. That the Kimble County Commissioners Court strongly urges the PUC and LCRA TSC to **adopt the proposed alternate route following, utilizing and/or paralleling existing 138kV transmission line(s) traveling through Menard, Mason and Gillespie Counties** (as identified in Exhibit A attached hereto and incorporated herein by reference) to minimize the sacrifice of new lands and adhere to PUC's and LCRA TSC's preference to follow, utilize and/or parallel existing easements and rights-of-way, as recommended by the CVA and citizens of Kimble County;
4. That the Kimble County Commissioners Court urges the PUC and LCRA TSC to adopt the above-referenced alternate route because: (i) the costs associated with any new, permanent transmission line should not be the SOLE determining factor for the respective line's location—rather equal or even greater weight should also be given to anticipated detrimental impacts such a line is expected to have on landowners, the environment, land use and local economies; (ii) this alternate route applies commonly-held preferences for following, utilizing and/or paralleling existing easements and rights-of-way as much as possible; and (iii) this alternate route only marginally lengthens the distance between the proposed McCamey D and Westwind Stations (which can still be located to derive maximum benefit of this alternate route) while substantially reducing the encroachment of a line into pristine areas of the Hill Country and Kimble County;
5. That in the unlikely event that the PUC and the LCRA TSC refuse to expand the current study area and adopt the above-referenced alternate route, the Kimble County Commissioners Court requests and demands a detailed environmental impact study (in lieu of a lesser-detailed environmental assessment) of each proposed route in and through Kimble County;
6. That in the unlikely event that the PUC and the LCRA TSC refuse to expand the current study area and adopt the above-referenced alternate route, the Kimble County Commissioners Court urges these entities (i) **to utilize the smallest appropriate single or monopole structures (instead of lattice tower structures)** having the least significant economic degradation and negative aesthetic impact in the implementation of the CREZ transmission line plan affecting Kimble County and (ii) **bury all transmission lines underground that will cross Kimble County in developed, populated, riparian, historical and recreational areas** as part of the CREZ transmission line plan;
7. Further, that in the unlikely event that the PUC and the LCRA TSC refuse to expand the current study area and adopt the above-referenced alternate route, the Kimble County Commissioners Court urges these entities to **mitigate issues associated with or eliminate consideration of proposed links b19 and/or b21 because of their proximity to Kimble County Airport** in conflict with Federal Aviation Administration criteria for proposed ground structures and their anticipated negative impacts to (i) aviation approaches to Runway 17; (ii) approaching aircraft resulting from EMF interference; (iii) the frequency of utilization of Kimble County Airport by aviators; and (iv) airport fuel sales and our local economy; and
8. Further, that in the unlikely event that the PUC and the LCRA TSC refuse to expand the current study area and adopt the above-referenced alternate route, the Kimble County Commissioners Court urges these entities, based upon scientific data provided by the CVA and public statements made by representatives of LCRA TSC relating to the approximate safe distances appropriate to reduce or minimize any potential harmful effects and health hazards associated with high-voltage transmission lines, to adopt rules dictating that **any and all 345 kV transmission lines constructed through Kimble County maintain a minimum**

distance of at least 1,400 feet from the centerline of the proposed route or easement to any existing habitable structure and/or its surrounding buildings and structures.

ACCORDINGLY on this 23rd day of June, 2009, in a meeting of the Commissioners Court of Kimble County, duly convened and acting in its capacity as governing body at Kimble County, this resolution is hereby adopted.



ANDREW S. MURR
County Judge



BILLY BRASWELL
Commissioner Pct. 1



CHARLES MCGUIRE
Commissioner Pct. 2



WILEY TATE
Commissioner Pct. 3



TOOTER SCHULZE
Commissioner Pct. 4

ATTEST:



HAYDEE TORRES, County Clerk

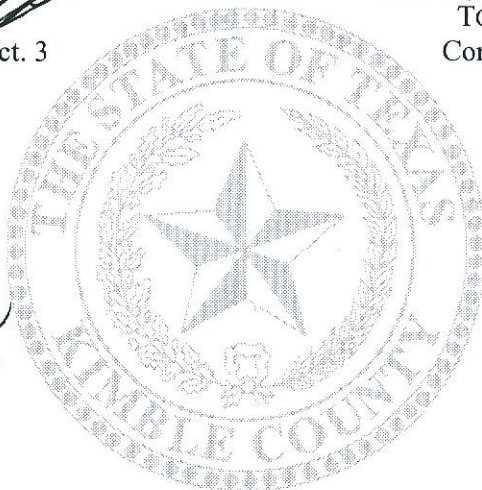


EXHIBIT A

