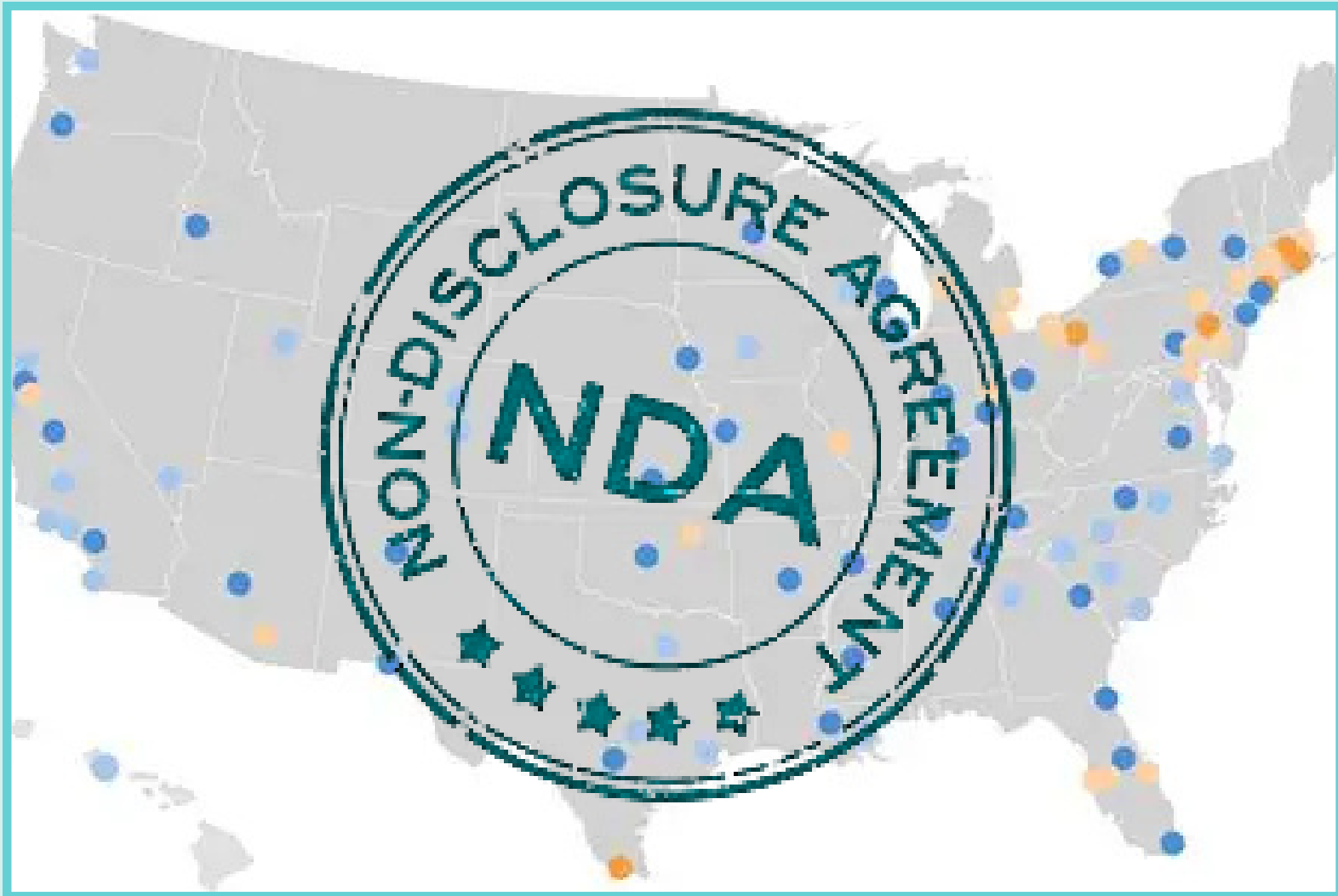


AI Data Centers in the USA



NDA's and Data Centers

A Public Education Explainer

By

www.gen-x-perience.com

1. Public-Education Explainer: NDAs & Data Centers

Why Data Center Companies Use NDAs

When a data center company approaches a county, they often require officials to sign a **Non-Disclosure Agreement (NDA)**. This is a standard tactic in large-scale development and is usually meant to protect:

- **proprietary cooling or power technology**
- **competitive site-selection strategies**
- **internal financial models**
- **early land negotiations**
- **infrastructure planning that isn't finalized**

NDAs are common, but they can also create confusion and concern for residents who feel shut out of the process.

Are NDAs with Counties Legal?

Yes. Government bodies can legally sign NDAs with private companies. The NDA itself is not illegal.

However, an NDA cannot override public transparency laws such as the Indiana Access to Public Records Act (APRA).

What NDAs Cannot Hide

Even if a county signs an NDA, it cannot legally hide information that must be public, including:

- tax incentives or abatements
- public spending or infrastructure upgrades
- zoning changes or land-use decisions
- environmental impact information
- water, electricity, or wastewater usage that affects public systems
- emergency-response or safety plans
- contracts involving public money
- decisions made by elected officials

If an NDA attempts to block disclosure of these items, it becomes unenforceable.

When NDAs Become a Problem

An NDA crosses legal lines when it:

- prevents the county from answering public-records requests
- hides information that affects taxpayers
- blocks public discussion in meetings
- conceals environmental or utility impacts
- restricts elected officials from informing residents

Counties cannot legally comply with an NDA that violates APRA — even if they signed it.

What Residents Should Know

NDA's often create the illusion that everything is “secret,” but in reality:

- NDA's protect private company information, not public consequences
- Residents still have the right to request information
- Counties must disclose public-impact details when asked
- NDA's cannot hide risks, costs, or infrastructure strain
- **Transparency is not optional — it's the law.**



2. Indiana APRA Breakdown: What Residents Can Request

What You Can Request Under Indiana APRA

Residents can legally request the following from counties, cities, and state agencies:

- Contracts with data center companies
- Tax incentives, abatements, or financial agreements
- Utility impact studies (water, electricity, wastewater)
- Environmental assessments
- Emergency-response plans
- Zoning applications and approvals
- Infrastructure upgrade plans
- Emails between officials and the company (with some exceptions)
- Meeting minutes, notes, and public-record discussions
- Land purchase agreements involving public funds

What You Cannot Request

APRA does not require disclosure of:

- proprietary technology
- trade secrets
- internal company financial models

- private-sector engineering designs
- personal employee information

These items are legitimately protected, and often the reason NDAs exist.

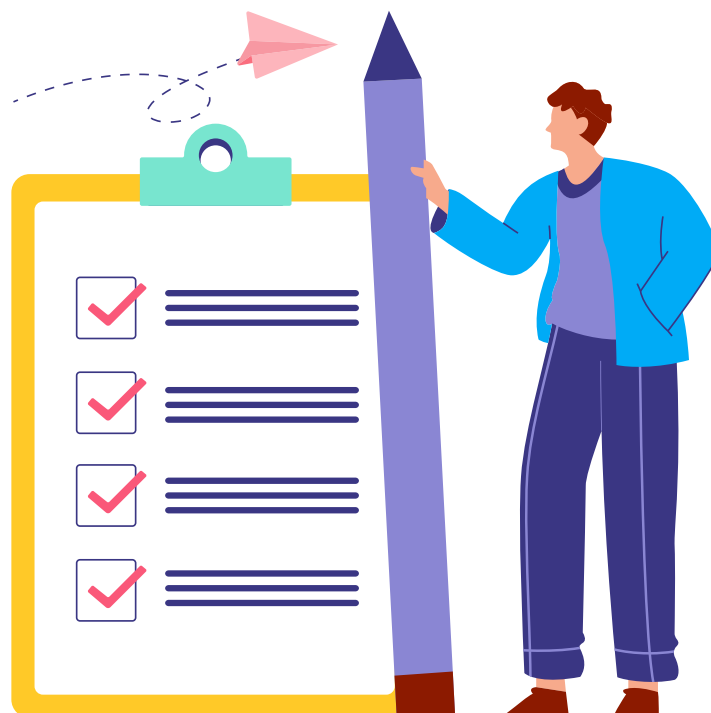
How to File an APRA Request

You can submit a request to:

- county commissioners
- city council
- county economic development office
- local utility authority
- the Indiana Public Access Counselor (for disputes)

Requests can be made by email, letter, or in person.

Indiana does not require you to state a reason for your request.



3. Community Checklist: Questions to Ask About a Proposed Data Center

Infrastructure & Utilities

- How much water will the data center use daily?
- How much electricity will it require?
- Will the project trigger utility rate increases for residents?
- Will the county need to upgrade substations, transformers, or water lines?
- Who pays for those upgrades — taxpayers or the company?

Environmental Impact

- What cooling method will the data center use?
- Will wastewater discharge increase?
- Are there risks to local aquifers or wells?
- Will noise pollution (HVAC, generators) affect nearby homes?

Emergency & Safety

- What is the fire-suppression plan?
- How will emergency services be affected?
- Will the county need additional fire or EMS resources?

Economic & Community Impact

- How many full-time jobs will the data center actually create?
- What is the average salary?
- Are tax incentives proportionate to community benefit?
- Will the company contribute to local infrastructure funds?

Transparency & Governance

- Is the county under an NDA?
- What information is restricted, and why?
- What parts of the agreement are public under APRA?
- When will the public be allowed to review the final contract?

Long-Term Considerations

- What happens if the company leaves or shuts down?
- Who maintains the site?
- Are there decommissioning requirements?
- Will the county be responsible for abandoned infrastructure?

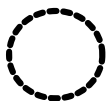
Data Center Quick Facts (2026)

- **Data centers reshape local infrastructure.** Their rapid expansion is straining energy grids, water systems, and land use across the U.S.
- **Electricity demand is skyrocketing.** Data center load is growing orders of magnitude faster than historical planning assumptions, contributing to capacity shortfalls and higher electricity prices.
- **Water use is significant.** Communities must weigh short- and long-term water demand as large AI-driven facilities move into rural and suburban areas.
- **Energy consumption is rising fast.** Data centers used about 4% of all U.S. electricity in 2023, projected to reach 6–12% by 2030 due to AI workloads.
- **AI uses far more energy than traditional computing.** A single generative AI prompt can use 10× more energy than a standard online search.
- **Communities report noise, pollution, and rising bills.** Residents near proposed or existing data centers often experience excess noise, higher air pollution, and increased electricity costs tied to infrastructure upgrades.
- **Local governments are pushing back.** Many counties are imposing temporary moratoriums to create zoning rules for electricity use, water conservation, and noise buffering.
- **Benefits vs. risks vary widely.** Data centers can bring tax revenue and jobs, but often far fewer jobs than residents expect, while resource impacts remain large.

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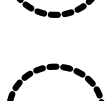
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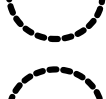
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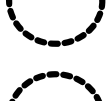
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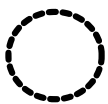


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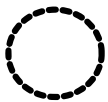


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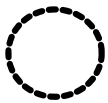
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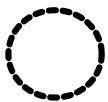
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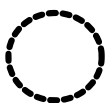
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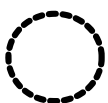
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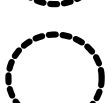
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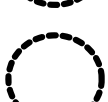
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