

In the United States, opponents of data center expansion sometimes make constitutional or quasi-constitutional arguments based on:

- Lack of public participation or due process
- Unequal treatment of neighborhoods
- Environmental harms
- Improper use of eminent domain or public subsidies
- Violations of zoning procedures or open meeting laws

However, there is no general constitutional requirement that a project must have majority citizen support to proceed.

Possible constitutional arguments include:

- **Due Process (14th Amendment):** Residents may argue they were denied fair notice, hearings, or meaningful participation before approvals were granted.
- **Equal Protection:** If certain communities are disproportionately burdened while others are protected, unequal treatment claims may arise.
- **Takings Clause (5th Amendment):** If government action connected to expansion effectively destroys property value or use without compensation.
- **State constitutional provisions:** Many states have environmental rights amendments, home-rule protections, or public trust doctrines that can become relevant.

More commonly, opposition succeeds through:

- Local zoning challenges
- Environmental review laws
- Utility and water-use disputes
- Noise and land-use regulations
- Open records/open meetings litigation
- Referendums or ballot initiatives

A more legally precise framing is usually:

“Approving major data center expansion without adequate public process, transparency, or compliance with zoning and environmental laws may violate constitutional due process protections and state law requirements.”

1. Opening Concern Script (General Resident)

“Good evening. My name is [Name], and I live in [community/neighborhood].

I’m asking this board to slow down and fully evaluate this proposed data center before any approvals move forward.

Residents deserve transparency about the long-term impacts on water usage, electrical infrastructure, noise, traffic, land use, and taxpayer costs. Many people in this community only recently learned about this project, and that alone shows the public process has not been adequate.

This is not a small development. Decisions made tonight could permanently change our county’s infrastructure, environment, and future growth patterns.

At minimum, I urge the board to delay approval until independent studies and additional public hearings are completed.”

2. Water Usage Script

“My name is [Name], and I want to address water usage concerns.

Data centers can consume enormous amounts of water for cooling systems, especially during hot weather. Before this county approves anything, the public deserves clear answers:

- How much water will this facility use daily?
- What happens during drought conditions?
- Will residential customers face shortages or increased costs?
- Has an independent water-capacity study been completed?

Our community should not approve a large industrial project without understanding the long-term strain on local water resources.

I respectfully ask the board to require a full independent water-impact review before proceeding.”

3. Taxpayer / Incentives Script

“My name is [Name], and I oppose using taxpayer-backed incentives for this project.

If tax abatements or infrastructure subsidies are being considered, the public deserves full disclosure.

Residents should know:

- How much tax revenue may be waived
- Whether utility upgrades will be publicly funded
- How many permanent jobs are actually expected
- The real cost per job created

This county should not rush into agreements that primarily benefit a private corporation while shifting infrastructure burdens onto residents.

I ask the board to release all proposed incentive agreements publicly before any vote occurs.”

4. Noise & Quality of Life Script

“My name is [Name], and I’m concerned about quality-of-life impacts.

Large data centers operate continuously and often rely on industrial cooling equipment and backup generators. Residents near these facilities in other communities have reported persistent noise concerns.

Before approval, this county should establish:

- enforceable noise limits
- setback requirements
- independent monitoring
- penalties for violations

Once this facility is built, the impacts cannot easily be reversed. Residents deserve protections before approvals are granted.”

5. Transparency & Public Process Script

“My name is [Name].

A project of this size requires meaningful public participation. Many residents feel this process has moved too quickly and without enough notice.

Before any final decision:

- additional hearings should be scheduled
- all studies should be publicly released
- residents should have adequate time to review materials
- independent experts should be consulted

Public trust depends on transparency, especially when decisions may affect this county for decades.

I urge the board to pause this process and allow fuller public review.”

6. Moratorium Request Script

“My name is [Name], and I am asking the county to adopt a temporary moratorium on new data center approvals.

Other communities across the country are taking time to evaluate the impacts of rapid data center expansion on power demand, water infrastructure, land use, and residential quality of life.

A temporary pause would allow this county to:

- update zoning rules
- establish clear standards
- conduct infrastructure studies
- gather public input

A moratorium is not permanent opposition. It is responsible planning.”

7. Strong Closing Statement

“I respectfully ask this board not to rush a decision with long-term consequences.

Growth should happen with transparency, accountability, and public support — not ahead of them.

Please delay approval until residents have answers, independent studies are completed, and the community has had a meaningful opportunity to participate.”

Delivery Tips

- Keep remarks under the hearing time limit (usually 2–5 minutes)
- Speak slowly and calmly
- Bring printed copies
- **Use facts, not insults**
- Coordinate topics so speakers do not repeat each other
- End with a specific ask:
 - deny the application
 - delay the vote
 - require studies
 - impose conditions
 - create a moratorium

Cross Examination Questions for Developers:

Infrastructure & Utilities

1. Exactly how much electricity will this facility consume at full build-out?
2. Has the local utility confirmed the grid can support this project without affecting residential reliability?
3. Will residents or local businesses bear any cost for transmission or substation upgrades?
4. What is the projected peak power demand during summer months?
5. How many backup diesel generators are planned on-site?
6. How often will those generators be tested?
7. What emissions will be produced during testing or outages?
8. What is the projected daily water consumption?
9. What happens to cooling operations during drought restrictions?
10. Has an independent water-capacity study been completed and released publicly?

Economic Claims

11. How many permanent full-time jobs will exist after construction is complete?
 12. What are the average salaries for those permanent jobs?
 13. How many of those jobs are expected to go to local residents?
 14. How much in tax incentives or abatements has the company requested?
 15. What is the projected taxpayer cost per permanent job created?
 16. Will the company commit to minimum local hiring requirements?
 17. What happens if promised economic targets are not met?
 18. Are there clawback provisions if the company underdelivers?
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Land Use & Community Impact

19. Why was this location selected near residential or agricultural areas?
 20. What alternative sites were considered?
 21. What studies have been conducted regarding nearby property values?
 22. What is the expected decibel level at the nearest homes?
 23. Will independent post-construction noise monitoring occur?
 24. Who enforces noise violations, and what penalties exist?
 25. What visual buffering or setbacks are planned?
 26. Will the facility operate 24 hours per day?
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Transparency & Process

27. When did discussions with county officials first begin?
 28. Were any agreements or understandings reached before public hearings occurred?
 29. Have all communications with county officials been released publicly?
 30. Why were residents not informed earlier in the process?
 31. Has the company funded any local studies used to support approval?
 32. Will the company agree to independent third-party reviews?
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Environmental Questions

33. What is the total acreage that will be cleared?
 34. Will wetlands or flood-prone areas be affected?
 35. How much stormwater runoff will increase after development?
 36. What environmental mitigation measures are guaranteed — not merely proposed?
 37. Has a cumulative environmental impact analysis been conducted for future expansion phases?
 38. What chemicals or cooling agents will be stored on-site?
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Expansion & Future Growth

39. Is this project intended to expand beyond the currently proposed footprint?
40. What prevents future expansion requests after initial approval?
41. Can the company commit today that no additional substations or buildings will be requested later?
42. Is the currently proposed capacity only Phase 1?
43. What binding limitations are the company willing to accept?

Accountability Questions

44. Who is financially responsible if infrastructure upgrades exceed estimates?
45. What happens if the project is sold to another operator?
46. Will all commitments made tonight become legally enforceable conditions?
47. What penalties exist for violating permit conditions?
48. Will the company agree to annual public reporting on water and power usage?
49. Will residents have a formal complaint process after operations begin?
50. Why should this county approve the project now instead of pausing for additional independent review?

Effective Hearing Strategy

Don't ask all 50. Pick:

- 3–5 speakers
- 3–4 focused questions each
- different subject areas

The strongest hearing moments usually come from:

- unanswered questions
- vague projections
- refusal to commit
- contradictions between studies and testimony

Short, precise questions are harder to evade than speeches.