

GEORGETOWN CLIMATE CENTER

What to Make of Data Center Moratoriums?

A framework for identifying three different types of data center moratoriums at the local and state levels.

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State and local governments have been proposing – and in many cases enacting – data center permitting moratoriums at an increasingly rapid pace over the past six months.¹ According to recent Heatmap reporting, over 530 local laws² have been enacted to ban or restrict data center development, while many more jurisdictions are considering enacting moratoriums. However, all moratoriums are not the same. The purpose of this brief is to make these developments a little more understandable by breaking them down into some of their uses and characteristics.

Identifying potential differences between moratoriums may help state and local leaders understand their options for responding to the concerns of their constituents. Looking beyond the headlines may also point policymakers and the data center industry toward substantive issues that can be addressed – in advance of any potential moratorium – through measures such as increased transparency, focused community consultation, and conservation and emissions reduction measures.

Are all moratoriums the same?

Although data center moratoriums are a blunt policy instrument that share obvious commonalities – they all pause a variety of state or local permits in response to public concerns – state and local proposals for data center moratoriums are not all the same. Looking beyond the commonalities to distinguishing features can help policymakers and others approach this topic with greater clarity.

¹ See, e.g., Dan Gearino, *Maine Presses Pause on Large Data Centers. Will Other States Follow Its Lead?*, Inside Climate News (April 15, 2026), <https://insideclimatenews.org/news/15042026/maine-data-center-moratorium/> (noting about a dozen states had legislative proposals this year to “pause or ban datacenters”); *US Data Center Moratorium Tracker*, <https://www.interconnectedcapital.com/research/data-center-moratoriums>.

² Robinson Meyer, *Exclusive: Over 530 Local Laws Now Seek to Ban or Restrict Data Centers in the U.S.*, Heatmap News (July 30, 2026), <https://heatmap.news/politics/data-center-local-laws-bans-total>.

Three features that can help to distinguish between moratoriums are: (1) timing relative to overall data center development in the area, (2) length of the pause, and (3) framing of the moratorium including the stated intent and specific activities planned during the term of the pause. These features can provide valuable signals and invite different types of engagement from stakeholders, including communities and developers. With these in mind, three general types of moratoriums have started to emerge.

- 1) **“Pause for Preparedness”**: a time-limited moratorium put in place in areas of some limited development to allow policymakers time to take steps like establishing targeted regulatory frameworks and gathering community input before permitting additional development;
- 2) **“Slowing the Speeding Train”**: a moratorium enacted in response to continued development in an area already hosting a large existing data center presence, where impacts have been observed by experts or perceived by communities;
- 3) **“Preventative Moratorium”**: a pause or open-ended ban on data center development, established before any development has taken place.

	Pause for Preparedness	Slowing the Train	Preventative
Timing relative to development	Some presence already; more requests pending	Substantial existing presence with observed impacts	Before any real development has occurred
Primary goal	Build regulatory capacity and gather input	Rein in cumulative impacts (e.g. water, cost, emissions)	Gauge community tolerance before opening the door
Typical duration	Time-limited (often ~6–18 months)	Varies; may taper rather than end	May be lengthy or open-ended
Examples	New York; Montgomery Co., MD	Virginia; Texas; San Marcos & Fort Worth, TX; Front Royal, VA	Maine; Coachella, CA

Figure 1: Table comparing the timing, goals and typical duration of the three general types of data center development moratoriums implemented by state and local governments in the United States.

Type 1: “Pause for Preparedness”: Taking time to develop a regulatory framework that is targeted to data centers

The “pause for preparedness” model is increasingly common, accounting for the majority of moratoriums. In this type of moratorium, an area that may already have some data center or

other large load presence enacts a time-limited pause in permitting while authorities pursue measures like bolstering regulatory structures and collecting and responding to community concerns. This pause is generally put in place in response to a concern that development will happen faster than existing regulatory frameworks can be updated. The State of New York's moratorium is an example of this approach at the state level. Montgomery County, Maryland, offers an example at the local level.

New York State

New York Governor Kathy Hochul signed an executive order on July 14, 2026, pausing state permits for up to one year for large-scale data centers that can consume 50 MW of electricity or more, while the State of New York shores up its regulatory structures to better prepare for the growth of the data centers.³ The order was a response to concerns about a very high volume — roughly 12 GW — of data center requests to interconnect with the electric system in the state. The moratorium affects only state-level permits, so data centers that do not require state permits may still continue to move forward, subject to local approvals.

The New York moratorium came at a time when New York was already considering regulatory reforms to better integrate large loads. Ongoing reform processes included the Energize NY proceeding at the Department of Public Service, which was launched to update how large loads are connected to the electric system, in part to help ensure residents' energy bills don't rise due to local investments in energy infrastructure to meet data center demand for electricity.⁴ The executive order formalizes and extends these regulatory reform efforts.⁵

New York's July 14 executive order also:⁶

- Directs the utility commission to examine the impacts of connecting data centers to the grid and to carry out – in consultation with other state agencies – a statewide process to study the “potential environmental impacts of data center construction and operation, including energy demand, water use and quality, air quality, disproportionate impacts on disadvantaged communities, and noise levels.”⁷

³ New York State Executive Order 62, Establishing a Temporary Moratorium on Data Centers in New York While the State Develops Higher Standards for Data Center Development and Benefits Blueprint to Support Localities (July 14, 2026), https://www.governor.ny.gov/sites/default/files/2026-07/EO_62.pdf (Order 62).

⁴ See Order Instituting Proceeding and Soliciting Comments, at 1, Case 26-E-0045, State of New York Public Service Commission (Feb. 12, 2026), available at <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=26-E-0045&CaseSearch=Search>.

⁵ See Order 62.

⁶ *Id.*

⁷ The New York Public Service Commissioner opened a proceeding earlier this year to review interconnection processes, cost allocation mechanisms, and tariff structures relating to the integration of large loads. See Press Release, N.Y. Governor's Press Office, *Governor Hochul Announces PSC Proceeding on Her Plan to Ensure Data Centers Pay Their Fair Share for Energy Grid Upgrades* (February 12, 2026), <https://www.governor.ny.gov/news/governor-hochul-announces-psc-proceeding-her-plan-ensure-data-cen>

- The commission must also consider developing a “grid acceleration fund” to protect customers from the costs and risks of stranded data center assets (i.e. new energy infrastructure that could ultimately get abandoned by the evolving data center industry, sticking ratepayers with the bill).
 - The commission may evaluate approaches to require data centers to fund new clean electric generation and/or battery storage to support their own operations, consistent with the state’s clean energy goals.
 - And the commission must form a Data Center Interconnection Working Group to help ensure efficiency and affordability, consistent with the principle that data centers should pay for all the costs they impose on the electric grid.
- Requires the state’s economic development agency to post on its website a Community Investment Framework, created with public input to assist communities when they are faced with making decisions on permitting data centers. The Framework should include guidance on (1) the creation of a community investment fund, (2) investments in local infrastructure for host communities, (3) organized labor and workforce development parameters, and (4) transparent reporting requirements. The order states that “[l]ocalities...may use the Community Investment Framework to negotiate terms and conditions” with data center developers or operators.
 - Mandates that the state environmental agency review its water program to reflect the potential water impacts of large customers like data centers, and to report any additional steps the state should take to address environmental concerns associated with data centers.

Governor Hochul has pushed back on suggestions that this one-year permitting moratorium is likely to be converted to a lasting ban, pointing to her history establishing Empire AI, a consortium advancing medical and other applications of AI, while arguing a pause will help the state “get AI data centers right.”⁸ Given the State of New York has already emerged as a major host for the manufacturing facilities that produce semiconductor chips,⁹ which are themselves a large load but also critical to data centers, it is evident that New York is not closing its doors to all types of large loads. The very large and sudden volume of pending interconnection requests

[ters-pay-their-fair-share](#); Proceeding on Motion of the Commission to Address Interconnection Reforms for Large Loads, Case No. 26-E-0045, <https://documents.dps.ny.gov/public/MatterManagement/CaseMaster.aspx?MatterCaseNo=26-E-0045&CaseSearch=Search>.

⁸ Gov. Kathy Hochul: *How New York Will Get AI Data Centers Right*, Wall Street Journal, July 21, 2026, <https://www.wsj.com/opinion/gov-kathy-hochul-how-new-york-will-get-ai-data-centers-right-40fce95b?mod=Searchresults&pos=1&page=1> (response to July 15, 2026 WSJ editorial). See also Press Release, N.Y. Governor’s Press Office, *Governor Hochul Unveils Fifth Proposal of 2024 State of the State* (Jan. 8, 2024), <https://www.governor.ny.gov/news/governor-hochul-unveils-fifth-proposal-2024-state-state-empire-ai-consortium-make-new-york> (announcing over \$400 million in public and private funding to create Empire AI).

⁹ See New York State: A Global Semiconductor Hub, <https://esd.ny.gov/industries/semiconductors> (website of Empire State Development).

from data centers, along with the framing of this pause as necessary for specific measures to protect against potential unintended consequences of additional development, are facts consistent with the model of a “pause for preparedness.”

Montgomery County, MD

In Montgomery County, Maryland, County Executive March Elrich enacted a six-month moratorium on data center permitting by executive order on June 12, which was subsequently extended to 18 months by legislation.¹⁰ Elrich’s executive order reasoned that a pause would allow the county to complete several initiatives already underway to help prepare for data center industrial growth.¹¹ The initiatives already underway included zoning amendments to define “data center” for the first time and a multi-agency assessment of “the potential environmental, energy, and economic impacts of data center development.”¹²

Elrich’s executive order stated that a temporary pause in evaluating permitting applications would allow ongoing reform initiatives to run their course and give the county council time to consider and address potential impacts to – and mitigation measures for – “existing and future local energy demands; negative impacts to the surrounding environment, including wetlands, streams, rivers, flood plains, or environmentally sensitive areas; negative impacts to parks and recreational facilities; [and] the visual impact on surrounding properties.”¹³ While small data centers already exist in the county – which sits near Data Center Alley in northern Virginia – no currently operational facility is affected by the moratorium.¹⁴

After the executive order, a developer planning a data center at the site of a former coal-fired power plant filed an appeal with the county Board of Appeals, arguing the county had improperly changed its response to the developer’s permit application based on Elrich’s order, and that only the County Council could properly enact such a moratorium, via legislation.¹⁵

¹⁰ See Montgomery County, MD Executive Order 109-26, Order Directing the Department of Permitting Services to Temporarily Pause Acceptance, Consideration, and Processing of Permit Applications for Data Centers (June 12, 2026), https://www.montgomerycountymd.gov/archival-document?document=https://assets.montgomerycountymd.gov/files/2026-06/Executive%20Order%20109-26_0.pdf&title=Executive%20Order%20109-26 ; Ceoli Jacoby, *Atmosphere Data Centers challenges Elrich’s moratorium on permit review*, Bethesda Today (July 16, 2026), <https://bethesdamagazine.com/2026/07/16/atmosphere-data-centers-challenges-elrichs-moratorium-on-permit-review/>.

¹¹ Montgomery County, MD Executive Order 109-26, *Order Directing the Department of Permitting Services to Temporarily Pause Acceptance, Consideration, and Processing of Permit Applications for Data Centers* (June 12, 2026), https://www.montgomerycountymd.gov/archival-document?document=https://assets.montgomerycountymd.gov/files/2026-06/Executive%20Order%20109-26_0.pdf&title=Executive%20Order%20109-26.

¹² See *id.*

¹³ *Id.*

¹⁴ See Kate Ryan, *Montgomery County Council approves 18-month moratorium on data centers*, WTOPnews (July 29, 2026), <https://wtop.com/montgomery-county/2026/07/montgomery-county-council-approves-18-month-moratorium-on-data-centers/>.

¹⁵ See Ceoli Jacoby, *Atmosphere Data Centers challenges Elrich’s moratorium on permit review*, Bethesda Today (July 16, 2026),

Subsequently, several council members proposed to enact the moratorium by legislation and to extend the pause by an additional year to allow more “space and time to develop comprehensive safeguards on hyperscale data centers”¹⁶ The letter acknowledged the June executive order but suggested a moratorium should “also be enacted through Council legislation” and that “some measure of regulatory certainty is necessary now so all stakeholders can clearly understand the rules of the road as we work out [a] comprehensive approach” to “safeguards on hyperscale data center siting.”¹⁷ On July 28, the council approved an extended 18-month moratorium on data center building permits.¹⁸

In both New York State and Montgomery County, leaders have framed these moves not as lasting bans, but as steps to set a course for data center development once adequate regulatory frameworks are in place. Both jurisdictions were also already in the process of updating the regulations that enable data center development to take place, and collecting community input, prior to the moratoriums – demonstrating that moratoriums are not a prerequisite to enacting modernizations. Part of the question appears to be whether the pace of modernization can match the pace of development. If other jurisdictions can learn from these examples, they may be able to complete more reforms in parallel or at a faster pace, which could potentially reduce the length of moratoriums of this type, or eliminate the demand for them altogether.

Type 2: “Slowing the Speeding Train”: Reining in advanced development

The second type of moratorium is one that a state or local government may propose when it is concerned about a “runaway train” of cumulative impacts from development. In this case, officials may propose a slowdown, and if impacts continue, could eventually choose to taper development to ensure data center resource use remains at a sustainable level. For example, absent sufficient protections, higher data center proliferation could result in sizable concerns about local water consumption, potentially outweighing the desire for additional economic opportunities. Slowing the train in these cases could allow more deliberate siting of new data centers or encourage modifications to site design, technologies, and cost-allocation in order to reduce cumulative impacts. It could also in some cases mean that the proliferation of data centers is nearing its end in the area due to resource or infrastructure limitations – in other words, a maximum saturation level could eventually be met.

<https://bethesdamagazine.com/2026/07/16/atmosphere-data-centers-challenges-elrichs-moratorium-on-permit-review/>.

¹⁶ Letter to County Council (July 15, 2026),

<https://assets.montgomerycountymd.gov/files/2026-07/Data%20Center%20Update%207-15-26%20%281%29.pdf>.

¹⁷ *Id.*

¹⁸ Council Approves 18-Month Data Center Moratorium and Places Limitations on Data Center Development, Montgomery Council Council (July 28, 2026),

<https://www.montgomerycountymd.gov/news/council-approves-18-month-data-center-moratorium-places-limitations-data-center-development> (referencing passage of Expedited Bill 19-26 and ZTA 26-01); Kate Ryan, Montgomery County Council approves 18-month moratorium on data centers, WTOPnews (July 29, 2026).

With respect to the examples below, both states share concerns about accumulated impacts on water systems and energy affordability.

Texas and Virginia

As the states with the most operational data centers in the United States, Texas and Virginia both face increasing concern about the growing impacts of continued data center development.¹⁹ In response to concerns in his state, on August 3, 2026, Governor Greg Abbott of Texas directed the state's utility commission and its grid operator to pause connecting data centers to the energy system while they collect more information about data center impacts.²⁰ While only Texas has in place a statewide moratorium, lawmakers in both states have discussed moratoriums.

In states already home to extensive data center development like Texas and Virginia, cumulative impacts can become increasingly politically and environmentally unsustainable. This may drive policymakers to seek more data and visibility, along with more advanced regulation.

Water and energy affordability are emerging as two of the top concerns in both of these states. Experts at the University of Texas have warned about the rising volume of data center water consumption and advised greater transparency in the industry's water use in order to reduce impacts on the state's water supply.²¹ State officials in Texas recently issued a water consumption survey to data centers but reported that only 17 percent of data centers responded, making it challenging for the state to plan around this critical resource.²² In Virginia, although the local utility Dominion Energy has suggested data centers are already paying their way,²³ Governor Abigail Spanberger won her seat in 2025 after promising to act on energy affordability concerns, including ensuring data centers "pay their fair share."²⁴ Virginia and its

¹⁹ See Skyler Seets & Kaitlyn Radde, *Most new data centers in the U.S. are coming to rural areas*, Pew Research Center (April 13, 2026), <https://www.pewresearch.org/short-reads/2026/04/13/most-new-data-centers-in-the-us-are-coming-to-rural-areas/> (Virginia leads on data center installation while Texas follows in second place nationally). California is third in the country. *Id.*

²⁰ Letter of Governor Greg Abbott to Mr. Gleeson and Mr. Vegas (August 3, 2026), https://gov.texas.gov/uploads/files/press/Thomas_Gleeson_Pablo_Vegas_Data_Centers_Directive_Letter_to_PUCT ERCOT_August_2026 .pdf.

²¹ *Data Centers Are Growing in Texas, But Big Questions Remain About Water Use*, UT News (May 6, 2026), <https://news.utexas.edu/2026/05/06/data-centers-are-growing-in-texas-but-big-questions-remain-about-water-use/> (finding that data centers could account for 3 to 9% of water use in Texas by 2040).

²² Kailey Hunt, *Texas asked data centers to report their water use. Most of them didn't respond*, KUT News (June 26, 2026), <https://www.kut.org/energy-environment/2026-06-26/texas-data-center-water-use-survey-legislature>. See also, *Data Centers Are Growing in Texas, But Big Questions Remain About Water Use*, UT News (May 6, 2026).

²³ See, e.g., Toby Cox, *Dominion Energy says data centers aren't raising people's bills. Energy researchers say they are.*, WHRO (March 23, 2026), <https://www.whro.org/business-growth/2026-03-23/dominion-energy-says-data-centers-arent-raising-peoples-bills-energy-researchers-say-they-are>

²⁴ See [Diana DiGangi, Virginia data centers must pay 'fair share,' incoming lieutenant governor says, Utility Dive](#) (Dec. 5, 2025),

neighboring states have seen significant energy cost increases and more increases are anticipated,²⁵ though there are debates over the causes.

Both states have recently enacted significant legislation regulating data center development,²⁶ with leaders continuing to press for more nuanced guardrails. In a June 10 letter, Texas Governor Greg Abbott asked the state utility commission and the Electric Reliability Council of Texas (ERCOT) to enact sweeping reforms, stating, “The rapid scale of data center development requires oversight to ensure everyday Texans are not burdened with the costs of infrastructure driven by data center expansion.”²⁷ Abbott also stated an intent to work with legislators in the next legislative session on a slate of bills aiming to require water conservation, reductions in community impacts, and the elimination of tax incentives.²⁸

In Virginia, Governor Spanberger worked with legislators to pass a legislative package from her Affordable Virginia Agenda aimed to protect ratepayers from potential cost increases due to the build-out of grid infrastructure serving data centers, and passed a statewide energy consumption tax on data centers.²⁹

Cities of San Marcos and Forth Worth, TX and Front Royal, VA

In both Virginia and Texas, multiple local governments have considered moratoriums, but typically have been wary to enact them due to concerns about the adequacy of local authorities to do so.³⁰ In many states, local governments do not have clear authority to enact data center moratoriums. The authorities local governments can exercise vary by state, as well as by what type of local government they are – e.g. a city or a county – and in some cases there is ambiguity.

In Texas, the City of San Marcos enacted an indefinite ban on data centers in June 2026, though a state legislator has since questioned the city’s authority to do so.³¹ The city council

<https://www.utilitydive.com/news/spanberger-hashmi-virginia-energy-bills-affordability-dominion-data-centers/807156/>; Timothy Cama & Adam Aton, *Energy prices seize spotlight in Virginia, New Jersey races*, E&E News (Oct. 28, 2025),

<https://www.eenews.net/articles/energy-prices-seize-spotlight-in-virginia-new-jersey-races-2/>.

²⁵ See, e.g., Matthew Zeitlin, *Electricity Price Increases Hit Different in Virginia*, Heatmap (April 1, 2026), <https://heatmap.news/energy/electricity-price-hub-pjm>.

²⁶ See, e.g., Texas S.B. 6, effective June 21, 2025, <https://legiscan.com/TX/bill/SB6/2025>;

²⁷ Letter from Greg Abbott, Governor, Tex., to Thomas Gleeson, Chairman, Pub. Util. Comm’n of Tex. & Pablo Vegas, CEO, Elec. Reliability Council of Tex. (June 10, 2026), <https://s3.documentcloud.org/documents/28225490/thomas-gleeson-pablo-vegas-data-centers-directive-letter-to-puc-ercot-final.pdf>.

²⁸ *Id.*

²⁹ Press Release, Office of the Governor, Va., *Governor Spanberger Highlights First-of-Its Kind Data Center Energy Consumption Tax in Politico Interview* (July 6, 2026), <https://www.governor.virginia.gov/newsroom/news-releases/2026/july-releases/name-1120725-en.html>.

³⁰ For more on the application of local government authorities to data center development issues, see <https://www.georgetownclimate.org/adaptation/toolkits/local-ordinances-for-climate-action/local-ordinance-s-to-help-bring-data-centers-into-alignment-with-climate-goals.html>

³¹ Katlyn Ma, *San Marcos becomes first Texas city to ban data center, testing its local control*, The Texas Tribune (June 30, 2026), <https://www.texastribune.org/2026/06/30/texas-san-marcos-data-center-ban-zoning-laws/>.

voted to make data center development a permanently ineligible use of land within the city's boundaries by disallowing it in all zoning districts.³² The City of Fort Worth, Texas is currently considering a temporary moratorium on new data centers while additional guardrails are put in place, with a vote expected in August.³³

In Virginia, the Front Royal town council is taking steps to enact a moratorium through administrative means, rather than legislation, in response to concerns that moratorium by legislation may be barred under state law.³⁴ A vote is expected in August.³⁵ Meanwhile, the northern Virginia counties of Loudoun, Prince William, and Fauquier – each of which is already home to large numbers of data centers – have stopped short of attempting to enact moratoriums, though public sentiment against the siting of even more data centers in the area has grown, and proposed projects are increasingly being rejected or restricted.³⁶

Type 3: “Preemptive Moratorium”: Deliberating on the costs and benefits before opening the doors

Finally, some areas of the country have considered enacting moratoriums on large-scale data center development before any real development has taken place. This may reflect a concern about gaps in information, but it may also suggest a need to first gauge the community's tolerance for any data center development before deciding whether to open the doors, and a concern about potential inconsistency with local ways of life, public health priorities, or fundamental resource limitations such as water scarcity.

Information may be at a premium in this context, just as it is in states like Texas and Virginia, but there is no guarantee that more information would cure the reluctance of local communities to embrace the data center industry. Conformity to community traditions may also be at a premium, such as avoiding industrial development in priority agricultural, cultural, or natural areas.

Maine

A moratorium proposed by legislators in Maine may be an example of this type of proposed permitting pause. Both branches of the Maine legislature passed a statewide moratorium on data centers on April 14, 2026, but it was not enacted, after Governor Janet Mills vetoed the bill

³² See *id.*

³³ Cecilia Lenzen, *Can proposed data center moratorium in Fort Worth lead to meaningful, long-term solutions?*, Fort Worth Report (July 21, 2026), <https://fortworthreport.org/2026/07/21/can-proposed-data-center-moratorium-in-fort-worth-lead-to-meaningful-long-term-solutions/>.

³⁴ Alex Bridges, *Council OKs moratorium on data-center applications*, The Northern Virginia Daily (July 7, 2026), https://www.nvdaily.com/nvdaily/council-oks-moratorium-on-data-center-applications/article_8bbfc9ce-d84e-5dd8-a4be-e8f9ee95cc94.html.

³⁵ See *id.*

³⁶ See, e.g., Sébastien Kraft, *Prince William Co. supervisors deny 2,000-acre Dulles South data center plans*, WTOP News (July 7, 2026), <https://wtop.com/prince-william-county/2026/07/prince-william-co-supervisors-deny-2000-acre-dulles-south-data-center-plans/>.

on April 24.³⁷ Though that moratorium was slated to expire after 18 months, it would have stopped the one large data center under development in the state, as well as any other data centers 20 MW or greater.³⁸ Given the State of Maine as yet lacks any significant data center development,³⁹ and is not forecast to face large-scale data center development,⁴⁰ enacting an extended moratorium with a low threshold of 20 MW and no exceptions is a more preemptive approach distinct from the approaches many other areas have taken to date.

In light of Maine's limited overall industrial development, and the value the state puts on its natural landscapes, perhaps it's not surprising that the state would take a cautious approach to data center development.

Coachella, CA

Coachella, California, located in the Coachella Valley area that hosts the annual Coachella Valley Music and Arts Festival, provides another example of the preemptive pause approach. This desert community, concerned about extreme water scarcity, among other environmental and energy issues that can be particularly acute in desert landscapes, has put in place a temporary moratorium to halt the first major data center proposed in the area, but is in the process of crafting a permanent ban.⁴¹ Unless data center companies can offer solutions to sufficiently allay concerns like water consumption and air quality, other desert regions may also hesitate to open their doors at all, as Coachella has.

³⁷ See Letter from the Office of Governor Janet Mills (April 24, 2026), https://www.maine.gov/governor/mills/official_documents/veto_messages/2026-04-ld-307-act-establish-maine-data-center-coordination (vetoing Maine L.D. 307). Governor Mills, who has reached her maximum term in office, indicated that she vetoed the bill because it lacked any exceptions, including for a project proposed at the site of a former mill. See Jenna Russell, *Maine Governor Vetoes Bill That Would Have Paused New Data Centers*, New York Times, (April 24, 2026), <https://www.nytimes.com/2026/04/24/us/maine-moratorium-data-center-vetoed.html>. In response to remaining concerns, Governor Mills established the Maine Data Center Advisory Council and directed the Department of Energy Resources to identify ways to protect ratepayers from unintended affordability impacts. See Alex Haskell, *Maine State House fails to override governor's veto on data center moratorium*, New Center Maine (April 29, 2026), <https://www.newscentermaine.com/article/news/politics/maine-politics/maine-state-house-fails-override-governor-janet-mills-veto-data-center-moratorium/97-2c743b63-62cf-4f5d-aa9c-251a0f49743c>

³⁸ See *id.*

³⁹ See Kaitlyn Budion, *New advisory group weighs potential benefits, pitfalls of data centers*, Maine Morning Star (June 4, 2026), <https://mainemorningstar.com/2026/06/04/new-advisory-group-weighs-potential-benefits-pitfalls-of-data-centers/>.

⁴⁰ See Maine Executive Order 5, *An Order Establishing the Maine Data Center Advisory Council* (April 26, 2026), https://www.maine.gov/governor/mills/official_documents/executive-orders/2026-04-executive-order-5-order-establishing-maine-data-center ("forecasts indicate that...Maine will experience limited large-scale development").

⁴¹ See Anthony Vistoria, *Coachella council approves data center moratorium, directs staff to draft ban*, KVCN (June 6, 2026), <https://kvcr.org/news/local/2026-06-06/coachella-council-approves-data-center-moratorium-directs-staff-to-draft-ban>.

Examples like Maine and Coachella, CA, suggest that a preemptive approach to moratoriums is more likely to take hold in environments that are perceived as incompatible with the data center industry as a whole, particularly with the potential environmental impacts associated with the industry. These are unlikely to be the only state or local areas that may have qualms about opening the door at all to data centers. Certain tribal and other communities that place a premium on undeveloped landscapes or nature-based tourism have expressed and are likely to continue to express similar concerns.⁴² In addition to areas with very limited water resources, areas with already-poor air quality may hesitate to open the doors, particularly to the extent many data centers continue to colocate with onsite backup diesel generators.⁴³

Ignoring these concerns is unlikely to yield progress on the part of policymakers or data center developers. Having eyes wide open on the uncertainties involved with each scenario can help to identify core concerns, if only so that there is an opportunity to ensure there are no solutions that can be found.

Conclusions

While there is broad and growing demand to adopt data center moratoriums, thinking about the different types of moratoriums can help better understand what is driving this demand and what options are available for responding. Three features that may help to distinguish one moratorium from another are the timing, length, and stated objectives or parameters of the proposed pause.

In particular, distinguishing between moratoriums that are called for to remedy lack of preparedness, address cumulative impacts and inadequate data, or signal potentially irreconcilable differences may help state and local leaders as they respond to community concerns. It may also help the data center industry and regulators respond appropriately to these signals.

⁴² See, e.g., Levi Rickert, Seminole National of Oklahoma Passes Moratorium on Data Centers, Native News Online (March 19, 2026), <https://nativenewsonline.net/sovereignty/seminole-nation-of-oklahoma-passes-moratorium-on-data-centers/>; Kyle Davidson, Community pushback prompts Sault Tribe leadership to adopt moratorium on data centers, Michigan Advance (April 10, 2026), <https://michiganadvance.com/2026/04/10/community-pushback-prompts-sault-tribe-leadership-to-adopt-moratorium-on-data-centers/>. For more on tribal response trends and options, see Tana Fitzpatrick, AI Data Centers and Tribes: Emerging Federal and State Policy Trends and Tribal Governance Options (June 16, 2026), <https://www.ou.edu/nativenationscenter/research/sovereign-brief-ai-data-centers-and-tribes>.

⁴³ In addition to water scarcity, community members have raised air quality as a concern in Coachella, California, which sits in the South Coast Air Basin, one of the most severe ozone nonattainment regions in the country. See, e.g., Extension of the Attainment Date of the Coachella Valley Extreme Nonattainment Area Under the 1997 Ozone National Ambient Air Quality Standards, 90 Fed. Reg. 42,844 (Sept. 5, 2025) (codified at 40 C.F.R. pt. 81); Olivia Sandusky and Market Mester, Coachella Residents Confront Developers Over Massive Proposed Data Center at Heated Town Hall, NBC Palm Springs (May 11, 2026), <https://www.nbcpalmsprings.com/2026/05/11/coachella-residents-confront-developers-over-massive-proposed-data-center-at-heated-town-hall> (citing backup diesel generators as a key community concern, alongside water scarcity and energy costs).

The specific steps a jurisdiction takes during a moratorium to gather information, develop new policies, and better understand the issues at stake are also an important topic. Anticipating the types of measures that are likely to be called for during moratoriums could allow policymakers, concerned residents, and industry representatives to meaningfully address public concerns in advance, or at least more quickly. Please watch for more analysis on these topics to come in GCC's large loads publication series.

This issue brief is part of GCC's series of publications on data center regulation at the state and local levels.