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Data Center Info
N. Hayden

CITIZEN REVISIONS & STANDARD RECOMMENDATIONS FOR ORDINANCE NO. 2026-XX
Reference: Data Center Moratorium Ordinance Study Parameters (Section 5) Item 25
and Alignment with Florida Senate Bill 484 (Chapter No. 2026-65)

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1. Water Infrastructure & Floridan Aquifer Protections (Ref: Section 5, Items 1 & 2)

- **Ban on Local Nondisclosure Agreements (NDAs):** In direct alignment with the transparency mandates of Florida SB 484, establish a strict local policy prohibiting Clay County officials, economic development councils, or staff from entering into Nondisclosure Agreements (NDAs) with data center developers. This ensures total public awareness of any infrastructure inquiries from day one and prevents projects from being hidden under corporate pseudonyms.
- **Prohibit Groundwater Withdrawal for Cooling:** Ban the use of groundwater from the Floridan Aquifer for industrial cooling systems, mandating 100% reclaimed water or closed-loop, waterless air-cooling technologies to prevent depletion of municipal and residential water resources.
- **Mandatory 20-Year Water Impact Studies:** Require an independent, third-party 20-year hydrologic impact analysis funded by the applicant to prove zero impact on local ecosystem, residential wells and municipal water availability, specifically accounting for localized 20-year water resource projections and natural drought cycles.
- **Prohibitive Wastewater Surcharges:** Implement high-volume wastewater discharge fees and strict compliance penalties to protect local water treatment capacity from heavy liquid discharge.
- **Prohibit the development of electrical substations or high-voltage transmission lines as an 'accessory use' or 'by-right' development for data centers:** Any new infrastructure required to power a data center must require its own independent Comprehensive Plan Amendment, full environmental impact review, and a separate public hearing.

2. Electrical Grid & Infrastructure Protection (Ref: Section 5, Item 3)

- **Ratepayer Financial Shield:** In alignment with **Florida SB 484**, ensure that public electric utilities legally isolate all infrastructure expansion costs to the data center developer so that the general body of Clay County ratepayers bears zero financial risk or increased utility rates.
- **Grid Capacity Priority for Residents:** Require that regional electric utilities legally prioritize residential, emergency, and municipal infrastructure over large-load industrial customers during peak demand or grid stress.

- **Grid Impact Fees:** Enforce a significant infrastructure impact fee on facilities with substantial electric demands to offset the strain on local utilities and prevent rate increases for residents.
- **Prohibition of "By-Right" Substation Development:** Prohibit the development of electrical substations or high-voltage transmission lines as an "accessory use" or "by-right" development for data centers. Any new infrastructure required to power a facility must require its own independent Comprehensive Plan Amendment and separate public hearing.

3. Zoning & Compatibility Standards (Ref: Section 5, Item 4)

- **Total Exclusion from Key Zones:** Prohibit data center facilities from all Agricultural (AG), Residential, and Light Commercial zoning districts due to severe infrastructure, aesthetic, and land-use compatibility risks.
- **Mandatory Buffer Zones:** Require a minimum 2-mile setback from any residential property line, school, or public park to protect growing neighborhoods from industrial impacts.
- **Proximity Restrictions to Natural Waterways:** Establish a strict prohibition on constructing data center facilities within 5 miles of any designated wetland, the St. Johns River, or the Black Creek basin to prevent encroachment on residential properties adjacent to these waterways.

4. Environmental, Wildlife, & Pollution Ordinances (Ref: Section 5, Item 5)

- **Zero-Net-Runoff Regulations for Wetlands:** Require a strict "Zero-Net-Runoff" standard for any development near the St. Johns River and Black Creek basin to prevent downstream flooding into residential properties caused by massive impervious surface footprints.
- **Critical Wildlife Habitat Restrictions:** Mandate a multi-season wildlife disruption study for any proposed site, requiring automatic permit denial if development impacts protected species or disrupts critical wetland ecosystems.
- **Comprehensive Noise Metrics (dBA and dBC):** Implement an unyielding noise cap of 45 dB(A) at the property line. Furthermore, to address the continuous, low-frequency hum characteristic of data center cooling infrastructure, the ordinance must mandate dBC tracking, requiring the low-frequency tonal hum to blend entirely into ambient background levels at the property line.
- **Dark Sky Light Pollution Controls:** Enforce strict "Dark Sky" compliance standards, requiring all security and operational lighting to be fully shielded and downward-facing to eliminate night-sky glow in rural and residential areas.
- **Fuel Storage & Emissions Caps:** Enforce heavy environmental containment bonds and restrictive local air quality permits for on-site diesel fuel storage associated with large-scale backup generation.

5. National Security & Supply Chain Safeguards (Ref: Section 5, Item 6)

- **Foreign Adversary & Supply Chain Prohibitions:** In direct alignment with Florida SB 484, enforce strict prohibitions against public utilities providing electric service to large-load data center facilities owned, controlled, or influenced by designated foreign countries of concern or foreign adversaries.
- **Local Software and Hardware Auditing:** Expand local regulatory oversight to mandate comprehensive, independent audits of all data center infrastructure, ensuring that no hardware or software components manufactured by high-risk foreign entities are utilized within the county, thereby protecting local utility grid security and resident data privacy.

ADDENDUM: LEGISLATIVE & HYDROLOGIC DATA REFERENCES

- **Clay County Water Sufficiency:** *North Florida Regional Water Supply Plan (NFRWSP), St. Johns River Water Management District.* Outlines groundwater limitations and wetland threats specific to Clay County through 2045.
- **20-Year Groundwater Shortfalls:** *2025 Central Florida Water Initiative (CFWI) Regional Water Supply Plan.* Projects a 96-million-gallon daily groundwater deficit over the next 20 years.
- **Water Resource Caution Areas:** *Florida Office of Economic and Demographic Research (EDR).* Identifies two-thirds of Florida as lacking sufficient water supply to meet 20-year growth projections.

1. The North Florida Regional Water Supply Plan (NFRWSP)

- **Who Published It:** The St. Johns River Water Management District (SJRWMD) and the Suwannee River Water Management District.
- **The 20-Year Finding:** This specific plan covers Clay County directly. The data explicitly states that traditional groundwater resources from the Florida Aquifer are insufficient to meet projected regional demands through 2045 without causing "unacceptable environmental impacts," including the reduction of spring flows, lowering of lake levels, and the loss of critical wetlands.

Clay County is explicitly listed as a county that must transition away from fresh groundwater to expensive "Alternative Water Supplies" because the aquifer cannot sustain further massive industrial growth.

2. The 2025 Central Florida Water Initiative (CFWI) Regional Water Supply Plan

- **Who Published It:** Jointly approved by Florida's three largest water management districts (including the SJRWMD) and the Florida Department of Environmental Protection (FDEP).
- **The 20-Year Finding:** The report calculates that within the next 20 years (by 2045), the region faces a massive groundwater shortfall of 96 million gallons per day (MGD). This is driven by a projected 41% spike in water demand.

The report explicitly notes that "declines in groundwater levels, spring flows, river flows, lake levels, and wetlands quality have occurred as a result of groundwater development." Adding data centers—which require millions of gallons of water a day—directly threatens this shrinking supply.

3. Florida Office of Economic and Demographic Research (EDR) Statewide Report

- **Who Published It:** The Florida Legislature's non-partisan research arm.
- **The 20-Year Finding:** Their analysis deemed two-thirds of the State of Florida as "Water Resource Caution Areas," meaning existing water supplies are legally insufficient to meet projected 20-year demands. The report states that Florida must somehow develop at least 390 million more gallons of water a day by 2045 just to fulfill basic anticipated consumption.

4. "Florida's Water Future" (2025/2026 Reports)

- **Who Published It:** Florida TaxWatch (a respected, non-partisan statewide public policy research institute).
- **The 20-Year Finding:** This report highlights a widening multi-million-dollar state funding gap required to protect our water supply. It notes that daily water use across the state already exceeds 7 billion gallons, and that natural system stressors—like severe natural droughts, extreme heat, and saltwater intrusion—are actively compounding the risk of residential water shortages over the next two decades.