

Municipality Protections

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Initial points to listen for that should give reason to pause and ask for more clarification:

Red Flag #1: The project arrives essentially pre-designed and non-negotiable.

Red Flag #2: The eventual tenant/operator is absent, undisclosed, or uninvolved.

Red Flag #3: The developer cannot demonstrate meaningful understanding of the community.

Red Flag #4: The conversation starts with tax revenue and jobs rather than impacts.

Red Flag #5: Power requirements are presented as IT load instead of total facility demand.

Red Flag #6: Water, power, emissions, noise, or infrastructure numbers are incomplete or difficult to obtain.

Red Flag #7: Sustainability claims rely on words like “green” or “water positive” without measurable definitions.

Red Flag #8: The developer resists independent technical review.

Red Flag #9: Approval is requested before critical information is available.

Red Flag #10: Urgency or the threat of taking the project elsewhere is used to discourage scrutiny.

Red Flag #11: “We meet code” is presented as sufficient community protection.

Red Flag #12: Community benefits depend primarily on voluntary promises.

Red Flag #13: Future expansion is not clearly addressed.

Red Flag #14: Commitments do not clearly survive changes in ownership or tenants.

Red Flag #15: The developer talks about being a “good neighbor” but resists putting measurable commitments in writing.

Concerns of which each & every one needs to be fully vetted before an approval:

- 1. Total Utility Power Usage** — Disclose total facility power requirements, including IT load and all supporting infrastructure.
- 2. Ratepayer Protection** — Ensure existing residents and businesses do not bear utility cost increases directly attributable to the data center.
- 3. Total Water Impact** — Disclose direct onsite water use and indirect water use associated with electricity generation.
- 4. Waste Heat Reuse** — Develop plans to capture and beneficially reuse waste heat for the surrounding community. -HB323
- 5. Local Workforce Development** — Invest in training programs that prepare local residents for data center and supporting-industry jobs.
- 6. Community Investment** — Support local events, landmarks, parks, cultural programs, and other assets valued by residents.
- 7. Noise Protection** — Maintain measurable noise limits that protect surrounding homes, businesses, schools, and public spaces.
- 8. Independent Oversight Fund** — Provide dedicated funding for independent technical, environmental, financial, and legal review.
- 9. Environmental Protection** — Prevent unacceptable degradation of local air, water, soil, and surrounding ecosystems.
- 10. Defined Accountability** — Establish written corrective actions and consequences for violations of agreed requirements.

- 11. Independent Review of Changes** — Require significant facility modifications or expansions to undergo independent review.
- 12. Community-Approved Aesthetics** — Design buildings, landscaping, screening, and infrastructure to complement the surrounding community.
- 13. Developer-Funded Grid Upgrades** — Ensure project-specific grid infrastructure costs are not shifted to existing ratepayers.
- 14. Stranded-Cost Protection** — Protect the community from paying for infrastructure built for projects that are delayed, reduced, or canceled.
- 15. Power-Ramp Transparency** — Disclose anticipated electrical demand by phase and year, not simply final buildout capacity.
- 16. Water Availability Protection** — Ensure data center water demand does not compromise residential, agricultural, emergency, or essential community needs.
- 17. Water Withdrawal and Consumption Reporting** — Report both total water withdrawn and the amount actually consumed.
- 18. Backup Power Transparency** — Disclose backup generation capacity, fuel use, testing schedules, operating hours, and associated emissions.
- 19. Chemical and Coolant Disclosure** — Identify significant coolants, refrigerants, fuels, battery chemistries, treatment chemicals, and hazardous materials used onsite.
- 20. Preconstruction Environmental Baseline** — Establish independent baseline measurements for environmental conditions before construction begins.
- 21. Ongoing Public Performance Reporting** — Regularly report actual energy, water, emissions, noise, and other agreed operating metrics.
- 22. Emergency Response Readiness** — Fund appropriate training, planning, equipment, and coordination for local emergency responders.

- 23. Construction Impact Protection** — Minimize and remediate construction-related traffic, dust, noise, road damage, and neighborhood disruption.
- 24. Stormwater and Flood Protection** — Prevent development from increasing downstream flooding, erosion, or groundwater impacts.
- 25. Light and Visual Pollution Protection** — Limit excessive lighting, glare, equipment visibility, and other visual impacts on surrounding areas.
- 26. Tax Incentive Transparency** — Publicly disclose tax abatements, exemptions, subsidies, utility incentives, and other government-supported benefits.
- 27. Local Purchasing and Employment** — Encourage meaningful use of local employees, contractors, suppliers, educational institutions, and service providers.
- 28. Community Benefit Funding** — Establish predictable financial contributions supporting locally determined community priorities.
- 29. Decommissioning and Restoration** — Require a funded plan for eventual shutdown, equipment removal, environmental remediation, and site restoration.
- 30. Obligations Follow Ownership** — Ensure community commitments remain enforceable through changes in ownership, operators, tenants, or corporate structure.
- 31. Expansion Review** — Require additional review when power, water, cooling, generation, buildings, or operational capacity materially increase.
- 32. Grid Emergency Planning** — Establish how the facility will respond during electrical shortages, emergencies, or regional grid constraints.
- 33. Efficiency Performance Reporting** — Measure and report facility efficiency, including energy, water, cooling, and heat-recovery performance.

34. Off-Site Infrastructure Impact — Include transmission, substations, pipelines, water systems, roads, and other project-driven infrastructure in community impact reviews.

35. Citizen Complaint and Resolution Process — Provide residents with a documented process for reporting concerns, receiving responses, and escalating unresolved issues.

36. Independent Auditor Independence — Ensure independent experts are selected and directed by the community, even when their work is funded by the developer or operator.

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