

Battle over large Gillespie County solar farm heading back to court

Texas Public Radio | By [Brian Kirkpatrick](#)

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Wengen Ling / Courtesy Photo

Workers are installing solar panels.

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Gillespie County and AMPYR Energy USA will soon be back in court in Fredericksburg in a legal battle over development of the 1,100-acre Marshall Springs solar farm and battery energy storage system (BESS) in the heart of the scenic Texas Hill Country.

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It's a battle over green energy in one of the greenest-looking parts of Texas.

The county has taken legal steps against the Long Beach, California-based company over alleged fire and environmental risks at the planned facility, north of Fredericksburg and about an hour's drive northwest of San Antonio.

The two sides are scheduled to be back in state district court in Fredericksburg on Sept. 29 for a hearing over the county's request for a temporary injunction, which, if granted, would stop the project until a lawsuit over it could be heard.

A group and website opposed to the project — fightFBGsolar.com — has been working to educate the community about the alleged risks associated with it. Opponent David Baker said while there is only a slim chance of a battery fire, explosions, and a runaway thermal event, just one could be dangerous.

"When that happens, they are burning toxic metals, releasing toxic metals and also gases, such as hydrogen fluoride, which is the worst gas is released," he said. "And hydrogen fluoride is very toxic. Can be deadly."

Baker also said much of the private property leased by AMPYR Energy USA for the solar farm and battery storage will have to be cleared for installation, creating runoff issues and possible ground contamination.

The Fredericksburg City Council passed a resolution to come out formally against the project. Gillespie County commissioners passed a resolution to proactively mitigate "safety and environmental risks" associated with the project. And the Gillespie County Economic Development Commission passed a resolution too—against all utility scale solar and wind projects. Its resolution read the majority of those projects are not really green or environmentally friendly, harm property values, and "generally thwart smart economic growth."

Opponents claim the project does not belong in the scenic area, known for its wine, peaches, bed and breakfast industry and day road trippers, up from San Antonio or over from Austin.



City Of Fredericksburg

Fredericksburg, a town of more than 12,000 residents, sits in the scenic Hill County, little more than an hour's drive northwest of San Antonio

The Fredericksburg Standard-Radio Post reported AMPYR Energy USA sought to dismiss the case during a hearing in July before State District Judge Pat Patillo, arguing the county's claims are premature and hypothetical since the project has yet to be built. But Patillo ruled against dismissal after the county argued the company is actively developing the site and pursuing interconnecting the project with the Lower Colorado River Authority, a power provider. The county also argued the project sits near a school, residences, and water sources.

Texas Public Radio (TPR) reached out to Fredericksburg Mayor Randy Briley, Gillespie County Judge Daniel Jones, County Attorney Sara Neel, and representatives of AMPYR Energy USA, but all declined or did not respond as the matter moves forward in court.

The City of Fredericksburg did respond to a request for comment about the city's ability to respond to a fire at the solar farm and BESS.

"Battery energy storage facilities and large-scale solar farms present unique challenges for the fire service and are relatively new territory for departments across the country," said Fredericksburg Fire and EMS Chief Lynn Bizzell. "Our personnel are actively pursuing the latest training and following current industry guidelines to ensure we are prepared to respond safely and effectively."

He also added there are fire protection costs to consider with such a project planned in the county.

"As these technologies become more common, there will be costs associated with specialized equipment, protective gear, and training needed to support emergency

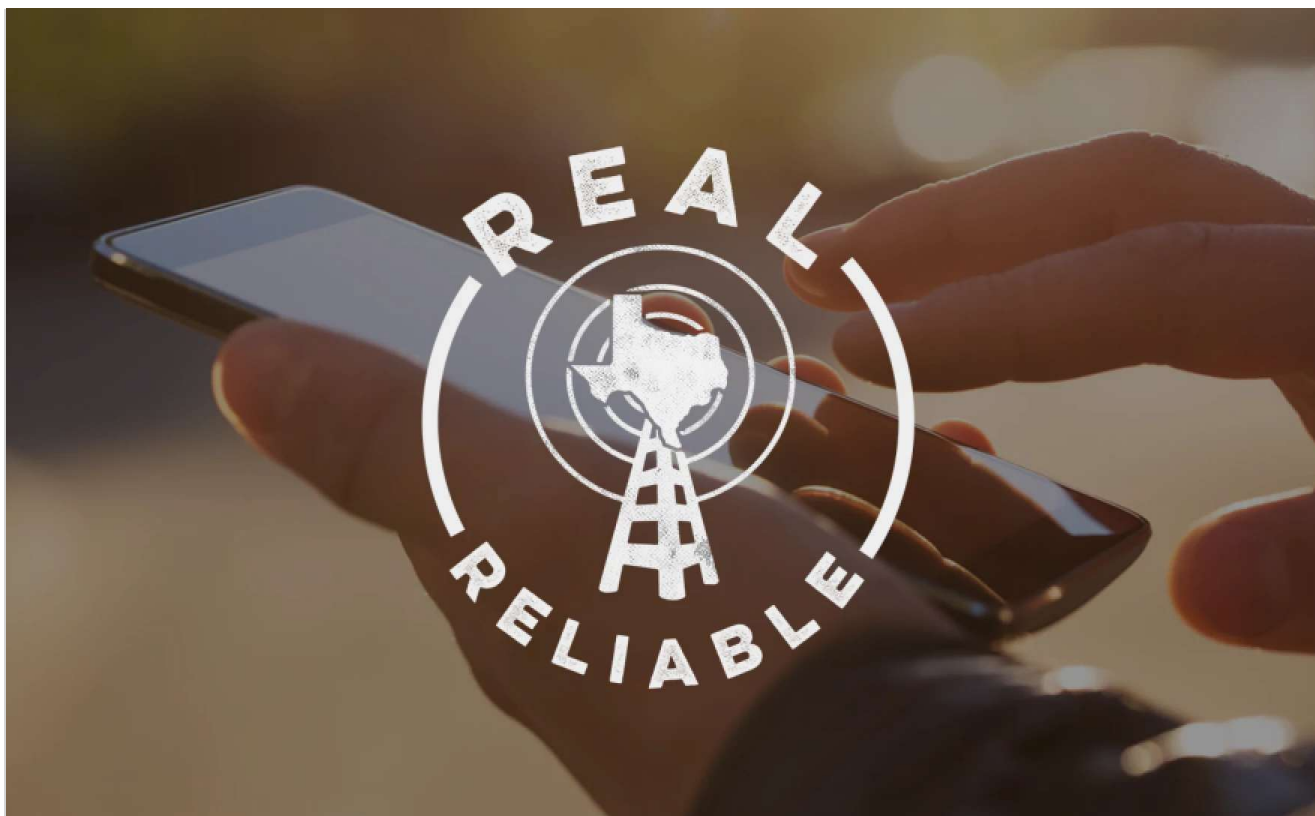
response operations," he said. "In the event of a significant incident, we would also rely on the expertise and assistance of our regional and state partners, as complex emergencies often require a coordinated response.

The solar industry also responded to requests for comment about the project. Daniel Giese, Texas state director for the Solar Energy Industries Association (SEIA), sent a statement to TPR.

"Solar and storage are a safe, clean, affordable and reliable way to meet Texas' energy needs, and properly installed, code-compliant systems are not just safe but a practical solution to meeting demand. That's why we supported HB 3824 last year, which is now state law, to require developers to adhere to statewide fire safety standards, testing requirements, and institute emergency operation plans for their projects."

SEIA also directed TPR to a [link at its website](#) on the dramatic drop in BESS safety failures between 2018 and 2024.

The state's growing population has steadily encroached on the Hill Country and community leaders across the region have grown more alert to what is moving in. Data centers, massive power line projects, quarries, and the summer camp industry have all drawn scrutiny in recent years over issues such as safety, environmental impact, or as a blight on the scenery.



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