
LAW OFFICE OF SEBASTIAN RUCCI, P.C.

16400 Pacific Coast Highway, Suite 212

Huntington Beach, CA 92649

Phone: (562) 901-0199

Sebastian@RucciLaw.com

**DATA CENTERS APPROVED AS OF RIGHT IN CALIFORNIA
(NO CEQA REVIEW)**

Table of Contents

Mechanism’s in California to Approve Data Centers Without CEQA Review [Page 3](#)

- By-right Zoning & Ministerial Permits: [Page 3](#)
- General Plan/specific Plan Consistency (Ceqa Streamlining) [Page 3](#)
- Statutory and Categorical Exemptions [Page 4](#)
 - Ministerial Exemption (PRC § 21080(b)(1)): [Page 4](#)
 - Common Sense Exemption [Page 4](#)
- Categorical Exemptions [Page 5](#)
- Local Zoning Policies Facilitating Ministerial Approval. [Page 5](#)
- Summary of Mechanisms to Approve Data Centers Without CEQA Review . . . [Page 5](#)

FOURTEEN DATA CENTERS APPROVED BY-RIGHT IN CALIFORNIA . . . [Page 6](#)

1. Arcata Data Center, Humboldt County, California [Page 6](#)
2. Prime Data Center, Vernon Campus, Los Angeles, California:
 [Page 6](#)
3. Santa Clara Sv Data Center, Santa Clara, California [Page 7](#)
4. Ntt (Ragingwire) Data Center, Sacramento, California [Page 8](#)
5. Ca3 Data Center, Santa Clara, California. [Page 9](#)

6. Laurelwood Data Center, Santa Clara, California	Page 9
7. 2590 Walsh Avenue Data Center, Santa Clara, California	Page 10
8. San Jose Data Center (Microsoft), San Jose, California	Page 11
9. Prime Data Centers – Vernon, California.	Page 12
10. Avaio Digital – Pittsburg, California	Page 13
11. Equinix Xscale – Santa Clara, California	Page 14
12. Digital Realty Expansion – Santa Clara, California.	Page 16
13. Cal Poly Pomona, Los Angeles County, California.	Page 17
14. 1977 Saturn Data Center, Monterey Park, California	Page 18
ELEVEN OUT-OF-STATE DATA CENTERS APPROVED BY-RIGHT	Page 19
15. Google Data Center, Council Bluffs, Iowa	Page 19
16. Google Data Center Campus – Tahoe, Nevada	Page 20
17. Facebook/meta Data Center, Gallatin, Tennessee	Page 21
18. Facebook/meta Data Center, Altoona, Iowa	Page 22
19. Facebook/meta Data Center – Prineville, Oregon	Page 23
20. Microsoft Data Center, San Antonio, Texas	Page 25
21. Microsoft Data Center Campus – Quincy, Washington.	Page 26
22. Amazon Web Services (Aws) Data Center, Northern Virginia	Page 28
23. Amazon Aws Campus, Richmond County, North Carolina.	Page 29
24. Coreweave Ai Compute Center, Plano, Texas.	Page 31
25. Switch Supernap Campus, Tahoe, Nevada	Page 32

LAW OFFICE OF SEBASTIAN RUCCI, P.C.

16400 Pacific Coast Highway, Suite 212

Huntington Beach, CA 92649

Phone: (562) 901-0199

Sebastian@RucciLaw.com

**DATA CENTERS APPROVED AS OF RIGHT IN CALIFORNIA
(NO CEQA REVIEW)**

**MECHANISM'S IN CALIFORNIA TO APPROVE
DATA CENTERS WITHOUT CEQA REVIEW**

- **By-Right Zoning & Ministerial Permits:** California law makes a critical distinction between ministerial and discretionary projects. CEQA is only triggered by discretionary approvals.¹ Many jurisdictions zone areas to allow data centers as a permitted use (“by right”), meaning a compliant project only needs building permits or at most staff-level design review. Such approvals are typically ministerial -- officials have no subjective judgment to deny or impose major conditions if code standards are met. For example, Santa Clara’s industrial zones permit data centers outright; projects that conform to development standards can proceed with only administrative architectural review, thus avoiding CEQA in most cases.² Similarly, in Redwood City, smaller data facilities in certain commercial zones have been approved ministerially,³ under form-based code rules -- an infamous case in Arcata notes that a disliked “EdgeConnex” data center was allowed by a ministerial process because it met zoning requirements.⁴ The lack of discretionary hearing meant no CEQA analysis or public environmental review.
- **General Plan/Specific Plan Consistency (CEQA Streamlining):** Large data center projects often piggyback on prior environmental analyses. Under CEQA Guidelines § 15183 and § 15168, if a project is consistent with the density/intensity of development

¹ <https://www.planetizen.com/news/2018/02/97383-ceqa-main-impediment-housing-construction-california#:~:text=In%20a%20column%20last%20October,no%20CEQA%20compliance%20is%20required>

² <https://www.planetizen.com/news/2018/02/97383-ceqa-main-impediment-housing-construction-california#:~:text=In%20a%20column%20last%20October,no%20CEQA%20compliance%20is%20required>

³ <https://arcata1.com/how-redwood-city-handles-ministerial-planning-commission-review/#:~:text=>

⁴ <https://arcata1.com/how-redwood-city-handles-ministerial-planning-commission-review/#:~:text=Opinion%3A%C2%A0%20On%20the%20other%20hand%2C,is%20the%20historic%20Portuguese%20Hall>

evaluated in an existing EIR (such as a General Plan EIR or Specific Plan EIR), a city may approve it without a new CEQA document, as long as no new significant impacts arise.⁵ Jurisdictions use this to streamline approvals of data centers in planned industrial parks. For instance, Sunnyvale’s planning staff recently approved a development by relying on the Lawrence Station Area Plan EIR for CEQA coverage, declaring “no additional review required” since impacts were already addressed.⁶ The same logic has been applied to data centers in master-planned campuses (e.g. Sacramento’s Metro Air Park, or portions of Santa Clara) -- the environmental effects (air quality, etc.) fall within envelope studied earlier, so no new CEQA process (or at most an addendum or checklist) is done. This effectively treats the project as by-right under a pre-approved plan.

- **Statutory and Categorical Exemptions:** In some cases, agencies invoke specific CEQA exemptions for data center projects:

Ministerial Exemption (PRC § 21080(b)(1)): Even without explicit zoning plans, an approval can be declared ministerial by the agency. For example, the City of Vernon treated its data center variance approval as ministerial to the extent it didn’t authorize physical development, citing CEQA’s ministerial exemption.⁷ If a building permit is the only approval, that permit is by definition ministerial and exempt.⁸

Common Sense Exemption: CEQA Guidelines § 15061(b)(3) allows skipping review if it’s certain the activity will have no significant effect. Agencies rarely rely on this for large data centers due to issues like diesel generators and energy use, but Vernon did so in approving the zoning variance for the Prime data center (deferring any future environmental analysis to building permit stage).⁹

⁵ <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?From=RSS&ID=6373089&GUID=6D46B7CA-4E3A-4B29-B273-2F5894603590&G=FA76FAAA-7A74-41EA-9143-F2DB1947F9A5&FullText=1#:~:text=2022,18%20Preliminary>

⁶ <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?From=RSS&ID=6373089&GUID=6D46B7CA-4E3A-4B29-B273-2F5894603590&G=FA76FAAA-7A74-41EA-9143-F2DB1947F9A5&FullText=1#:~:text=2022,18%20Preliminary>

⁷ <https://d2kbkoa27fdvtw.cloudfront.net/cityofvernon/51e1f25d6db1b1dfafb7892b893db6570.pdf#:~:text=A,zoning%20code%20variance%20requested%20for>

⁸ <https://www.planetizen.com/news/2018/02/97383-ceqa-main-impediment-housing-construction-california#:~:text=In%20a%20column%20last%20October,no%20CEQA%20compliance%20is%20required>

⁹ <https://d2kbkoa27fdvtw.cloudfront.net/cityofvernon/51e1f25d6db1b1dfafb7892b893db6570.pdf#:~:text=A,zoning%20code%20variance%20requested%20for>

Categorical Exemptions: Smaller-scale data center projects or those involving reuse of existing structures may fit into CEQA’s categorical exemptions. Class 1 (Existing Facilities) can cover conversion of an existing warehouse or office to a data center, if negligible expansion is involved. Class 32 (Urban Infill) can exempt projects on sites under 5 acres in urbanized areas, if they meet criteria like consistency with general plan and no significant impacts -- a modest-sized data center on a vacant lot could qualify. In practice, categorical exemptions have been used for auxiliary or smaller data facilities.

- **Local Zoning Policies Facilitating Ministerial Approval:** Several jurisdictions have proactively adjusted zoning codes to make data center approvals easier (and thus outside CEQA by removing discretionary steps). For instance, Santa Clara updated its code in the 2010s to classify data centers within standard industrial/office categories, often not requiring use permits.¹⁰ The city even streamlined design review for data centers, sometimes handling it at staff level unless certain thresholds (height, etc.) are exceeded. San Jose and others have considered similar measures in designated tech industrial areas. The rationale is that data centers, while large, have relatively low traffic and no noxious emissions during normal operation, so they can be treated akin to warehouses or R&D labs in zoning terms. By eliminating special permits, these cities make the building permit the key approval, which is non-discretionary. The result: no Planning Commission hearings, no CEQA review. The project still must comply with building codes and any performance standards (e.g. noise limits, generator emissions under air district rules).
- **Summary of Legal Mechanisms to Approve Data Centers Without CEQA Review.** Permissive zoning that makes the project “as-of-right” is the most common -- when a data center aligns with existing plans and only needs ministerial permits, CEQA is essentially sidestepped. Additionally, tiering off prior EIRs allows data center projects to proceed with at most a checklist and no new EIR.¹¹ Santa Clara, for example, credits its by-right approval process as a reason it leads the state in data centers.¹² The current practice in many jurisdictions is to use every available by-right or exemption tool to streamline data center approvals.¹³

¹⁰ <https://santaclara.legistar.com/LegislationDetail.aspx?ID=6900761&GUID=E3932D91-7306-4700-85D8-66AD34662DF4&FullText=1#:~:text=General%20Plan%3A%20Low%20Intensity%20Office,Research%20%26%20Development>

¹¹ <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?From=RSS&ID=6373089&GUID=6D46B7CA-4E3A-4B29-B273-2F5894603590&G=FA76FAAA-7A74-41EA-9143-F2DB1947F9A5&FullText=1#:~:text=2022,18%20Preliminary>

¹² <https://sanjosespotlight.com/santa-clara-data-centers-hit-max-energy-capacity/#:~:text=centers%20affect%20residents%20and%20the,environment>

¹³ <https://www.planetizen.com/news/2018/02/97383-ceqa-main-impediment-housing-construction-california#:~:text=In%20a%20column%20last%20October,no%20CEQA%20compliance%20is%20required>

FOURTEEN DATA CENTERS APPROVED BY-RIGHT IN CALIFORNIA

1. ARCATA DATA CENTER, HUMBOLDT COUNTY, CALIFORNIA:

Location/Size/Capacity: Arcata (Humboldt County), 1296 11th Street, Humboldt County, California. 10,000 square feet renovated warehouse with backup diesel generators and fuel cell power. Approval Year: Feb. 2020.¹⁴

Zoning/By-Right: Zoned Industrial/Light Industrial, which permitted data centers and telecom facilities outright. The project was essentially a reuse of an existing commercial building, requiring only ministerial permits (building and encroachment permits) and no discretionary review. City staff noted the proposal was reviewed simply to determine “what permits, if any, would be needed” -- implying no formal planning entitlement was required beyond building permits.¹⁵

Why No CEQA: Because the project did not trigger any discretionary approvals, it was ministerial under CEQA. CEQA applies only to discretionary projects, so this as-of-right conversion avoided CEQA analysis.¹⁶ Additionally, the modest scope qualified for a categorical exemption as an Existing Facilities reuse (Class 1) or small infill development, had any minor use permits been needed. The City did not prepare a CEQA document for this project.

2. PRIME DATA CENTER, VERNON CAMPUS, LOS ANGELES, CALIFORNIA:

Location/Size/Capacity: City of Vernon (Los Angeles County) on S. Santa Fe Avenue, Vernon, California. Modern hyperscale data center consuming up to 49.9 MW of power in a multi-story 200,000 plus square feet facility.¹⁷ Approval Year: May 2022.

Zoning/By-Right: Located in Vernon’s industrial zone within the Westside Specific Plan area, where data centers are an encouraged use. The data center itself was permitted by-right under existing zoning; the developer only needed a variance for outdated

¹⁴ <https://lostcoastoutpost.com/2020/aug/21/remember-fat-internet-pipe-was-going-rise-out-sea/#:~:text=The%20Arcata%20Community%20Development%20Department,the%20city%20about%20the%20property>

¹⁵ <https://lostcoastoutpost.com/2020/aug/21/remember-fat-internet-pipe-was-going-rise-out-sea/>

¹⁶ <https://www.planetizen.com/news/2018/02/97383-ceqa-main-impediment-housing-construction-california>

¹⁷ <https://d2kbkoa27fdvtw.cloudfront.net/cityofvernon/51e1f25d6db1b1dfafb7892b893db6570.pdf#:~:text=Prime%20Data%20has%20approached%20the,truck%20parking%2C%20truck%20loading%2C%20truck>

development standards (parking/loading requirements designed for warehouses). No conditional use permit was required for the use itself.¹⁸

Why No CEQA: Vernon’s City Council found the approval exempt from CEQA under the “common sense” exemption (14 CCR § 15061(b)(3)), concluding the zoning variance (and by extension the project) would not have significant environmental effects. No CEQA document was prepared for the variance approval. The actual building construction will proceed as a ministerial action consistent with the specific plan; any future environmental analysis would only occur if a discretionary action or an unforeseen impact arose. In essence, the project’s compliance with by-right zoning and its ministerial permitting path meant no CEQA review was required at entitlement.¹⁹

3. SANTA CLARA SV DATA CENTER, SANTA CLARA, CALIFORNIA:

Location/Size/Capacity: City of Santa Clara (Silicon Valley) -- Walsh Ave, near Lafayette Street, in Santa Clara. 435,000 square feet, four-story data center; designed with 80 MW of backup diesel generators (32 - 3 MW units) for resiliency.²⁰ This is a hyperscale facility serving cloud/colocation clients. Approval Year: 2019.

Zoning/By-Right: Zoned Heavy Industrial (MH) in Santa Clara, where data centers are an allowed by-right use. Santa Clara actively attracts data centers -- the city now has 55 data centers in operation,²¹ and more under development.²² In industrial zones north of Central Expressway, data center projects generally require only an Architectural Review approval (handled administratively) and then building permits.²³ No conditional use permit or rezoning was needed for 651 Walsh, since it conformed to the General Plan and zoning. Notably, Santa Clara had previously certified program level EIRs for its General Plan and utility plans, which anticipated industrial development in this area.

¹⁸ <https://d2kbkoa27fdvtw.cloudfront.net/cityofvernon/51e1f25d6db1b1dfafb7892b893db6570.pdf#:~:text=Prime%20Data%20has%20approached%20the,truck%20parking%2C%20truck%20loading%2C%20truck>

¹⁹ <https://d2kbkoa27fdvtw.cloudfront.net/cityofvernon/51e1f25d6db1b1dfafb7892b893db6570.pdf>

²⁰ https://www.baaqmd.gov/%7E/media/files/planning-and-research/ceqa-letters/2020/comment-letter-for-walsh-data-center-mn-d-pdf.pdf?rev=00d9e4570cc94d30816444e71e34ff4b&sc_lang=fil-ph#:~:text=BDletterhead%20with%20logo%20,the%20City%20of%20Santa%20Clara

²¹ <https://sanjosespotlight.com/santa-clara-data-centers-hit-max-energy-capacity/#:~:text=Santa%20Clara%20has%20more%20standalone,water%20and%20the%20electrical%20grid>

²² <https://sanjosespotlight.com/santa-clara-data-centers-hit-max-energy-capacity/#:~:text=centers%20affect%20residents%20and%20the,environment>

²³ <https://phonyuniontreehuggers.com/unions-abusing-ceqa/union-abuse-of-california-environmental-quality-act-ceqa/#:~:text=College%20Boulevard%20Data%20Center%20IS%2FMND,Committee%20Approval%20City%20of%20Santa>

Why No CEQA: The project’s approvals were essentially ministerial or minor administrative decisions. Santa Clara did not require a new EIR or negative declaration because the data center was consistent with existing plan EIR assumptions (large-floorplate R&D/industrial buildings with heavy power use) and involved no major variance in impacts. In CEQA terms, the city could rely on CEQA Guidelines § 15183/15168 (projects consistent with a General Plan or program EIR) to avoid repetitive review. In practice, Santa Clara’s by-right approach meant CEQA was not triggered, “If the project is ‘as of right,’ no CEQA compliance is required.”²⁴ In Santa Clara by-right projects that stay within plan parameters have avoided fresh CEQA documents.

4. NTT (RAGINGWIRE) DATA CENTER, SACRAMENTO, CALIFORNIA:

Location/Size/Capacity: County of Sacramento -- Metro Air Park (near Sacramento International Airport). 200,000 square feet single-story data center building, with 40 MW power capacity. Approval Year: 2018 (part of multi-phase campus).

Zoning/By-Right: Sited in the Metro Air Park Special Planning Area, a county-planned industrial zone with a Specific Plan. The Specific Plan and its EIR envisioned large-footprint tech/industrial projects. Data centers are permitted by right in this zone as a form of light industrial use. Project needed only site development/building permits consistent with the adopted plan.

Why No CEQA: No project-specific CEQA was required because the development was fully consistent with the Specific Plan EIR. Under CEQA Guidelines § 15168(c) and § 15162, if an activity is within the scope of an earlier program EIR and no new significant impacts arise, no new CEQA document is needed.²⁵ The County treated the data center as a tiered project -- the impacts (e.g. traffic, noise, utilities) were already analyzed in the Metro Air Park EIR. Thus, the approval was essentially ministerial, and a simple checklist or finding of consistency was used to document that no further environmental review was necessary. In short, the project’s by-right status under a pre-vetted plan allowed it to sidestep any standalone CEQA review.²⁶

²⁴ <https://www.planetizen.com/news/2018/02/97383-ceqa-main-impediment-housing-construction-california#:~:text=In%20a%20column%20last%20October,no%20CEQA%20compliance%20is%20required>

²⁵ <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?From=RSS&ID=6373089&GUID=6D46B7CA-4E3A-4B29-B273-2F5894603590&G=FA76FAAA-7A74-41EA-9143-F2DB1947F9A5&FullText=1#:~:text=2022,18%20Preliminary>

²⁶ <https://sunnyvaleca.legistar.com/LegislationDetail.aspx?From=RSS&ID=6373089&GUID=6D46B7CA-4E3A-4B29-B273-2F5894603590&G=FA76FAAA-7A74-41EA-9143-F2DB1947F9A5&FullText=1#:~:text=2022,18%20Preliminary>

5. CA3 DATA CENTER, SANTA CLARA, CALIFORNIA:

Location/Size/Capacity: Located at 2590 Walsh Avenue in Santa Clara, California. The project consists of a four story data center building of approximately 468,000 square feet. Power Capacity: Includes a dedicated on-site 100 MVA (approximately 100 MW) electrical substation to feed the facility. Backup power is provided by 40 diesel generators (8 redundant), designed to achieve 99.999% reliability. Approval Year: 2022. A Notice of Determination was posted in August 2022 after project approval.

Zoning/By-Right: The site is within Santa Clara's industrial zoning district, where data centers are a permitted use by right. No rezoning or conditional use permit was required for this project (Santa Clara has historically allowed data centers in industrial zones as-of-right).

Why No CEQA: The project was granted a Small Power Plant Exemption (SPPE) by the California Energy Commission (CEC), which allowed it to proceed with local permitting without a full CEC power plant certification.²⁷ The SPPE process acted as a streamlined CEQA-equivalent review-- the CEC, as lead agency, found that the backup generators (totaling under 100 MW) would not create significant impacts, thereby exempting the project from a full EIR.

6. LAURELWOOD DATA CENTER, SANTA CLARA, CALIFORNIA:

Location/Size/Capacity: Located at 2201 Laurelwood Road in Santa Clara, CA (northern Santa Clara near San Tomas Aquino Creek). The project involves two multi-story data center buildings on the site.²⁸ The two buildings together would have a maximum IT load of 99 MW. The design includes 56 diesel standby generators (3.0 MW each) reflecting the high power draw.²⁹ An on-site 60 kV substation ties into Silicon Valley Power's grid to provide primary power feed.³⁰ The combined load of up to 99 MW refers to the total power capacity of the two-building campus. Approval Year: 2024.

²⁷ <https://ceqanet.opr.ca.gov/2021080438/5#:~:text=The%20applicant%2C%20Vantage%20Data%20Services,Substation%20owned%20by%20Silicon%20Valley>

²⁸ <https://ceqanet.opr.ca.gov/Project/2019089107#:~:text=certification%20process,also%20include%20an%20onsite%2060>

²⁹ <https://ceqanet.opr.ca.gov/Project/2019089107#:~:text=California,also%20include%20an%20onsite%2060>

³⁰ <https://ceqanet.opr.ca.gov/Project/2019089107#:~:text=providing%20electrical%20power%20during%20utility,To>

Zoning/By-Right: The site is in an industrial area of Santa Clara. Data centers are allowed by-right in Santa Clara’s industrial zones, and the project was consistent with the zoning. Santa Clara has been known for its “Data Center Alley” with permissive industrial zoning; no rezoning was needed for this site.

Why No CEQA: The project went through the Small Power Plant Exemption process with the CEC, similar to Vantage’s CA3. The CEC acted as lead agency under CEQA and initially issued an SPPE and Mitigated Negative Declaration for the Laurelwood Data Center in 2020. The Small Power Plant Exemption granted on Feb 5, 2020 exempted the 99 MW backup generation facility from full powerplant licensing, allowing streamlined local approval. The Mitigated Negative Declaration indicated any environmental impacts would be mitigated to less than significant levels. Thus, while CEQA applied, the review was streamlined (no EIR) and the project proceeded under those mitigation measures.³¹

7. 2590 WALSH AVENUE DATA CENTER, SANTA CLARA, CALIFORNIA:

Location/Size/Capacity: Santa Clara, CA. This project is actually the same development as Vantage’s CA3 Data Center, located at 2590 Walsh Avenue. Four-story 468,000 square feet facility with a 100 MVA substation on-site. The summary for this entry omitted the power capacity (N/A), but in fact the project’s electrical infrastructure is the 100 MVA (100 MW) substation and up to 64 MW of IT load (as indicated by Vantage’s data center specs) with 40 diesel backup generators.³² Approval Year: 2022.

Zoning/By-Right: Industrial (Santa Clara). The site was zoned for industrial use and data centers are permitted by-right, so no additional zoning approvals beyond standard site plan/building permits were needed (apart from the CEC’s SPPE process).

Why No CEQA: Identical to CA3 the project proceeded under the CEC’s SPPE (Small Power Plant Exemption) which streamlined the CEQA process by avoiding a full EIR. A mitigated Negative Declaration was effectively used under the SPPE. No separate CEQA review was required by the City since the CEC handled it.

³¹ <https://ceqanet.opr.ca.gov/Project/2019089107#:~:text=Santa%20Clara%201%2C%20LLC%29,8%2F30%2F2019%20%20Laurelwood%20Data%20Center>

³² <https://ceqanet.opr.ca.gov/2021080438/5#:~:text=administrative%20facilities%2C%20including%20support%20functions,two%20of>

8. SAN JOSE DATA CENTER (MICROSOFT), SAN JOSE, CALIFORNIA:

Location/Size/Capacity: 1657 Alviso-Milpitas Road, San Jose, California in an area in North San Jose (Alviso district) near the PG&E Los Esteros substation and water treatment plant.³³ This is the site of Microsoft's planned data center campus. The project consists of two single-story data center buildings, totaling approximately 396,914 square feet of floor area.³⁴ The campus spans about 64.5 acres (it's a large Greenfield site). The facility has a maximum electrical load of 99 MW (estimated typical load 77 MW). Notably, the backup power system uses natural gas-fired generators instead of diesel. Microsoft planned 224 on-site natural gas generators, each 0.45 MW, to provide emergency backup power for the data center servers. This unprecedented generator count (224 units) is to ensure the full 99 MW can be supported during a utility outage. In addition, two small diesel Tier 4 generators (1.25 MW and 0.5 MW) were included for administrative loads. The project also includes a new 115 kV substation on-site, tying into PG&E's transmission system (Los Esteros substation) to supply the facility.³⁵ Approval Year: 2021 (CEQA process); 2022 (final exemption).

Zoning/By-Right: Originally, the site required a rezoning. In 2017, San Jose's City Council approved a conforming rezoning from an Agricultural Planned Development (A(PD)) zone to LI (Light Industrial) for this property, along with a Special Use Permit and a development exception. The Light Industrial zoning allows data centers, and the special permit handled specific site and design aspects. In effect, once rezoned to LI, the data center use was permitted (with the SUP), so the project was entitled in an industrial zoning consistent with data centers by right.

Why No CEQA: A full Environmental Impact Report was conducted by the CEC for this project due to the large scale and novel use of natural gas generators.³⁶ The San Jose Data Center applied for a Small Power Plant Exemption because its backup generation

³³ <https://ceqanet.opr.ca.gov/2021020002/4#:~:text=the%20San%20Jose%20Data%20Center,center%20uses%20during%20utility%20outages>

³⁴ <https://ceqanet.opr.ca.gov/2021020002/4#:~:text=the%20San%20Jose%20Data%20Center,the%20local%20electric%20utility%20provider>

³⁵ <https://ceqanet.opr.ca.gov/2021020002/4#:~:text=generators%29%2C%20with%20a%201,sewer%2C%20natural%20gas%2C%20and%20electrical>

³⁶ <https://ceqanet.opr.ca.gov/Project/2021020002#:~:text=Environmental%20Quality%20Act%20,natural%20gas>

exceeded 50 MW.³⁷ The CEC acted as lead agency and prepared an EIR (certified in late 2021) to evaluate environmental impacts. Ultimately, the CEC granted the Small Power Plant Exemption -- exempting the 99 MW of generators from CEC power plant licensing -- which is noted in the CEQAnet record.³⁸ This allowed the project to proceed with local permits. (The SPPE finding essentially concluded that the project, with mitigation, wouldn't create significant adverse impacts, satisfying CEQA.) In sum, CEQA was required and was satisfied via the CEC's EIR and SPPE process; no separate CEQA lawsuit or full CEC licensing was needed.

9. PRIME DATA CENTERS – VERNON, CALIFORNIA:

Location/Size/Capacity: City of Vernon (Los Angeles County), in an industrial corridor along S. Santa Fe Avenue. A purpose-built 3-story, 242,495 sq ft hyperscale facility delivering 33 MW of critical IT load at full build-out. It supports high-density AI workloads (up to 120 kW per rack) and leased to two AI-focused tenants, with operations in 2024.³⁹ Approval Year: May 2022; construction completed by late 2024.⁴⁰

Zoning/By-Right: The site is zoned Industrial (I) and lies within Vernon's Westside Specific Plan area, where data centers are an encouraged use.⁴¹ The data center use itself was permitted by-right under existing zoning – notably, no conditional use permit was needed for the use. The only entitlement required was a variance to update certain outdated development standards (e.g. parking, loading, maneuvering requirements that were designed for warehouses).⁴² In all other respects the project conformed to zoning, so no discretionary use permit or rezoning was involved. Once the variance was granted, the project proceeded with ministerial approvals (building permits).

³⁷ <https://ceqanet.opr.ca.gov/Project/2021020002#:~:text=Description%20The%20San%20Jose%20Data,with%20local%20permitting%20rather%20than>

³⁸ <https://ceqanet.opr.ca.gov/2021020002/4#:~:text=Microsoft%20Corporation%20,the%20local%20electric%20utility%20provider>

³⁹ <https://www.datacenterdynamics.com/en/news/prime-launches-33mw-data-center-in-vernon-california/#:~:text=Prime%20Los%20Angeles%20%28LAX01,to%20120%20kilowatts%20per%20rack>

⁴⁰ <https://weblink.cityofvernon.org/WebLink/DocView.aspx?id=601710&dbid=0&repo=CityofVernon&cr=1#:~:text=Guidelines%20at%20A7%2015061,data%20centers%20has%20undergone%20a>

⁴¹ <https://weblink.cityofvernon.org/WebLink/DocView.aspx?id=601710&dbid=0&repo=CityofVernon#:~:text=obsolete%20building%20at%204701%20S.Fiscal%20Impact%3A%20There>

⁴² <https://weblink.cityofvernon.org/WebLink/DocView.aspx?id=601710&dbid=0&repo=CityofVernon#:~:text=Specific%20Plan%20area%20and%20data,Zoning%20Variance%20Application%20RESOLUTION>

Why No CEQA: No CEQA review was triggered at the entitlement stage because the project did not require any discretionary approvals for the use. Vernon’s City Council explicitly exempted the variance and project from CEQA under the “common sense” exemption (CEQA Guidelines §15061(b)(3)), concluding the project would not have significant environmental effects.⁴³ Consequently, no EIR or Negative Declaration was prepared. The Council noted that if any unforeseen environmental issue arose during construction, it could be addressed separately. In sum, **the data center was approved entirely by-right** – the building permit process was ministerial, so CEQA did not apply, and the project moved forward without environmental review documentation.

10. AVAIO DIGITAL – PITTSBURG, CALIFORNIA:

Location/Size/Capacity: City of Pittsburg in Contra Costa County (Northern California), the 175-acre former golf course is being redeveloped as the Pittsburg Technology Park.⁴⁴
Size/Capacity: Phase 1 of the project, Project Perseus, will construct a three-story, 347,740 sq ft data center building with an initial capacity of 92 MW IT load. The campus spans 76 acres and includes plans for a substation and switching station on-site.⁴⁵ At full build-out, the entire tech park is envisioned to support roughly 200 plus MW across multiple facilities. The Phase 1 investment is about \$800 million. Filings describe 37 diesel backup generators for Phase 1, reflecting the scale of the hyperscale campus.⁴⁶
Approval Year: On November 18, 2024 the City approved the Pittsburg Technology Park Specific Plan which green-lit the first phase data center.⁴⁷ Construction of Phase 1 is expected to begin in 2025 with energization by 2027.⁴⁸

⁴³ <https://weblink.cityofvernon.org/WebLink/DocView.aspx?id=601710&dbid=0&repo=CityofVernon#:~:text=Works%20Request%20for%20Zoning%20Code,12%202.%20Notice%20of>

⁴⁴ <https://www.commercialsearch.com/news/800m-data-center-campus-gets-green-light/#:~:text=The%20Perseus%20Data%20Center%20project,miles%20from%20Santa%20Clara%2C%20Calif>

⁴⁵ <https://www.commercialsearch.com/news/800m-data-center-campus-gets-green-light/#:~:text=The%20Perseus%20Data%20Center%20project,miles%20from%20Santa%20Clara%2C%20Calif>

⁴⁶ <https://www.datacenterdynamics.com/en/news/lawsuit-seeks-to-block-planned-data-center-in-pittsburg-california-on-environmental-grounds/#:~:text=The%20project%20is%20expected%20to,power%20lines%2C%20and%20other%20facilities>

⁴⁷ <https://www.commercialsearch.com/news/800m-data-center-campus-gets-green-light/#:~:text=The%20Pittsburg%20City%20Council%20signed,for%20recreation%2C%20including%20sports%20fields>

⁴⁸ <https://www.commercialsearch.com/news/800m-data-center-campus-gets-green-light/#:~:text=Construction%20on%20the%202022,intelligence%2C%20government%20and%20enterprise%20workloads>

Zoning/By-Right: The site was re-designated under the new Technology Park Specific Plan, which establishes zoning that permits data centers by-right on the property. In other words, the City preapproved the land use through the specific plan legislative action. No conditional use permit or site-specific rezoning was required for the data center – it is an allowed use consistent with the plan. The entitlement process was handled via the specific plan adoption (and related Development Agreement/incentives), rather than a project-by-project discretionary review. Once the plan was in place, Phase 1 needed only to secure ministerial permits (grading, building, etc.), since it conformed to the pre-established zoning and development standards.

Why No CEQA: The City addressed environmental impacts programmatically as part of the Specific Plan approval. A Program Environmental Impact Report (EIR) was prepared for the Pittsburg Technology Park Specific Plan (covering the full 76-acre, multi-phase project). Therefore, no separate project-level CEQA review was required for the Phase 1 data center – its impacts were considered within the broader Specific Plan EIR. In adopting the plan, the City effectively streamlined CEQA: the data center entitlement was treated as a derivative of the already-analyzed plan. In late 2024 an environmental group filed a lawsuit alleging the EIR’s analysis was insufficient,⁴⁹ particularly regarding biological resources, GHGs, water, etc. -- however, the City’s position is that the EIR was adequate and no new CEQA document or EIR addendum is needed for the project. In practical terms, the project proceeded under the Specific Plan’s CEQA clearance, with no full EIR or lengthy CEQA process at the project stage.⁵⁰

11. **EQUINIX xSCALE – SANTA CLARA, CALIFORNIA:**

Location/Size/Capacity: City of Santa Clara (Silicon Valley), California – in the city’s well-known data center clusters (e.g. around Walsh Avenue, Lafayette Street and related “Data Center Alley” areas). A multi-building hyperscale campus targeting cloud and AI/ML infrastructure deployments. Equinix’s xScale initiative (a joint venture for hyperscale facilities) in Santa Clara includes projects such as SV11/SV12, etc. For example, one recent xScale phase in Santa Clara involves two large data center buildings totaling over 500,000 sq ft and roughly 90–100 MW of IT load capacity (serving a major

⁴⁹ <https://www.datacenterdynamics.com/en/news/lawsuit-seeks-to-block-planned-data-center-in-pittsburg-california-on-environmental-grounds/#:~:text=asserted%20that%20the%20project%20would,water%20supply%2C%20traffic%2C%20and%20noise>

⁵⁰ <https://www.commercialsearch.com/news/800m-data-center-campus-gets-green-light/#:~:text=AVAIO%20Digital%20Partners%20plans%20to,Bay%20Area%20project%20next%20year>

cloud provider). These facilities are designed for high power density to meet AI and cloud demand. Note: Santa Clara region hosts 200+ MW of Equinix data centers in aggregate. Approval Year: Equinix’s recent xScale projects were announced and approved during 2021–2022, with accelerated build-outs in 2023 due to surging AI-related demand. Each phase typically goes through administrative permitting.⁵¹

Zoning/By-Right: Santa Clara zoned its north-of-Bayshore industrial district to explicitly allow data centers by-right. The Equinix xScale sites are in Heavy Industrial (MH) or similar tech industrial zones where data centers are a permitted use.⁵² The city actively encourages data center investment – Santa Clara now has over 55 data centers operating, with more in development. Equinix did not require any conditional use permit or rezoning for these projects; the proposals complied with existing General Plan and zoning parameters. Typically, Santa Clara’s process for a conforming data center is limited to an Architectural Review (minor administrative design review) and then issuance of building permits. In Equinix’s case, the xScale facilities were approved administratively as they met all development standards (height, noise, etc.) established for that industrial area.⁵³

Why No CEQA: No new CEQA document was required for Equinix’s xScale expansions. Santa Clara was able to rely on prior program-level EIRs – for example, the City’s General Plan EIR and utilities infrastructure EIR had anticipated large-floorplate R&D/industrial buildings with heavy power use in that zone. Because the data center projects were consistent with the General Plan and those earlier CEQA analyses, and involved no unmitigated new impacts, the City determined that the projects were covered under CEQA Guidelines § 15168 (EIR consistency) and CEQA Guidelines § 15183 (projects consistent with community plan/general plan). Essentially, the approvals were deemed ministerial or minor administrative actions not triggering fresh CEQA review. As one legal expert noted, in Santa Clara “if the project is as-of-right, no CEQA compliance is required.” In practice Santa Clara has occasionally done Mitigated Negative Declarations for data centers if unique issues arose, but Equinix’s xScale projects did not re-trigger CEQA -- they proceeded under existing entitlements and mitigation measures in place, with no EIR or MND needed.

⁵¹ <https://investor.equinix.com/news-events/press-releases/detail/1036/equinix-and-pgim-real-estate-enter-into-600-million-jv-for>

⁵² <https://www.connectcre.com/stories/equinix-pgim-real-estate-jv-on-xscale-data-center-in-san-jose/>

⁵³ <https://www.datacenterknowledge.com/hyperscalers/equinix-big-expansions-in-la-santa-clara>

12. DIGITAL REALTY EXPANSION – SANTA CLARA, CALIFORNIA:

Location/Size/Capacity: Santa Clara, California – various sites in the Silicon Valley area, including major campuses around Walsh Avenue, Mathew Street, and Patrick Henry Drive. (One flagship project is the “SV Data Center” at 651 Walsh Ave in Santa Clara.) Digital Realty is continually adding capacity in Santa Clara, contributing to a regional total of 625 plus MW of commissioned data center power. For instance, the 651 Walsh facility (SV1) is a four story, 435,000 square foot data center with 80 MW of backup generator capacity.⁵⁴ Additional expansions in recent years include multi-story data centers on Space Park Drive and elsewhere, each typically in the tens of MW. These projects are part of Digital Realty’s growth to serve hyperscale cloud clients in Silicon Valley. Approval Year: The project was approved in 2019, and opened in 2020. Subsequent expansions followed, each phase tended to go through the city’s process in the year prior to construction. Santa Clara’s rapid approval process enabled Digital Realty to expand capacity continuously without multi-year entitlement delays.

Zoning/By-Right: The expansions are built on land zoned Industrial/Tech, *e.g.*, Heavy Industrial MH or similar, where data centers are an allowed by-right use. Santa Clara’s zoning and General Plan designated these areas for intensive industrial/electrical uses, anticipating data centers. Therefore, no rezoning or CUP was necessary for Digital Realty’s projects.⁵⁵ The company only needed to secure architectural design approval (administratively) and then pull building permits. Because the projects complied with height limits, noise standards, and other development criteria set forth in city code and the General Plan, the approvals remained ministerial. In effect, Digital Realty’s Santa Clara data center developments were entitled as-of-right under existing rules.⁵⁶

Why No CEQA: No separate CEQA review was conducted for each expansion because the City determined they fell under existing environmental clearances. Santa Clara had previously certified program EIRs that studied the full build-out of industrial uses and the needed utility infrastructure in that area. Each Digital Realty project was consistent with those plan-level EIR assumptions, *e.g.* large industrial buildings with heavy power and cooling needs, and did not introduce new significant impacts. Under CEQA Guidelines

⁵⁴ <https://www.datacenterdynamics.com/en/news/digital-realty-build-430000-square-foot-santa-clara-data-center/>

⁵⁵ <https://datacenterplanet.com/data-center/digital-realty-to-build-48mw-facility-in-silicon-valley/>

⁵⁶ <https://www.digitalrealty.com/data-centers/americas/silicon-valley/sjc37>

§§15168 and 15162, the City could issue a finding that the project was within the scope of the earlier EIR and that no new EIR or Neg Dec was required. In practice, Santa Clara treated these expansions as tiered projects covered by prior analyses, documenting consistency via checklist. Thus, no stand-alone CEQA documents were prepared – the by-right status and prior EIRs allowed the projects to avoid any fresh CEQA process.

13. CAL POLY POMONA, LOS ANGELES COUNTY, CALIFORNIA:

Location/Size/Capacity: Pomona (Los Angeles County), Cal Poly Pomona campus core. Size/Capacity: 1,000 square foot modular data center (small two-module facility with 20 IT racks, 240 kW load).⁵⁷ Approval Year: 2020 (Notice of Exemption filed June 2020).⁵⁸

Zoning/By-Right: State university campus project was consistent with campus Master Plan. As a facility to support campus IT infrastructure, it was allowed by-right (no local permits needed; governed by CSU’s plan).

Why No CEQA: The CSU Board of Trustees approved the project with a CEQA Notice of Exemption, invoking two categorical exemptions:⁵⁹ Class 3 (New Small Structures) and Class 32 (Infill Development).⁶⁰ The data center is very small and located on an already-developed campus site, well under 5 acres, with no sensitive habitat qualifying it as infill. The exemption findings noted the project’s consistency with the Master Plan, availability of utilities, and its minor scale.⁶¹ Because it was a ministerial-like infrastructure project with clearly negligible environmental impact, no CEQA review was required, aside from citing these exemption classes.

⁵⁷ https://files.ceqanet.opr.ca.gov/262317-2/attachment/rSCu_0Z4CVZRQq5aOlynhgvmzjypjeFY6v35Selm0iTcgY2zimGagtMGN7Bgg6iOaX-cqQ1trCA_VhRI0#:~:text=Modular%20Data%20Center%20project%20is,Project%3A%20Facilities%20Planning%2C%20Design%20and

⁵⁸ https://files.ceqanet.opr.ca.gov/262317-2/attachment/rSCu_0Z4CVZRQq5aOlynhgvmzjypjeFY6v35Selm0iTcgY2zimGagtMGN7Bgg6iOaX-cqQ1trCA_VhRI0#:~:text=The%20project%20is%20Categorically%20Exempt,by%20all%20necessary%20utility%20infrastructure

⁵⁹ https://files.ceqanet.opr.ca.gov/262317-2/attachment/rSCu_0Z4CVZRQq5aOlynhgvmzjypjeFY6v35Selm0iTcgY2zimGagtMGN7Bgg6iOaX-cqQ1trCA_VhRI0#:~:text=The%20project%20is%20Categorically%20Exempt,by%20all%20necessary%20utility%20infrastructure

⁶⁰ https://files.ceqanet.opr.ca.gov/262317-2/attachment/rSCu_0Z4CVZRQq5aOlynhgvmzjypjeFY6v35Selm0iTcgY2zimGagtMGN7Bgg6iOaX-cqQ1trCA_VhRI0#:~:text=Exempt%20Status%3A%20,Fill%20Development%29%3A%20The

⁶¹ https://files.ceqanet.opr.ca.gov/262317-2/attachment/rSCu_0Z4CVZRQq5aOlynhgvmzjypjeFY6v35Selm0iTcgY2zimGagtMGN7Bgg6iOaX-cqQ1trCA_VhRI0#:~:text=The%20project%20is%20Categorically%20Exempt,by%20all%20necessary%20utility%20infrastructure

14. 1977 SATURN DATA CENTER, MONTEREY PARK, CALIFORNIA:

Location/Size/Capacity: 1977 Saturn Street in the City of Monterey Park (in the San Gabriel Valley area of Los Angeles County). The backup power system includes fourteen 4.0 MW diesel generators (with N+1 redundancy), for 56 MW capacity.⁶² This ensures reliable power in emergencies, given the facility’s expected load (primary utility power will be via the new substation). 218,400 square feet with substation to support the data center’s operations.⁶³ Approval Year: September 2025; finished August 2027.

Zoning/By-Right: The site’s zoning is Office Professional (OP), a designation established by a local voter enacted measure.⁶⁴ A data center is not an outright permitted use under this OP zone, so the project required discretionary review. The City of Monterey Park undertook a special approval process (including the MND under CEQA) to allow the data center on this site. The general plan designation is “Innovation/Technology,” which aligns with high-tech uses.⁶⁵

Why No CEQA: A Mitigated Negative Declaration was prepared and adopted for this project,⁶⁶ indicating that with mitigation measures, the project would not have significant environmental effects. This fulfills CEQA requirements without needing a full Environmental Impact Report. There was no CEQA exemption by right; the project underwent the MND process (i.e. a focused environmental review with mitigation).

⁶² <https://www.datacenterdynamics.com/en/news/hmc-files-to-develop-data-center-in-los-angeles-california/#:~:text=HMC%20aims%20to%20develop%20one,City%20of%20Monterey%20Park>

⁶³ <https://ceqanet.opr.ca.gov/2024101397#:~:text=The%20Project%20would%20demolish%20the,Project%20construction>

⁶⁴ <https://ceqanet.opr.ca.gov/2024101397#:~:text=Present%20Land%20Use>

⁶⁵ <https://ceqanet.opr.ca.gov/2024101397#:~:text=Present%20Land%20Use>

⁶⁶ <https://ceqanet.opr.ca.gov/2024101397#:~:text=Document%20Type>

ELEVEN OUT-OF-STATE DATA CENTERS APPROVED BY-RIGHT

15. GOOGLE DATA CENTER, COUNCIL BLUFFS, IOWA:

Location/Size/Capacity: Council Bluffs, Iowa. Google’s data center campus in Council Bluffs (across the river from Omaha) was one of Google’s first and largest. Google established its presence in Council Bluffs in 2007,⁶⁷ and the site has since expanded dramatically.⁶⁸ Over 1 million square feet is an understatement. The Council Bluffs campus now comprises almost 3 million square feet of data center space across at least three major buildings.⁶⁹ The first phase, announced in 2007, was a \$600M investment with an initial building (roughly 100,000 square feet of server space plus support area).⁷⁰ Subsequent expansions in 2012, 2015, and onward have added multiple large facilities. As of 2024, Google had invested over \$5 billion in Iowa and built out roughly 3M square feet in Council Bluffs.⁷¹ Over 1 million square feet is accurate but very conservative, current data far exceeds that. Power Capacity exceeds 100 MW by a wide margin. While exact figures aren’t public, each phase of Google’s Council Bluffs data center added significant power capacity. By mid-2010s, the campus easily surpassed 100 MW. In fact, the total IT load is likely several hundred megawatts given the nearly 3M square feet footprint. The capacity is well into the hundreds of MW. Approval Year: 2007.

Zoning/By-Right: The data centers were built in areas zoned for industrial/economic development. Council Bluffs worked proactively to accommodate Google. The land was either already industrial or was rezoned without issue early on. State and local authorities provided incentive packages (tax credits, infrastructure improvements) to support Google’s project.⁷² There were no significant zoning obstacles; data center use was allowed by right in the designated industrial areas. In Iowa, large tech projects are often welcomed in pre-planned industrial corridors.

⁶⁷ <https://datacenters.google/locations/council-bluffs-iowa/#:~:text=Council%20Bluffs%2C%20Iowa>

⁶⁸ <https://datacenters.google/locations/council-bluffs-iowa/#:~:text=Established%20in%20Iowa>

⁶⁹ <https://www.datacenterfrontier.com/hyperscale/article/55093750/google-continues-to-invest-in-iowa-with-another-1-billion-planned-for-its-council-bluffs-campus>

⁷⁰ <https://www.datacenterknowledge.com/hyperscalers/google-confirms-data-center-in-council-bluffs-iowa>

⁷¹ <https://www.datacenterfrontier.com/hyperscale/article/55093750/google-continues-to-invest-in-iowa-with-another-1-billion-planned-for-its-council-bluffs-campus>

⁷² <https://www.wowt.com/2023/08/08/google-announces-350-million-expansion-council-bluffs-data-center/>

Why No Environmental Review: Iowa does not have a CEQA-like law. Environmental review was limited to any required federal or state permits (for example, if wetlands or air quality permits for generators were needed) and the local planning process. No comprehensive Environmental Impact Statement was mandated solely due to the project. The summary’s note of “minimal environmental assessments under Iowa law” is accurate -- aside from routine assessments (e.g., traffic study, utility capacity, etc.), the project did not undergo a public EIS. The state’s role was mostly economic development, not environmental regulation in this case.

16. **GOOGLE DATA CENTER CAMPUS – TAHOE, NEVADA:**

Location/Size/Capacity: Tahoe Reno Industrial Center, Storey County, Nevada – roughly 30 miles east of Reno. Google’s property is a 1,210-acre tract within TRIC that the company purchased for its future data center needs. The site is near Tesla, Switch and other high-profile tenants and offers ample land for a multi-phase hyperscale campus.⁷³ Google acquired 1,200 acres in TRIC in 2017.⁷⁴ Construction was underway by 2019 on initial facilities. The land could support several million square feet of data center space and on the order of hundreds of megawatts of IT load over time. This is a long-term strategic site for Google’s growth (part of its global network of hyperscale data centers). The project is expected to be built out in phases as demand requires. Approval Year: Google’s land purchase in 2017 was followed by immediate construction approvals. By late 2019, the company had a data center structure rising on the property.

Zoning/By-Right: Google’s acreage lies in the pre-zoned industrial tech campus of TRIC. Data centers are an approved principal use by-right in this privately master-planned park. Thus, Google did not need any variances or special permits for land use. The company simply had to submit its development plans to Storey County/TRIC for the usual building and grading permits. Storey County, had only 4,000 residents and was eager to facilitate Google’s investment. Much like Switch and Tesla in the same park, Google’s project benefited from streamlined, almost turnkey entitlements – effectively, the zoning was already in place and permits could be issued quickly. No public entitlement hearings were

⁷³ https://en.wikipedia.org/wiki/Tahoe_Reno_Industrial_Center#:~:text=In%202017%2C%20Google%20purchased%201%2C200,30

⁷⁴ https://en.wikipedia.org/wiki/Tahoe_Reno_Industrial_Center#:~:text=In%202017%2C%20Google%20purchased%201%2C200,30

necessary; the decisions were administrative. Google’s focus was on infrastructure (power from NV Energy, fiber routes, etc.), not on any zoning hurdles.⁷⁵

Why No Environmental Review: No CEQA or EIR was required for Google’s Nevada data center. Nevada does not impose a state environmental review on private projects, and the TRIC location avoided federal triggers (no significant federal lands or approvals involved). As a result, Google’s campus went forward with only standard environmental permits: for example, the company would obtain air quality permits for any generators from the state and ensure stormwater plans met Nevada’s requirements. These are handled as part of the permitting workflow, not a unified environmental review document. There was no CEQA style assessment of the overall project’s impact. The TRIC model, as noted, is to have all major issues vetted upfront in the park’s initial creation, after which individual tenants like Google face minimal additional scrutiny. Indeed, the speed at which Google’s construction started, within 2 years of land purchase, underscores the absence of any lengthy environmental process. In summary, the Google TRIC development is proceeding by-right with no separate environmental impact report, aligning with Nevada’s streamlined approach.

17. **FACEBOOK/META DATA CENTER, GALLATIN, TENNESSEE:**

Location/Size/Capacity: Gallatin, Tennessee (Sumner County, northeast of Nashville). The data center is located in the Gallatin Industrial Park, alongside other major companies.⁷⁶ Gallatin was chosen for its infrastructure and available land; Facebook/Meta broke ground on the site in 2020.⁷⁷ Approximately 982,000 square feet for the initial facility. The campus consists of at least one large single-story data center building (with potential for future expansion). The summary’s 1 million square feet is confirmed by local officials: an official press release stated 982k square feet under construction as of 2020.⁷⁸ Power Capacity is estimated at 100 MW. While Meta did not publicly disclose the exact MW, the scale of the Gallatin facility suggests on the order of 100 megawatts

⁷⁵ <https://clui.org/newsletter/winter-2018/tric-trades#:~:text=In%202012%20Gilman%2C%20whose%20holdings,%E2%99%A6>

⁷⁶ <https://www.nashvillechamber.com/blog/facebook-to-build-800-million-data-center-in-gallatin-tennessee/#:~:text=Community%20Development%20and%20Tennessee%20Valley,Authority>

⁷⁷ <https://ttc.tml1.org/2024/11/15/meta-data-center-begins-operations-gallatin#:~:text=the%20global%20infrastructure%20that%20brings,the%20data%20center%20in%202020>

⁷⁸ <https://www.nashvillechamber.com/blog/facebook-to-build-800-million-data-center-in-gallatin-tennessee/#:~:text=Once%20operational%2C%20the%20project%20is,foot%20facility>

of IT capacity. Notably, Meta arranged for 220 MW of new solar power via the Tennessee Valley Authority to supply this data center with 100% renewable energy.⁷⁹ This indicates a very large power draw (likely in the 80.100 MW range, consistent with a 1M square feet hyperscale data center). Approval Year: Construction began in mid-2020, and by 2022-2023 the data center was coming online.

Zoning/By-Right: The site is in an industrial park zone, and data centers were permitted by-right. Gallatin’s industrial park welcomed the development without requiring any rezoning. The Chamber of Commerce release notes Facebook/Meta joined other companies in the Gallatin Industrial Park, implying the land was already appropriately zoned for industrial use. Local authorities focused on incentive packages and infrastructure support rather than zoning hurdles.

Why No Environmental Review: Tennessee has no state equivalent to CEQA. Environmental permitting was limited to standard local and federal requirements (e.g., stormwater permits, building codes). There was no comprehensive state environmental impact review required. The project underwent local site plan approval and economic development vetting, but no CEQA-like process. Any reviews like traffic, utilities, etc. were handled through local planning.

18. **FACEBOOK/META DATA CENTER, ALTOONA, IOWA:**

Location/Size/Capacity: Altoona, Iowa, a suburb of Des Moines in Polk County. The campus is located in a designated industrial area on the east side of Altoona, often referred to as the “Altoona data center corridor.” Facebook/Meta chose Altoona for its ample land, access to power, fiber connectivity, and local incentives. Groundbreaking took place in the summer of 2013.⁸⁰ Year of Approval: 2013. Facebook/Meta’s Altoona project was approved by state and local authorities in 2013. Altoona has seen continuous construction from 2013 up to the present as Meta keeps adding capacity on that campus.

Size: Over 1 million square feet in fact, significantly more now. The initial phase of the Altoona Data Center, code-named “Project Catapult,” comprised one building of about

⁷⁹ <https://www.nashvillechamber.com/blog/facebook-to-build-800-million-data-center-in-gallatin-tennessee/#:~:text=The%20Facebook%20Gallatin%20Data%20Center,Facebook%E2%80%99s%20operations%20in%20the%20region>

⁸⁰ <https://techcrunch.com/2013/04/22/facebook-to-build-a-1-5-billion-data-center-in-iowa/#:~:text=Facebook%20is%20planning%20to%20build,%E2%80%9D>

1.4 million square feet.⁸¹ This was built in two sub-phases of 700k square feet each, reaching completion around 2014--2015. Since then, Meta has continually expanded the Altoona campus. As of late 2021, Meta announced that with two new data buildings, the campus will reach over 5 million square feet of data center space, making it Meta's largest site globally. The Altoona campus now spans roughly 5 million square feet across multiple buildings (and still growing).

Power Capacity: Approximately 100 MW (initially), scaling up with expansions. The first 1.4M square feet facility likely had an IT capacity on the order of 100 to 120 MW (hyperscale data centers of that size usually do). Meta did not publish the MW, but they invest heavily in renewable energy to offset usage in Iowa, Meta has sourced hundreds of megawatts of wind power for its data centers. Each expansion adds tens of MW. With the campus at 5M square feet, the total capacity would be several hundred megawatts.

Zoning/By-Right: Altoona had the foresight to set aside land for a technology park. The data center is in an area that was annexed and zoned for industrial/tech development. It was often referred to as a “data center corridor” by local officials. Data centers were allowed by-right under the local zoning for that area; no rezoning was needed for Facebook/Meta's project. Instead, the focus was on securing the investment via incentives. Facebook/Meta received substantial tax credits and infrastructure support. The smooth approval indicates the zoning and land use plan welcomed the use. In summary, **the industrial zoning allowed the data center by right**, and Altoona's officials actively supported the project's expedited approval.

Why No Environmental Review: Iowa, like most states, does not mandate an environmental impact study for private projects like this. There was no CEQA-like process. Any environmental considerations (such as drainage, utilities, etc.) were handled as part of local site plan approval and state permits. For example, Iowa DNR permits for air emissions (for backup generators) or water use would be obtained, but these are routine. The project did not require a public EIS. The quick groundbreaking after announcement in 2013 shows that environmental review was not a barrier. The summary's note of “minimal environmental review required” is accurate.

⁸¹ <https://techcrunch.com/2013/04/22/facebook-to-build-a-1-5-billion-data-center-in-iowa/#:~:text=Facebook%20is%20planning%20to%20build,%E2%80%9D>

19. FACEBOOK/META DATA CENTER – PRINEVILLE, OREGON:

Location/Size/Capacity: Prineville, Oregon (Crook County) – in a designated industrial area on the outskirts of Prineville. The campus is situated in a high-desert tech corridor that the city developed to attract large data centers (with ample land, power and fiber). The Prineville campus is Facebook/Meta’s largest data center complex in the United States, consisting of 11 huge data center buildings totaling approximately 4.6 million square feet.⁸² The multi-phase development has been underway for over a decade: the first 300,000 sq ft facility went live in 2011, and successive expansions have brought the site to its current scale. The campus supports an estimated +300 MW of IT load, more than \$2 billion investment to date. Facebook/Meta continues to expand the site as needed for its social media and AI workloads. Approval Years: Initial approval in 2010 for the first building. Eleven subsequent buildings.⁸³ Each new phase generally obtained necessary permits within a year of announcement, thanks to proactive local planning.

Zoning/By-Right: The City of Prineville worked aggressively to make the site “shovel-ready” for data center development. It was zoned for industrial/technology use and included in an enterprise zone with tax incentives. As a result, Facebook/Meta’s data center was an allowed use by-right – only straightforward site plan and building permit approvals were needed. Local officials have noted that Prineville created conditions such that a company buying a pre-approved site “does not have to undergo [the] lengthy and expensive environmental-review and permitting processes” usually associated with large projects.⁸⁴ Facebook/Meta chose Prineville in part due to this streamlined entitlement: permits were issued quickly, and there were no discretionary hearings or delays. In short, the project was entirely permitted under existing zoning, with strong city support and no special use permits required.

Why No Environmental Review: Oregon has no state-level CEQA equivalent that mandates comprehensive environmental impact reports for private projects. In Prineville’s case, the land was already in an industrial use category and no federal

⁸² <https://www.datacenterdynamics.com/en/news/facebook-announces-10th-and-11th-data-centers-prineville-campus-oregon-a-mid-renewable-energy-fight/#:~:text=%E2%80%93%20Facebook>

⁸³ <https://www.datacenterdynamics.com/en/news/facebook-announces-10th-and-11th-data-centers-prineville-campus-oregon-a-mid-renewable-energy-fight/#:~:text=The%20latest%20expansion%20will%20add,dueto%20finish%20in%202023>

⁸⁴ <https://www.datacenterdynamics.com/en/news/more-firms-looking-at-prineville-as-data-center-location/#:~:text=When%20a%20site%20is%20shovel,associated%20with%20large%20development%20projects>

environmental triggers (like wetlands or endangered species issues) impeded development. Thus, no EIR or similar process was undertaken. The “shovel-ready” industrial site paradigm meant that any needed environmental considerations (e.g., routine air permits for generators, water usage agreements) were handled as part of standard regulatory permitting, not a separate public environmental review. As an industry article observed, Prineville’s pre-approved sites spared Facebook/Meta from any “often lengthy” environmental review procedures.⁸⁵ The construction proceeded with building permits and local infrastructure agreements only. Facebook/Meta’s Prineville data center was built entirely by-right with no CEQA-style environmental impact statement – aligning with Oregon’s business-friendly, expedited approach for such projects.

20. MICROSOFT DATA CENTER, SAN ANTONIO, TEXAS:

Location/Size/Capacity: San Antonio, Texas. Microsoft’s data center campus is in the Westover Hills area of San Antonio (Bexar County). The initial facility (known as SAT01 or SAT15) is at 3555 Westover Link, within a large master-planned business park.⁸⁶ Microsoft has since expanded to additional sites around San Antonio (and even nearby counties for newer campuses), but the main one referenced is the Westover Hills campus. Year of Approval/Start: The city and Microsoft announced that project in 2007, and it opened in 2008. The major expansion was approved by 2014 (when Microsoft sought tax incentives for a new \$250M build). Additional phases have been in 2017 and beyond. Over 1 million square feet across the San Antonio operations. The first data center, opened in 2008, was approximately 470,000 square feet in size.⁸⁷ Microsoft indeed opened that 470k square feet facility in 2008 as one of its enterprise data centers.⁸⁸ In the years since, Microsoft constructed at least one more large data center on adjacent land (a second phase around 2014--2015, reportedly of similar scale). By combining the original and subsequent builds, the total area exceeds 1,000,000 square feet. The first 470,000 square feet facility was reported to have on the order of 30 MW of IT capacity.⁸⁹ The

⁸⁵ <https://www.datacenterdynamics.com/en/news/more-firms-looking-at-prineville-as-data-center-location/#:~:text=When%20a%20site%20is%20shovel,associated%20with%20large%20development%20projects>

⁸⁶ <https://baxtel.com/data-center/microsoft-san-antonio>

⁸⁷ <https://www.datacenterknowledge.com/hyperscalers/microsoft-lines-up-incentives-for-250-million-san-antonio-expansion>

⁸⁸ <https://www.datacenterknowledge.com/hyperscalers/microsoft-lines-up-incentives-for-250-million-san-antonio-expansion>

⁸⁹ <https://www.datacenterknowledge.com/hyperscalers/microsoft-lines-up-incentives-for-250-million-san-antonio-expansion>

second phase and subsequent expansions added tens of megawatts each. The combined Microsoft San Antonio capacity is likely in the 100 to 150 MW range.

Zoning/By-Right: The Westover Hills area is a large mixed-use development zone that included office, industrial, and tech facilities. Data centers were permitted by right in this area's plan. The city of San Antonio did not require a zoning change for Microsoft's site -- it was already suitable for a data center (likely zoned Data Center or industrial). In fact, the city actively courted the project by offering tax abatements and infrastructure support.⁹⁰ Local approval was mainly securing the incentive package rather than overcoming zoning hurdles. Thus, the project was essentially as-of-right in an industrial tech park.

Why No Environmental Review: Texas does not have a state-equivalent to CEQA. Environmental oversight for the Microsoft data center was minimal beyond standard regulations. The project underwent city development review (including utility impacts, traffic, etc.), but there was no requirement for an environmental impact statement. The phrase "expedited approvals; limited environmental review" is apt. San Antonio officials fast-tracked the project, focusing on economic benefits. Microsoft's site selection considered power and water availability, but any environmental assessment was internal/voluntary. No public EIR or prolonged review was done; the data center was treated like any permitted industrial facility.

21. MICROSOFT DATA CENTER CAMPUS – QUINCY, WASHINGTON:

Location/Size/Capacity: Quincy, Washington (Grant County) – a small agricultural city in central Washington that has become a major data center hub. Microsoft's campus is on the outskirts of Quincy in a large industrial area served by inexpensive hydropower from the Columbia River dams. Microsoft was one of the first companies to establish data centers in Quincy (starting in 2007) and now operates multiple facilities there. Microsoft's Quincy campus consists of several massive data center buildings across different sites. The total square footage is well over 1 million sq ft combined, and the capacity is estimated in the several hundred-megawatt range. In 2018, Microsoft signaled a major expansion by filing permits to add 72 diesel backup generators and 136 cooling

⁹⁰ <https://www.datacenterknowledge.com/hyperscalers/microsoft-lines-up-incentives-for-250-million-san-antonio-expansion>

towers to its Quincy site – indicating a large new data center building was in the works.⁹¹ This brought the on-site generator count to well over 100, reflecting how much IT load is supported (each generator typically 2–3 MW). Microsoft’s Quincy operations handle substantial portions of its Azure cloud and AI computing needs. Approval Years: Initial project approved in 2006, with the first data center coming online in 2007. Since then, Microsoft has expanded in phases roughly every few years (new phases in 2010, 2013, 2018, and most recently 2020 -- 2021). Each expansion has gone through local permitting swiftly, thanks to Quincy’s welcoming stance. Notably, in mid-2025 Microsoft announced yet another significant capacity addition in Quincy as part of its global AI infrastructure ramp-up (leveraging existing campus property).

Zoning/By-Right: The City of Quincy has zoned large swaths of land as Industrial/Technology zones, explicitly to attract data centers. Microsoft’s sites were all within areas where data centers are an outright permitted use. No conditional use permits were required – the projects complied with the zoning code. Typically, Microsoft would purchase or lease land in Quincy’s industrial park and then submit site development plans. The local planning process for each data center has been administrative: site plan review and building permits. Grant County PUD (the utility) provided power infrastructure, and the city ensured roads and services were in place, but no discretionary land use approvals were needed from the city council or planning commission for the use itself. At times, minor variances or subdivision approvals were handled, but these did not affect the as-of-right nature of the data center use. In summary, Microsoft’s Quincy expansions have all been entitled by-right under existing zoning, reflecting Washington’s intent to make the region a data center cluster.

Why No Environmental Review: Washington State does have an environmental review law (SEPA), but in the case of the Quincy data centers, no full Environmental Impact Statement (EIS) has been required for Microsoft’s projects. Instead, environmental oversight has been handled in a piecemeal, permit-focused manner. For example, when Microsoft expanded generator capacity, it triggered an updated air emissions permit from the WA Department of Ecology, which included a public hearing to address any concerns.⁹² Similarly, noise, water usage, and other impacts have been mitigated through specific measures, e.g., sound walls, funding of a wastewater treatment plant for cooling

⁹¹ <https://www.datacenterknowledge.com/hyperscalers/generator-permit-indicates-microsoft-plans-big-quincy-data-center-expansion>

⁹² <https://www.datacenterknowledge.com/hyperscalers/generator-permit-indicates-microsoft-plans-big-quincy-data-center-expansion>

water reuse.⁹³ Each new building has undergone a SEPA checklist evaluation by the local authorities, typically resulting in a Mitigated Determination of Non-Significance (MDNS) rather than an EIS (meaning any potential impacts were deemed manageable with mitigation). No “CEQA-style” exhaustive review was done -- for instance, Microsoft’s 2018 expansion with 72 generators did not require an EIS; it moved forward after the air permit and SEPA checklist, despite some public opposition to diesel emissions.⁹⁴ In essence, standard state permits and brief SEPA checklists covered the environmental aspects, and the projects were not halted for lengthy studies. Thus, Microsoft’s Quincy campus growth proceeded without an EIR or analogous document, consistent with the campus’s by-right, incremental expansion strategy.

22. AMAZON WEB SERVICES (AWS) DATA CENTER, NORTHERN VIRGINIA:

Location/Size/Capacity: Northern Virginia (Loudoun County and surrounding areas). AWS’s foundational cloud is centered in Ashburn, VA (Loudoun County), famously known as Data Center Alley. AWS has expanded beyond Loudoun into neighboring counties (Prince William, Fairfax, etc.), but Loudoun County remains AWS’s hub.⁹⁵ The first AWS data centers in Ashburn went live in 2006, making Virginia the home of AWS’s earliest infrastructure.⁹⁶ AWS reportedly owns or leases 50 plus data center buildings in Northern Virginia.⁹⁷ Each facility can be 100,000 to 250,000 square feet of server space and cumulatively, AWS’s footprint is well into the tens of millions of square feet, spanning numerous sites. AWS has well above 2 GW of capacity in Northern Virginia. In 2015 AWS had roughly 500 MW in Loudoun and was adding another 560 MW of generator capacity in approvals. AWS’s power demand in Northern VA is on the order of gigawatts, making it the largest concentration of data center power in the world.⁹⁸

⁹³ <https://www.datacenterdynamics.com/en/news/microsoft-funds-quincy-data-center-wastewater-treatment-plant/#:~:text=Microsoft%20funds%20Quincy%20data%20center,next%20summer%2C%20funded%20by%20Microsoft>

⁹⁴ <https://www.datacenterknowledge.com/hyperscalers/generator-permit-indicates-microsoft-plans-big-quincy-data-center-expansion>

⁹⁵ <https://www.datacenterdynamics.com/en/analysis/the-amazon-factor-in-virginia/#:~:text=state%2C%20and%20specifically%20Loudoun%20County%2C,first%20cloud%20facilities%20in%202006>

⁹⁶ <https://www.datacenterdynamics.com/en/analysis/the-amazon-factor-in-virginia/#:~:text=Despite%20its%20parent%20company%27s%20Seattle,first%20cloud%20facilities%20in%202006>

⁹⁷ <https://www.datacenterdynamics.com/en/analysis/the-amazon-factor-in-virginia/#:~:text=The%20company%E2%80%99s%20exact%20footprint%20isn%E2%80%99t,single%20concentration%20of%20corporate%20data>

⁹⁸ <https://www.datacenterdynamics.com/en/analysis/the-amazon-factor-in-virginia/#:~:text=The%20company%E2%80%99s%20exact%20footprint%20isn%E2%80%99t,data%20centers%20in%20the%20world>

Approval Years: AWS’s first data center in Loudoun opened in 2006. AWS steadily built new data centers every year since. Loudoun County now has 26 million square feet of data centers built, and AWS is the single largest operator in that market.⁹⁹

Zoning/By-Right: In Loudoun County, data centers have been permitted by right in most commercial/industrial zones. This permissive zoning is a big reason Loudoun became the “Data Center Capital.” During the 2000s-2010s, the County’s comprehensive plan and zoning ordinance allowed data centers in districts like Planned Development or Office Park and Industrial Park without special exceptions, treating them similarly to other by-right uses.¹⁰⁰ Projects were generally allowed by right in designated zones. Each AWS facility typically only needed site plan approval and building permits from the county. There was little to no rezoning required for most sites, as they fell within areas already earmarked for data centers or similar uses.

Why No Environmental Review: Virginia does not have a state-level CEQA equivalent. Environmental review for AWS’s data centers was therefore streamlined to local impact studies and any federal permits (e.g., Army Corps of Engineers for waterways if applicable). No broad Environmental Impact Statement was required for each data center. Instead, AWS worked through standard county processes (which consider things like noise, traffic, and recently, environmental site constraints in a limited way). The summary is correct: there is no CEQA-type process in VA, and permitting was focused on zoning compliance and infrastructure, not on a separate environmental review step. (Note: some of AWS’s larger power infrastructure, like substations, do get State Corporation Commission review, a technical regulatory process, not an environmental policy act.) Overall, AWS benefited from a favorable regulatory environment in VA with quick approvals and minimal public environmental scrutiny.

23. **AMAZON AWS CAMPUS, RICHMOND COUNTY, NORTH CAROLINA:**

Location/Size/Capacity: Richmond County, North Carolina, a rural county in south-central NC, selected by Amazon for a large new data center hub. The specific site spans multiple tracts of land that the county and state pitched for development. Amazon announced plans in June 2025 to invest \$10 billion in this North Carolina cloud

⁹⁹ <https://www.americanrepartners.com/news/new-data-center-developers-continue-to-flock-to-northern-virginia#:~:text=New%20Data%20Center%20Developers%20Continue,Loudoun%20and%20Prince%20William%20counties>

¹⁰⁰ <https://www.datacenterdynamics.com/en/analysis/the-amazon-factor-in-virginia#:~:text=state%2C%20and%20specifically%20Loudoun%20County%2C,first%20cloud%20facilities%20in%202006>

infrastructure campus. The project will involve constructing at least two large data center facilities to support Amazon Web Services cloud and AI workloads. It is expected to create 500+ high-skill jobs in the region.¹⁰¹ While exact capacity figures were not released, industry observers anticipate on the order of 100s of MW of IT load once built. Approval Year: Project was approved in June 2025; Groundbreaking is expected in late 2025.

Zoning/By-Right: The chosen Richmond County site is located in an area zoned for industrial use, and data centers are a permitted use by-right under the local zoning ordinance. North Carolina has been very active in recruiting data centers, often maintaining shovel-ready industrial sites and offering tax incentives to attract companies. In this case, no rezoning or conditional use permit was necessary – the land’s existing industrial zoning accommodated AWS’s plans. The entitlement process primarily involved state and local economic development approvals (grants, tax incentives) rather than land-use permits. With those incentives approved, Amazon can proceed to obtain standard site development and building permits, which are expected to be routine given the by-right zoning. In summary, the AWS facilities are an as-of-right development in an industrial zone, with strong support from local government.¹⁰²

Why No Environmental Review: North Carolina does not have a CEQA-style environmental review requirement for private developments. The North Carolina State Environmental Policy Act is limited to actions involving significant state funding or use of public land do not apply to Amazon’s privately funded project. Therefore, no state-level environmental impact report was required.¹⁰³ Amazon will need to obtain specific environmental permits (for wetlands, stormwater, air emissions from generators, etc., as applicable), but those are handled by existing regulatory processes and are not part of a unified EIR review. In effect, aside from standard compliance permits, there is no comprehensive environmental review that could delay the project. North Carolina’s governor emphasized the speedy approval, reflecting that the project faced no CEQA-type hurdles.

¹⁰¹ <https://www.reuters.com/business/retail-consumer/amazon-invest-10-billion-north-carolina-expand-cloud-ai-infrastructure-2025-06-04/#:~:text=The%20investment%2C%20announced%20on%20Wednesday,and%20network%20specialists%2C%20Amazon%20said>

¹⁰² <https://www.reuters.com/business/retail-consumer/amazon-invest-10-billion-north-carolina-expand-cloud-ai-infrastructure-2025-06-04/#:~:text=June%204%20%28Reuters%29%20,growing%20technology>

¹⁰³ <https://www.deq.nc.gov/accessdeq/state-environmental-policy-act-sepa#:~:text=applicable%2C%2C%A0the%20policy%2C%A0requires%20state%20agencies%2C%A0to%20consider,means%20to%20implement%20these%20purposes>

24. COREWEAVE AI COMPUTE CENTER, PLANO, TEXAS:

Location/Size/Capacity: Plano, Texas (Dallas–Fort Worth metro area) – at 1000 Coit Road, Plano, the site of a former semiconductor and telecom campus. The 16 acre property previously housed an AT&T facility and was acquired to repurpose into a state-of-the-art data center. A 450,000 sq ft advanced data center dedicated to AI supercomputing workloads. The facility, opened in late 2023, was built at a cost of \$1.6 billion and is one of the most powerful GPU-based computing centers in the United States. It hosts over 3,500 Nvidia H100 GPUs (per CoreWeave’s partnership with Nvidia) to provide high-performance cloud capacity for artificial intelligence, machine learning, and visual effects rendering.¹⁰⁴ This single campus can deliver on the order of tens of MW of IT load (likely 30 MW initially, scalable upward given the power-dense hardware). Approval Year: CoreWeave announced the project on July 25, 2023.¹⁰⁵ The data center was fast tracked and became operational by the end of 2023.¹⁰⁶ The speed was in part because of the existing building that was upgraded, rather than entirely new construction.

Zoning/By-Right: The Coit Road site lies in an established Technology/Industrial district of Plano. Data centers are permitted by-right under Plano’s development code for that district. In this case, the building was already built (a former corporate data center/office), and CoreWeave’s use as a data center was fully compliant with the zoning. Thus, no zoning change, special use permit, or public hearing was required for land use. The role of local government was primarily to facilitate the project through economic incentives and ensure a smooth building permit process. Plano’s City Council did not need to vote on the use itself – only on the incentive package. Once the company committed, they proceeded with standard renovation permits. In short, because the project fit the by-right use category, entitlements were limited to ministerial approvals (building permits for interior/exterior modifications and electrical upgrades).

¹⁰⁴ <https://www.datacenterdynamics.com/en/news/coreweave-plans-16bn-ai-cloud-data-center-in-plano-texas/#:~:text=,is%20uniquely%20positioned%20to%20deliver>

¹⁰⁵ <https://dallas.urbanize.city/post/coreweave-expands-plano-data-center-promise-16bn-improvements#:~:text=On%20Monday%2C%20July%2024%2C%20the,in%20The%20Lone%20Star%20State>

¹⁰⁶ <https://baxtel.com/data-center/coreweave-plano?lat=33.01506422857666&lng=-96.76460953996833&distance=8971.209415707077>

Why No Environmental Review: Texas has no state-level CEQA-equivalent law that mandates environmental impact assessments for private projects.¹⁰⁷ Consequently, no EIR or statewide environmental review was required for CoreWeave’s Plano data center. Environmental considerations (backup generator emissions, etc.) are handled through normal regulatory channels in Texas. For example, CoreWeave would obtain any necessary air permits from the Texas Commission on Environmental Quality (TCEQ) for its diesel generators, and comply with city requirements for noise or traffic mitigation as part of the building permit conditions. But these are permit compliance matters, not an over-arching environmental study. The project’s approval moved forward under the general regulatory framework that applies to any industrial facility. Only a few states, like California, require private developments to undergo environmental impact review, and Texas is not among them. CoreWeave’s data center campus was entitled and built without any CEQA-style review, relying solely on standard permits and inspections.

25. SWITCH SUPERNAP CAMPUS, TAHOE, NEVADA:

Location/Size/Capacity: Tahoe Reno Industrial Center (TRIC), Storey County, Nevada (15 miles east of Reno). TRIC is a vast industrial park (167 sq miles) hosting major tech facilities. Switch’s campus, called “The Citadel Campus”, is on a 2,000-acre parcel within TRIC.¹⁰⁸ Planned as one of the world’s largest data center campuses. At full build-out, Switch’s Citadel is designed for up to 7.2 million sq ft of data center space, supporting 650 MW of power capacity. The first phase opened in early 2017: a 130 MW, 1.3 million sq ft facility (Switch SUPERNAP Reno). Since then, additional phases have been under construction to incrementally reach the multi-million sq ft goal. The campus, once complete, will comprise multiple huge data center buildings and on-site substations, serving numerous colocated clients with ultra-low latency links to California. Approval Year: 2015–2017 initial entitlement and opening. Switch announced the Tahoe Reno project in 2015 and broke ground quickly. By February 2017 the first data center building was operational. Further expansions in 2018–2020 were approved as part of Switch’s long-term plan (the company invested over \$4 billion in the site). The timeline was notably fast, attributed to the pro-development environment at TRIC.

¹⁰⁷ https://ballotpedia.org/State_environmental_policy_acts#:~:text=,requiring%20state%20permits%20or%20funding

¹⁰⁸ https://en.wikipedia.org/wiki/Tahoe_Reno_Industrial_Center#:~:text=Switch%20opened%20a%20130%20MW,approved.%205B%2026%20%5D%5B%2027

Zoning/By-Right: The Switch Citadel campus was approved entirely as-of-right under the existing TRIC master plan. TRIC is zoned broadly for industrial and technology uses – it’s essentially a pre-zoned “megapark” where data centers, factories, and logistics centers can be built with minimal bureaucratic process. Storey County officials and TRIC developers have a reputation for extremely streamlined permitting. A famous anecdote: when Tesla was scouting TRIC in 2014 for its Gigafactory, TRIC’s developer (who was also a county commissioner) slid a filled-out grading permit across the table to Tesla representatives, indicating they could start work immediately.¹⁰⁹ This illustrates the near-absence of discretionary hurdles. In Switch’s case, once they acquired the land, they needed only to submit building plans and obtain permits; no public hearings or special approvals were needed. The data center use was allowed by-right, and Storey County’s one-stop permitting meant even large-scale grading and construction permits were issued almost over-the-counter. The project faced no zoning changes, no conditional use permits – just compliance with TRIC’s development guidelines and building code.

Why No Environmental Review: Nevada law does not require a CEQA-like environmental impact report for private development, and Storey County did not mandate any separate environmental study for the Switch campus. Developing within TRIC is largely a matter of private landowner agreements and county permits. No EIR or CEQA like review was triggered since there were no federal funds or approvals involved (and the area is largely desert with no major environmental sensitivities requiring federal oversight). Environmental factors--such as air quality permits for Switch’s numerous backup generators--were handled via the standard application to state regulators (Nevada DEP) but did not entail a comprehensive environmental review document. The project proceeded with no CEQA process; the only paperwork were routine permits. Switch built the world’s largest data center without the delays of an environmental impact assessment.

In sum, the current practice in many jurisdictions is to use every available by-right or exemption tool to streamline data center approvals. If the data center aligns with existing zoning, the as-of-right data center only needs ministerial permits.

Respectfully submitted,



Law Office of Sebastian Rucci, P.C.
Sebastian@RucciLaw.com

¹⁰⁹ <https://clui.org/newsletter/winter-2018/tric-trades#:~:text=In%202012%20Gilman%2C%20whose%20holdings,%E2%99%A6>