



WORKING PAPER · 2026

Why Communities Fight Data Centers

A Framework for Understanding Opposition
to the American Data Center Buildout

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WORKING PAPER · DRAFT

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Michael J. Bommarito II · ALEA Institute · July 7, 2026

ABSTRACT

Opposition to data center development in the United States has, in roughly two years, grown from scattered local complaints into an organized national movement that now blocks or delays tens of billions of dollars in projects each quarter. This paper argues that the opposition is neither irrational nor merely parochial, and that the common “NIMBY” label obscures more than it explains. The opposition rests on a structural asymmetry: the benefits of a data center flow broadly, while its costs concentrate locally. A siting logic in which the binding constraint is electric power, not community consent, compounds the problem. I offer a framework for making sense of the resulting grievances along three axes: their *remediability* (whether any condition of approval could satisfy them), their *scale* (parcel, community, or societal), and the *project phase* at which they appear (announcement, construction, operation, or enforcement). The framework organizes an otherwise bewildering variety of complaints and predicts how each is likely to be resolved: negotiated conditions for remediable grievances, moratoria and referenda for intrinsic ones. It also clarifies why the disputes that residents actually win in court are overwhelmingly procedural. I ground the framework in the current empirical record and close with its implications for developers, policymakers, and the communities themselves.

Keywords: data centers; community opposition; land use; moratoria; energy infrastructure; NIMBY; artificial intelligence; siting.

AT A GLANCE

STALLED IN Q1 2026

\$130 billion

75+ projects blocked or delayed, the most on record

MORATORIA IN 30 STATES

201

local data-center moratoria as of 2026

OPPOSE A LOCAL DATA CENTER

71%

75% of Democrats and 63% of Republicans (Gallup)

CAPITAL PER PERMANENT JOB

\$13 million

vs. about \$137,000 elsewhere in the economy

1 Introduction

Two years ago, opposition to data centers in the United States was a scattering of crowded town-hall meetings. Today it is a movement. It has model ordinances, shared playbooks, hand-lettered lawn signs that travel from one county to the next, and a growing record of stopping projects that were supposed to be settled business. In the first quarter of 2026 alone, community opposition blocked or delayed roughly \$130 billion in projects, the most in any quarter on record. The number of active opposition groups more than doubled over the preceding year [1, 2].

The easy response is to file all of this under NIMBY (Not In My Back Yard) and move on. That is a mistake. The label flattens a set of grievances that are, on inspection, specific, largely documentable, and increasingly successful. It also tells us nothing useful: nothing about which fights will end in a negotiated deal, and which will end in an outright ban. This paper takes the opposition seriously as an object of study and offers a framework for understanding it.

Two structural facts anchor the argument. The first is an asymmetry: **the benefits of a data center flow broadly, while its costs concentrate locally**. The computing capacity serves a national or global company and a national ambition in artificial intelligence. The noise, the truck traffic, the water draw, the higher electricity bills, and the paved-over farmland are borne by the few thousand people who live nearby. The second fact is about siting: for a modern data center, the binding constraint is **electric power, not community consent**. Developers go where a utility can deliver hundreds of megawatts to gigawatts on their timeline. That is why projects land on cheap rural land near high-voltage transmission lines, and why residents so often feel the decision was made upstream, before anyone asked them. A town is less chosen for a data center than found by one.

Everything that follows is downstream of those two facts. The contribution of this paper is to organize the resulting opposition along three axes: whether a grievance can be remedied at all, the scale of the interest it injures, and the phase of the project at which it appears. The framework does real work. It predicts how a given grievance is likely to be resolved, explains why the disputes residents win in court are almost always procedural, and distinguishes the opposition that a better deal can absorb from the opposition that no deal can. Section 2 develops the structural sources of the conflict. Section 3 sets out the framework. Section 4 reads the organizing playbook through it. Section 5 grounds the whole in the current empirical record, and Section 6 draws out the implications.

2 Why the Opposition Is Structural

The two anchoring facts deserve a closer look, because most of the confusion about data center opposition comes from treating it as a public-relations problem (a failure of the developer to communicate) rather than as the predictable product of how these projects are built.

The asymmetry between broad benefits and local costs is not incidental to data centers; it is close to their defining economic feature at the community level. A gigawatt-scale campus is among the most capital-intensive land uses in the modern economy, yet it employs few people once built. The product is computation, and it ships out over fiber to customers who may be anywhere on earth. What stays behind is physical: the substation, the cooling plant, the diesel generators, the water line, the trucks, and the transmission towers. The people who receive the benefit and

the people who bear the cost are, to an unusual degree, different people in different places. The United States has arranged infrastructure this way before: railroads, interstate highways, power plants. Each time, the same friction appeared where the costs landed [3]. What is new is the speed and the scale.

The siting logic sharpens the asymmetry into a grievance. Because deliverable power is the scarce input, site selection runs largely through utility relationships and interconnection queues (the waiting lines for permission to draw large amounts of power from the grid), in proceedings the public never sees. By the time a project surfaces at a zoning hearing, the important questions have usually been answered: whether the grid can serve it, where, and on what terms. The hearing tends to ratify a decision rather than make one. Residents are not wrong when they sense that they were consulted late, and only as a formality; frequently they were. That sense of a foregone conclusion is itself a source of opposition, independent of any particular harm the project may cause.

Two consequences follow. First, opposition is not a sign that a developer handled a project badly. It is the baseline expectation for a land use whose costs and benefits are distributed this way, and the absence of opposition is the thing that would need explaining. Second, because the grievances are structural, they are patterned. They recur across projects and states in recognizable forms, which means they can be catalogued and, more usefully, arranged into a framework that predicts how they behave.

Benefits flow broadly, and costs concentrate locally. Nearly every one of these fights is a variation on that.

3 A Framework: Three Axes of Grievance

The complaints residents raise look, at first, like an undifferentiated wall of objection. They are not. They sort into a small number of families, and each family can be placed on three axes that together predict how the grievance behaves: whether it can be bargained away, who it mobilizes, and when in a project's life it appears.

3.1 The grievance families

Across the record, the substantive objections fall into roughly seven families, summarized in Exhibit 1. Two of them, resource competition and nuisance, account for most of what is said aloud at hearings, because they are the objections the law most readily recognizes. But the ones that most shape the *outcome* of a fight are often further down the list: the economic case, the integrity of the process, and the small set of grievances that no condition of approval can reach.

3.2 Axis one: remediability

The single most useful distinction is whether a grievance is *remediable* (a condition of approval could satisfy it) or *intrinsic* (no condition could). Noise can be capped, wells can be monitored, rate structures can be separated, property values can be guaranteed, community funds can be seeded. These grievances have a price, and the negotiation is

Family	Representative harms	Remediability	Usual channel
Resource	Grid load and socialized upgrade cost; water supply, well hydrology, thermal discharge	Mostly remediable	Rate cases; conditions; monitoring
Nuisance	Low-frequency noise, vibration, light, dust, truck traffic	Remediable	Nuisance suits; permit conditions
Public health	Air pollution, backup generators, noise-linked illness	Partly remediable	Air permits; class actions
Ecology	Wetlands, streams, wildlife, habitat loss	Mixed	404/NPDES/ESA comment and suit
Economic	Few permanent jobs; outsized subsidies; ratepayer cost-shifting; property value	Mostly remediable	Incentive terms; CBAs; rate class
Process	Secrecy, code names, coercion, broken promises	Intrinsic once breached	Procedural challenge; disclosure reform
Intrinsic	Irreversible land and heritage loss; undiversifiable risk; opposition to AI itself	Intrinsic	Moratoria; referenda; bans

Exhibit 1. A taxonomy of data center grievances and their typical resolution channels.

over what it is. Other grievances have no price at all. Farmland does not come back once a campus is built on it. Heritage land carries meaning a payment cannot replace. A process that already went over residents' heads cannot be run again. And opposition to artificial intelligence as such is not answered by a quieter cooling system.

This axis predicts the shape of a fight. Remediable grievances travel toward settlement: host agreements, community-benefit agreements, binding conditions. Intrinsic grievances travel toward refusal (moratoria, referenda, bans) because no deal answers them. When a community with intrinsic grievances is pushed into a negotiation, it tends to trade away leverage it should have spent on stopping the project. When a community with only remediable grievances holds out for a total ban, it usually forfeits the conditions it could have won.

3.3 Axis two: scale

Grievances also differ in the scale of the interest they injure, and scale determines who mobilizes. A *parcel-scale* harm (a cracked foundation, a dry well, light across a bedroom window) injures an identifiable person and produces plaintiffs. A *community-scale* harm (higher rates across a service territory, strain on a shared aquifer, changed rural character) injures a jurisdiction and produces ballot campaigns, ordinances, and moratoria. A *societal-scale* grievance (job displacement, distrust of large technology firms, unease about the trajectory of AI) injures no one locally in particular and produces networked activism that crosses county and state lines. The same word, "opposition," describes a landowner with a damages claim, a county writing a moratorium, and a national movement. They are not interchangeable.

Exhibit 2 places the grievance families in this space. The horizontal position, set by remediability, predicts how a fight resolves. The vertical position, set by scale, predicts who wages it.

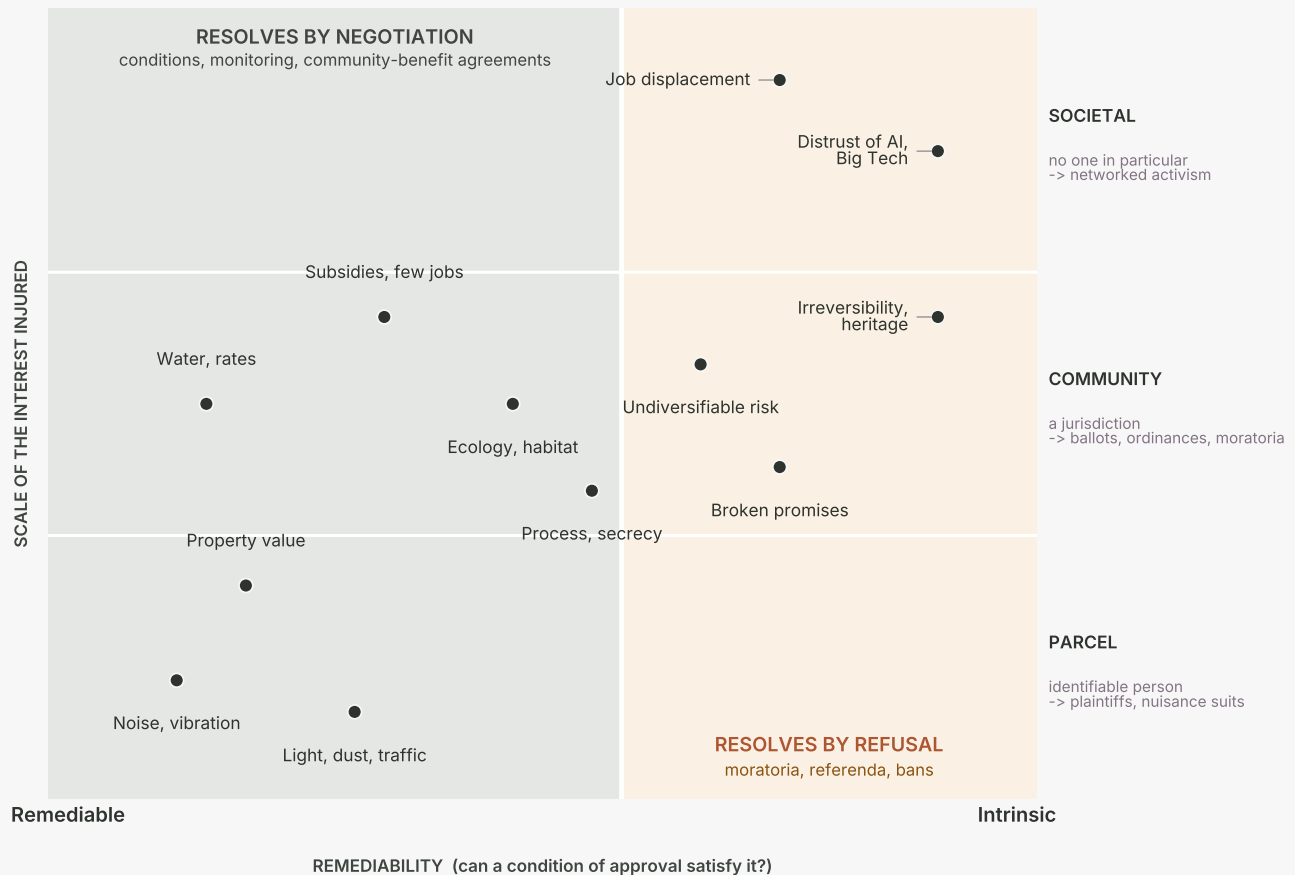


Exhibit 2. The grievance space. Each family sits where its remediability (can a condition of approval satisfy it?) meets the scale of the interest it injures. Position predicts resolution: grievances on the left are bargained through conditions and community-benefit agreements; those on the right are answered, if at all, by moratoria, referenda, and bans. Height predicts who mobilizes, from a single plaintiff to a national movement.

3.4 Axis three: project phase

The third axis is time. Grievances are keyed to the phase of a project, and conflating the phases muddies analysis (Exhibit 3). At *announcement*, the objections are about process: secrecy, an undisclosed tenant, a zoning change residents did not see coming. During *construction*, which can run twelve to twenty-four months per building and years per campus, they are about dust, truck traffic, road damage, dewatering, and pile-driving noise. In *operation*, the classic nuisance set arrives: hum, light, water draw, and the higher bills. And after approval comes a distinct grievance, at the *enforcement* phase: the promises made to win consent turn out to be unenforceable, or the people who made them are gone. Residents in these fights repeat a version of the same line: promises come from people who will not be around to keep them. That complaint is aimed less at the facility than at the durability of the deal, and it is why monitoring and enforcement provisions have become central to modern host agreements.

The framework in one sentence. Remediability tells you *how* a fight will end, scale tells you *who* will wage it, and phase tells you *when* each grievance will appear, so that a complaint that looks like generic obstruction can be placed on the map, and its likely course anticipated.

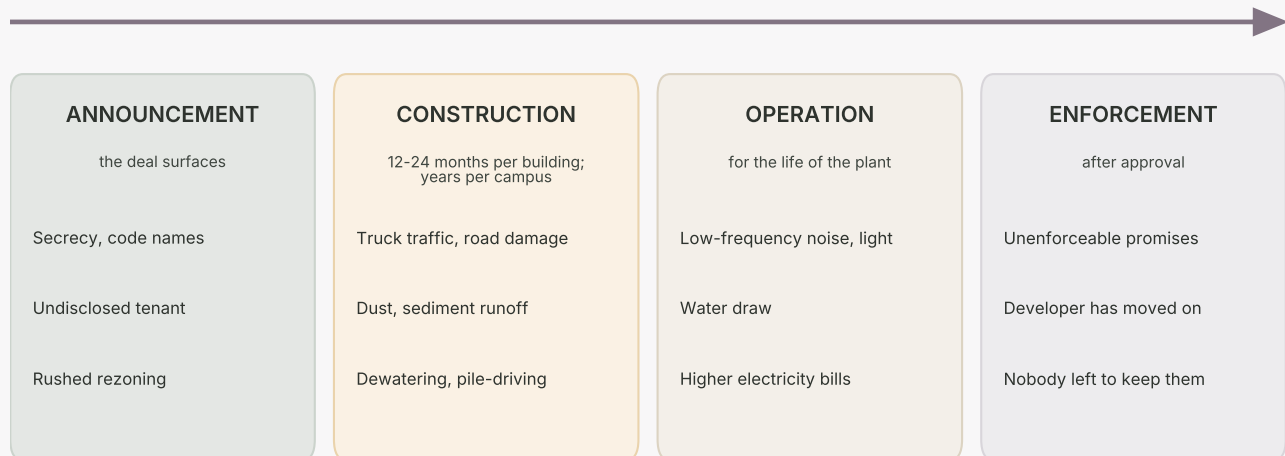


Exhibit 3. The temporal axis. Grievances activate at different phases, from the secrecy that dominates the announcement to the broken promises that surface only at enforcement. Construction alone can run twelve to twenty-four months per building, and years per campus.

3.5 Two modifiers

Two cross-cutting factors sit on top of the three axes. The first is *cumulative scale*: most of these harms depend on how many facilities pile up, not just on any one of them. A single data center may be tolerable where ten in the same county are not. A harm that grows with the cluster rather than the single facility (regional water draw, transmission buildout) belongs in a different analytical bucket from one that arrives one building at a time.

The second is the gap between *stated* and *motivating* grievances. Resource and nuisance claims dominate the official record because they are the objections a zoning board may lawfully act on. Procedural anger and symbolic opposition supply much of the mobilizing energy, but they get translated into the legally recognized language that a hearing will credit. The objection a community files is not always the objection that brought it to the meeting, and the distance between the two is itself measurable in the documentary record.

3.6 The object is not one thing

One simplification runs through all of the above: the phrase “data center” names a wide range of buildings. A modest enterprise or colocation facility, drawing tens of megawatts to host ordinary web and cloud services, sits at one end. A gigawatt-scale campus built to train frontier AI models sits at the other. Their community footprints differ by an order of magnitude in power, water, land, and traffic, and on the framework’s own logic the remediable, footprint-based grievances are far larger for the second than the first. A regime that took the distinction seriously would treat the two differently.

In practice the distinction is eroding, for two reasons. The first is opacity. The code names and undisclosed tenants of Section 4 mean a community often cannot tell, at the hearing, which kind of facility it is approving or how large it will grow; a project presented as one thing can become another. The second reason is that intrinsic opposition does not care. When the fight is a proxy for artificial intelligence and the firms behind it, the building’s megawatts are beside the point, and the discovery that this particular facility is small does not move anyone. The public discourse

has already collapsed the categories, treating every data center as a single symbol of concentrated technological power [4, 5]. So the distinction survives where it can still do work: at the remediable end of the spectrum, where rules tiered by size or load could target the harms that actually scale with the building. At the intrinsic end it has nearly stopped mattering.

4 How Opposition Organizes

The framework is not only descriptive. Communities have, in effect, discovered it by trial and error, and the organizing playbook that has emerged over the past two years maps onto the three axes with some precision.

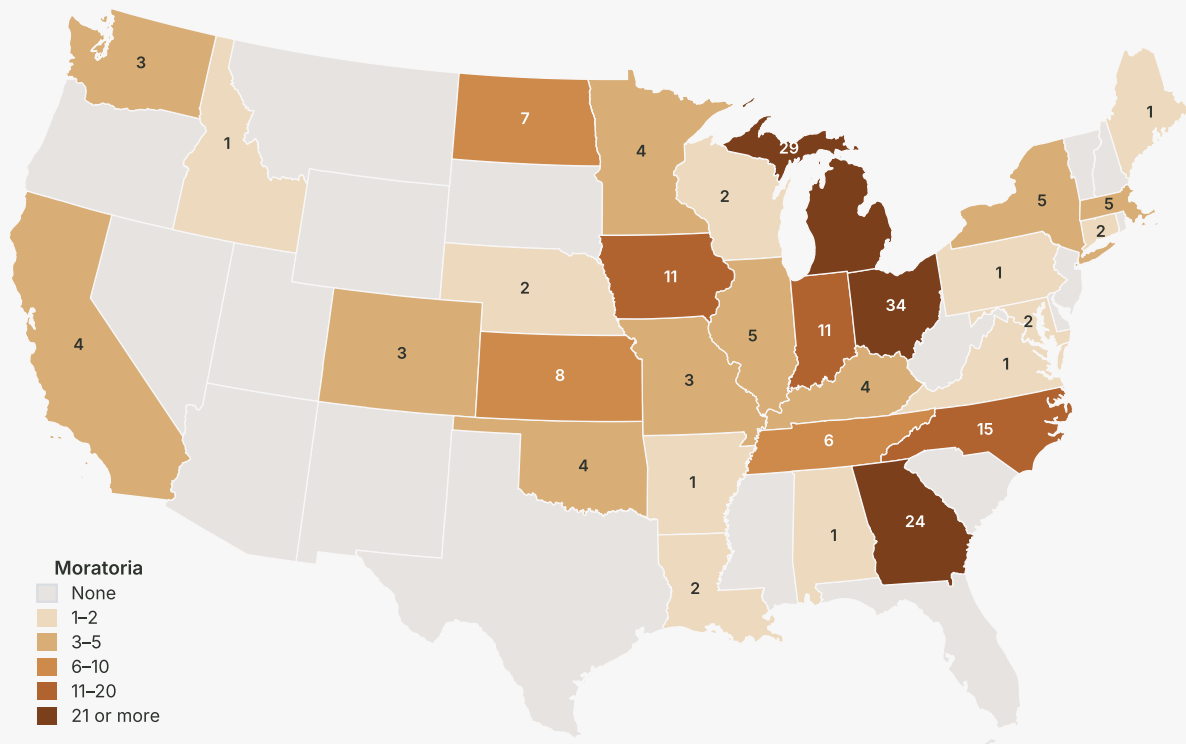
From isolated complaints to a shared repertoire. Most fights still begin the same way, on a local social-media group and at a packed township meeting. What has changed is that they no longer stay local. Residents copy tactics, trade model ordinances, warn one another about code names, and carry the same signs from one county to the next. Guides now formalize the knowledge, including the citizen’s guide that accompanies this line of work [6] and project-specific documentation manuals written for particular communities [7]. Societal-scale opposition, in the terms of Section 3, has supplied the networked infrastructure that community-scale fights now draw on.

Procedural attack: where residents actually win. The single most important tactical fact is that the lawsuits succeeding right now do not argue that a data center is bad. They argue that the *approval* was done wrong: defective public notice, a rushed hearing, an inadequate record. Prince William County’s 2,100-acre “Digital Gateway” was voided on a public-notice defect, affirmed on appeal, and finally abandoned by the developer in 2026 [8, 9]. This is the framework’s prediction borne out. Once a project is approved, process grievances are among the few a court will convert into a remedy. A rational opposition therefore builds a clean procedural and evidentiary record early, rather than asking a judge to rule on whether data centers are good for America.

Moratoria: the instrument for intrinsic grievances. Where residents cannot win a single hearing, they change the rules for everyone. A national survey underlying this paper counts more than 200 local moratoria across 30 states in 2026, up from about 116 when the survey first appeared in February [10, 11]. Moratoria are not distributed at random. They concentrate geographically, in a handful of Midwestern and Southeastern states (Exhibit 4). And they concentrate where the grievances are intrinsic: when no negotiated condition would satisfy opponents, the community stops new projects wholesale while it writes rules. The framework predicts exactly this clustering, and the claim is testable: the stated reasons in moratorium ordinances passed by intrinsic-grievance communities should read differently from the terms of approvals negotiated by remediable-grievance ones.

Negotiated remedies: increasingly inventive. Where communities do bargain, they have moved well past the old tax-abatement handshake. White County, Indiana secured a twenty-year property-value guarantee. Henrico County, Virginia routed \$60 million in data-center tax revenue into an affordable-housing trust fund. Others are pressing to put data centers in their own utility rate class, so that residents stop subsidizing the load [12, 13, 6].

Local data-center moratoria by state: 201 instruments across 30 states



Source: Bommarito, *Moratorium Data 2026* (companion to the moratorium survey). Contiguous states shown; counts include all listed statuses. As of April 2026.

Exhibit 4. Data-center moratoria concentrate in a small group of states. Local moratoria touching data centers number 201 across 30 states, with the heaviest activity in Ohio, Michigan, and Georgia, all among the fastest-growing data center markets, so that opposition tends to track the buildout rather than run ahead of it. Counts include all recorded statuses; contiguous states shown. Source: *Moratorium Data 2026* [11].

These are, in the framework's terms, remedies for remediable grievances, and they spread community to community the same way the opposition tactics do.

Climbing past the town. Opposition follows the decision. When developers move approvals up to the state to bypass local vetoes, opponents follow: into public-service-commission rate cases, state legislation, and interventions by state attorneys general. A fight that begins at a rural zoning board increasingly ends in a state capitol, and the grievances that travel best up that ladder are the community- and societal-scale ones that a single parcel dispute cannot carry.

5 The Evidence

A framework is only as good as the record it organizes. The figures below ground each part of the argument. They move quickly (opposition counts most of all), so each carries the period it reflects and should be reconfirmed before

it is relied upon.

The opposition is real and accelerating. Data Center Watch found that opponents blocked or delayed roughly 75 projects worth about \$130 billion in the first quarter of 2026 alone, the most since tracking began. Over the same period, the number of active opposition groups more than doubled, from 396 at the end of 2025 to 833 across 49 states [1, 2]. This is the movement described in Section 4, visible in the aggregate.

The public is skeptical, and skeptical for resource reasons. Gallup found in 2026 that 71 percent of Americans would oppose an AI data center built in their local area, 48 percent of them strongly [14]. About half of the opponents cite excessive use of resources, with roughly 18 percent each naming water and energy specifically. Separate industry-tracked polling that year found similar levels [15]; the surveys use different wording and should not be blended, but they point the same way. That resource grievances lead the stated reasons fits Section 3's observation: the objections that dominate the record are the ones the law recognizes.

The opposition crosses party lines. The same Gallup survey found majorities opposed in every party: 75 percent of Democrats, 74 percent of independents, and 63 percent of Republicans, with majorities of every major demographic group against a nearby data center [14]. The parties differ on intensity (56 percent of Democrats strongly oppose, against 39 percent of Republicans [14]) and on why: Democrats emphasize environmental impact, Republicans a smaller government role [16]. Within the Republican coalition the usual ideological map inverts. A Yale survey in 2026 found more conservative Republicans (53 percent) than moderate ones (44 percent) opposed to a local data center, putting the most conservative voters closer to Democrats than to their own party's center [17, 18]. The movement looks the same on the ground: the moratoria in Exhibit 4 cluster in red states (Ohio, Georgia, Indiana) and blue ones (Michigan, New York) alike, and governors of both parties have taken restrictive positions [18]. Whether the consensus survives electoral politics is an open question. Observers point to fracking, an issue that also began bipartisan and did not stay that way [18].

The economic case is weak where it lands. Data centers create very few permanent jobs for the capital involved. Good Jobs First found that eleven data-center mega-deals averaged about \$1.95 million in subsidy per job, and a Virginia analysis found roughly one permanent job per \$13 million invested, against about \$137,000 per job elsewhere in the economy [19, 20] (Exhibit 5). When the grid upgrades to serve the load are then socialized across residential bills, the local economic ledger looks worse still. One caution: the public ratepayer figures remain the weakest-sourced part of the record, and they should be traced to the underlying grid-monitor and utility analyses rather than to secondary aggregation [15].

Health and nuisance have moved into court. A study by researchers at UC Riverside and Caltech, "The Unpaid Toll," estimated roughly \$6 billion in United States public-health damages from data-center air pollution in 2023, rising toward \$10 to \$20 billion a year by 2028 [21]. In May 2026 the first data-center noise class action was filed, in Dowagiac, Michigan [22]. That filing marks the point at which the nuisance family in Exhibit 1 began to convert into harm a court can weigh.

Capital investment per permanent job

about 95x more capital for each job



Source: Food & Water Watch / Quartz, Virginia analysis. Subsidies to data-center mega-deals average about \$1.95M per job (Good Jobs First).

Exhibit 5. The local economic case, in one comparison. A permanent data-center job is backed by roughly \$13 million in capital, against about \$137,000 for a job elsewhere in the economy. Source: Food & Water Watch / Quartz, Virginia analysis [20].

Water is about concentration, not totals. United States data centers directly consumed roughly 17 billion gallons of water in 2023, a small national share [23]. The grievance is nonetheless real because it is local: a single Google facility in Council Bluffs, Iowa used on the order of a billion gallons in one year [24]. This is the cumulative-scale modifier from Section 3 in miniature: the harm is a function of concentration, not of the national total.

Procedure decides cases; litigation can reverse a local “no.” The fully litigated flagship of the movement, Virginia’s Digital Gateway, is now dead: the approval was voided over defective public notice, the ruling was affirmed on appeal, and the developer walked away [8, 9]. At the other end of the same dynamic, township records obtained under Michigan’s Freedom of Information Act show Saline Township moving from a public rejection to a court-approved consent judgment reversing that rejection in roughly thirty days, against the twelve to eighteen months a contested zoning case normally takes [25]. Together they mark the range. Process is both the grievance residents most often win on and the lever developers most often use against them.

6 Discussion and Implications

The framework earns its keep by making claims that can be checked and by clarifying choices that the parties to these disputes actually face.

Its central empirical prediction is that **remediability sorts the outcome**. Communities whose grievances are remediable should resolve through negotiated instruments: host and community-benefit agreements, conditions, monitoring. Communities whose grievances are intrinsic should resolve through refusal: moratoria, referenda, and bans. This is testable against the documents. The stated reasons in moratorium ordinances passed where opposition is intrinsic should read differently from the findings that accompany negotiated approvals, and the growing archive of both makes the comparison feasible [11]. A second, related prediction concerns the gap between stated and

motivating grievances. Because only legally recognized objections survive into the formal record, the public reasons for opposition should systematically under-represent the procedural and symbolic grievances that supply its energy. The same archive can begin to measure that gap.

The framework also clarifies a trajectory. The component of opposition least susceptible to any deal, and the one most likely to grow, is the intrinsic, societal-scale grievance in which the facility is a *proxy for the technology*: distrust of large technology firms, fear of job displacement, unease about where artificial intelligence is heading [4, 5]. Americans have no direct way to fight AI, so, as observers of the backlash have put it, they fight the data center instead. Opposition of this kind is immune to better siting and better terms, because its object is not the building. As the salience of AI rises, this share of the opposition should rise with it, and it will express itself through moratoria and politics rather than through negotiated conditions. For now, that opposition polls as one of the few genuinely bipartisan positions in American politics (Section 5): the parties differ over why to oppose, not whether.

For the parties, the implications are direct. For *developers*, the lesson is that disclosure and process are not public-relations niceties. They are the terrain on which projects are most often lost: the secrecy that eases early land assembly converts, predictably, into the procedural vulnerability that later voids approvals. For *policymakers*, the framework separates the grievances that better rules can resolve (disclosure requirements, approvals tiered by size and load, separate utility rate classes, enforceable conditions) from those that only a siting or moratorium decision can reach. It warns against treating the second kind as a communications failure. For *communities*, the practical counsel is unglamorous and tied to the project's phase: contest secrecy before the vote; document baseline water, noise, and traffic before construction, so that later harms are provable; and above all, read your own grievances correctly. A community that mistakes an intrinsic objection for a remediable one will bargain away the leverage it needed to refuse.

Conclusion. American opposition to data centers is neither a passing irritation nor mere obstruction. It is the predictable response to a land use whose benefits are national and whose costs are local, sited by a logic that puts power ahead of consent. Its grievances are patterned, and the pattern can be read: by whether a condition of approval could satisfy them, by the scale of the interest they injure, and by the phase at which they appear. Read that way, a wall of objection resolves into a structure. It tells us which fights will end in a signed agreement, which will end in a ban, and why the disputes decided in court so rarely turn on the merits of the machine at all.

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