



Tribal Concerns Regarding U.S. Data Center Expansion

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Executive Overview

Rapid growth of hyperscale data centers across the U.S. is raising concerns among federally recognized tribes.

Primary Issues:

- ▶ Environmental impacts (water, energy, ecological disruption)
- ▶ Cultural and sacred site protection
- ▶ Insufficient government-to-government consultation



Data Center Expansion in the U.S.

- ▶ **Growth driven by:**

- ▶ Artificial intelligence
- ▶ Cloud computing
- ▶ Large-scale digital storage

- ▶ **Typical characteristics:**

- ▶ Massive electricity demand
- ▶ Large water use for cooling
- ▶ Large land footprints in rural areas
- ▶ Limited long-term employment after construction



Environmental Concerns:

- ▶ **Water Consumption:**

- ▶ Millions of gallons used annually for cooling
- ▶ Potential aquifer depletion
- ▶ Competition with community drinking water supplies

- ▶ **Energy Demand:**

- ▶ Requires constant electricity supply
- ▶ May require new power plants or grid expansion
- ▶ Potential increase in fossil fuel use



Ecological Impacts:

- ▶ **Possible environmental effects include:**
 - ▶ Habitat fragmentation
 - ▶ Wildlife disruption
 - ▶ Thermal discharge from cooling systems
 - ▶ Transmission lines and substation development
 - ▶ Landscape alteration



Cultural and Sacred Site Risks:

- ▶ **Many development areas contain:**

- ▶ Archaeological sites
- ▶ Burial grounds
- ▶ Sacred ceremonial locations
- ▶ Traditional gathering areas

- ▶ **Potential impacts:**

- ▶ Disturbance of cultural resources
- ▶ Alteration of sacred cultural landscapes
- ▶ Loss of traditional land use areas



Tribal Advocacy Organizations:

- ▶ **Indigenous organizations raising concerns include:**
 - ▶ Indigenous Environmental Network
 - ▶ Honor the Earth
 - ▶ National Association of Tribal Historic Preservation Officers (NATHPO)
 - ▶ Association on American Indian Affairs
 - ▶ Regional tribal coalitions
 - ▶ Grassroots tribal community groups



Federal Laws Used by Tribes

Key regulatory frameworks:

- ▶ **National Historic Preservation Act (Section 106)**
 - ▶ Requires consultation on impacts to historic properties
- ▶ **National Environmental Policy Act (NEPA)**
 - ▶ Requires environmental review of federal actions
- ▶ **These processes allow tribes to:**
 - ▶ Request cultural resource surveys
 - ▶ Submit formal project comments
 - ▶ Advocate for site protection



Emerging Regulatory Challenges:

- ▶ **Current policy changes affecting tribal review:**

- ▶ NEPA oversight shifting from centralized guidance to individual federal agencies
- ▶ Ongoing streamlining review of Section 106 procedures

- ▶ **Concerns:**

- ▶ Reduced environmental review
- ▶ Weaker consultation practices
- ▶ Less consistency across agencies



Successful Tribal Strategies:

- ▶ **Tribal advocacy has succeeded by:**
 - ▶ Forcing expanded environmental review under NEPA
 - ▶ Identifying undocumented archaeological sites
 - ▶ Challenging inadequate consultation
 - ▶ Building alliances with allies and environmental groups



Common Barriers:

- ▶ **Tribal efforts often face challenges:**
 - ▶ Limited sacred site protections on public or private lands
 - ▶ Consultation occurring late in project planning
 - ▶ Strong political support for economic development
 - ▶ Often Projects are Proposed on Private Lands



Emerging Policy Debate:

- ▶ **Two viewpoints are developing:**
- ▶ **Opposition Approach**
 - ▶ Prevent development due to environmental and cultural risks
- ▶ **Partnership Approach**
 - ▶ Explore tribal economic partnerships with developers
 - ▶ Potential benefits: jobs, revenue, energy infrastructure
- ▶ Risks and impacts remain poorly understood.



OPEN DISCUSSION

COMMITTEE NEXT STEPS