From: Kate Hotten
Sent: Wednesday, June 3, 2026 12:01:35 PM (UTC-07:00) Arizona
To: PlanningCommission <PlanningCommission@tucsonaz.gov>

Dear team,

Please kindly distribute the attached letter to Chair Kinney and the Commissioners in advance of this evening's meeting of the Planning Commission.

We wish to support agenda item 3. on Regulations for Large-Scale Data Centers, but respectfully request that the main conditions outlined in our letter are first addressed.

Sincerely,
Kate

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Kate Hotten (she/her)
Co-Executive Director
Coalition for Sonoran Desert Protection
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Grateful to be living and working on ancestral lands stolen from the O'odham, Tohono O'odham and Pascua Yaqui

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Sonoran Desert
Protection

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June 3, 2026

City of Tucson Planning Commission
City Hall
255 W. Alameda
Tucson, AZ 85701

RE: Agenda item 3. Regulations for Large-Scale Data Centers

Dear Chair Kinney and Commissioners,

The Coalition for Sonoran Desert Protection represents 30 national and regional organizations across Southern Arizona, including organizations and residents based in the City of Tucson. We participated in the Technical Advisory Committee (TAC) and represented environmental interests.

We strongly support this proposed code amendment, and want to thank staff, the Planning Commission, and the Mayor and Council for their work over the past several months in preparing this draft.

To best protect our natural resources, important revisions are still needed. The Coalition has three main recommendations:

1. **Explicitly include open space in Section 1.b**. This was discussed by the TAC and is detailed in the committee's minutes from January 12, 2026. ("Ensure that natural open space and riparian areas are considered in "other noise sensitive uses".) By referring to "open space", we incorporate natural, undisturbed open space, riparian areas, and other types of open space.

   We recommend the following wording, with the new language highlighted:

   > "2,640 feet (one-half mile) from educational, residential, **and other sensitive uses,** including nursing homes, residential care facilities, **open space**, or other uses as determined by the Zoning Administrator."

2. **Remove the arbitrary lot coverage percentage in Section 7** and adopt a flexible approach guided by existing conservation tools and the stated Environmental Resource Report process. **We were surprised to see this addition in May's study session materials** — it was not discussed by the TAC at the meetings we attended.

   We recommend that Section 7 be either removed or updated to read:

"Allowable lot coverage, including the coverage percentage, appropriate development area, and/or specific acreage to be conserved as natural open space, will be determined by staff and approved by the Mayor and Council. Undeveloped land area shall be dedicated as natural open space and conserved in perpetuity."

The remaining two sentences on revegetation and plant salvage can remain as-is.

Without this update, the City of Tucson may inadvertently limit industrial development on parcels where it makes most sense. This risks increasing development pressures on the region's highest priority natural resources while inadvertently limiting much-needed infill.

With this update, the City of Tucson reserves the right to determine allowable lot coverage. Per *Plan Tucson 2025*, the City of Tucson already has a tool — the Conservation Lands System — that can help inform any Environmental Resource Report and identify which parcels contain high biological value land. The Conservation Lands System also automatically recommends the maximum coverage area based on a parcel's biological value — reducing coverage from around 40% in some areas to as low as 5% in "important riparian areas". These are flexible guidelines that the Mayor and Council can use to inform a final decision.

3. **These Regulations do not specify any decommissioning plan requirements**. We note that the Town of Marana, in January of this year, had to add a decommissioning plan as a condition of approval for the recent rezoning for a 600-acre data center project — because its own ordinance does not require one.

   Where the City of Tucson deems it appropriate to add such a requirement, we **recommend including a requirement to remediate any environmental contamination and to restore or revegetate disturbed areas** as necessary following the cessation of data center activities on a parcel.

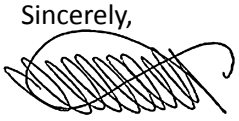
The following minor recommendations may improve clarity in the Regulations:

4. In Section 1, **consider using the term "setback"** to align with Unified Development Code (UCD) language and clearly distinguish distance requirements from landscape borders in Section 6.

5. In Section 6, **refer to the UDC section on landscape borders** (5-01.4.0 LANDSCAPE BORDERS).

Thank you for the opportunity to participate in this process, and please let us know if you have any questions.

Sincerely,



Kate Hotten, Co-Executive Director

From: Adria E. Brooks
Sent: Wednesday, June 3, 2026 4:52:36 PM (UTC-07:00) Arizona
To: PlanningCommission <PlanningCommission@tucsonaz.gov>
Subject: Comments on data center regulations

Hello,

Please find my comments attached on the proposed data center regulations to be discussed at tonight's meeting. I apologize that they are arriving so late in the hour.

Best,
Adria

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Adria Brooks, Ph.D. (she/her)
adriabrooks.github.io
www.linkedin.com/in/adriabrooks/

June 3, 2026

Dear Planning Commission –

I am a Tucson resident and I served as a transmission planning expert on the City's Technical Advisory Committee (TAC) developing data center land use and regulations for the Unified Development Code (UDC).[1]

I enjoyed participating in the TAC and listening to public feedback and Commission deliberations on this matter. First and foremost, I would like to thank the City staff and facilitators who have been shepherding this process and several others related to data centers; this is not an easy topic to be in the middle of as a public servant.

I am writing today in regards to the May 27, 2026 Planning Commission Memorandum on the proposed UDC for data centers.[2] I want to address three stipulations that arise in the third sentence of the "Noise and Generators" section (pages 5-6) of the memo that believe would be damaging for the City to include in the final regulations. Below I present the memo language, my concerns, high-level technical background that may be needed to understand my concerns, and proposed edits to the memo language. I recognize that the characterization of these topics as summarized in the memo may not fully capture the language in the regulations, and therefore my proposed changes to the memo language will need to be edited for the final regulations.

1. *"For generators, only Tier IV or natural gas/dual-fuel generators would be permitted…"*

   I am concerned that this will require fossil fuel generation to be used as backup generation and prohibit any low-emitting generation or storage to be used as an alternative.

   This sentence refers to the backup generation which all data centers keep onsite to run their facility in the event of grid disturbance or failure. The intent of this stipulation reflects the general TAC desire that only the highest quality (i.e., most efficient and lowest polluting) fossil fuel generators be used. This is important to reduce local air and

[1] www.tucsonaz.gov/Departments/Planning-Development-Services/Planning-Initiatives/Data-Centers-Unified-Development-Code-Amendment

[2] www.tucsonaz.gov/files/sharedassets/public/v/1/pdsd/documents/boards-committees-commissions/planning-commission/6.3.26/pc-memo-data-center-code-update-6-3-26.pdf

noise pollution. However, the sentence phrasing is such that these high-efficient fossil fuel generators are the only backup source permitted, rather than saying that if fossil fuel generators are to be used, they must be of this caliber.

Most data centers do use fossil fuel (diesel gensets, specifically) generators as backup power. However, many data centers are considering low emissions technologies—long duration storage, geothermal, advanced modular nuclear—in the long term,[3] and several utilities have recently signed power purchase agreements with low-emitting generation providers to service data centers in the coming years.[4] The recent power purchase agreements show these technologies will become commercially viable in the next 3-5 years, which is likely the earliest that any data center which falls under this City zoning regulation would be energized. The backup generation source chosen by a data center will depend greatly on the size of the land available to it—where diesel gensets are more energy dense than alternative sources, making them a preferred candidate when land is limited—but good regulations could require data centers to choose alternative backup generators in lieu of or in conjunction with fossil fuel options.

Instead of using prohibitive language that would preclude any non-fossil backup generators, I suggest opening this language to at least include the option for low-emitting resources. Below is proposed language that would permit the use of both low- and high-emitting backup generation, though the City could strengthen this language to limit the use of high-emitting generation in line with their Climate Action and Adaptation Plan.[5] As "low-emitting" needs to be quantified in regulations, I suggest using the European Union Taxonomy's threshold of less than or equal to 100kg of carbon dioxide equivalent greenhouse gasses per kWh of electricity produced,[6] though another threshold could be used instead.

Proposed changes (changes in red, additions in **bold**, and deletions in ~~strikethrough~~):
"*For **backup** generators, **low-emitting (less than or equal to 100kg CO_2e/kW) generation is preferred and where high-emitting generation is used,** only Tier IV or natural gas/dual-fuel generators would be permitted…*"

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[3] https://www.energy.gov/hgeo/geothermal/geothermal-and-data-centers; https://rhg.com/research/geothermal-data-center-electricity-demand/

[4] https://www.utilitydive.com/news/worlds-largest-grid-battery-part-of-google-xcel-energy-agreement/813793/; https://www.canarymedia.com/articles/batteries/gigantic-form-energy-battery-google-minnesota; https://fervoenergy.com/fervo-energy-announces-320-mw-power-purchase-agreements-with-southern-california-edison/

[5] https://climateaction.tucsonaz.gov/pages/caap

[6] https://ecostandard.org/wp-content/uploads/2021/12/EUTaxonomy_100g_7points.pdf

2. *"… with requirements for 'battery-first' backup systems,…"*

I am concerned that "battery-first" without any associated duration or energy requirement will not result in a change to usual data center operations.

All data centers have batteries that they use to transition to backup generation in the event of a grid disturbance. These batteries are sized to only last the time it takes to bring backup generation only, often no more than 10 minutes in the case of diesel gensets. By definition, data centers inherently have "battery-first" backup systems so this language on its own is meaningless. It would be more useful to stipulate how long a data center must run on storage before switching to another form of backup energy.

The intent of this statement may be to have data centers use alternative backup options for a length of time prior to fossil-fuel generators, the negative attributes are discussed above. Long-duration energy storage is an emerging solution (*see* prior links), but even short-duration chemical batteries can be used at utility-scale for several hours at a time. In fact, Arizona is one of the leading states for use of utility-scale battery storage and our utilities are very familiar with utilizing storage as a grid asset.[7]

I suggest amending this language to include the duration of time that the data center must first use storage backup. I also suggest changing "battery" to the more generic "storage," to allow for storage technologies other than traditional chemical batteries, such as compressed air storage. Finally, if the intent of this stipulation is to limit the air and noise pollution of fossil-fuel backup generators, then the requirement would be mute if the data center used less polluting backup generation technology. In my text I suggest 2-hours of storage backup, but any duration between 1/2 and 4 hours is technologically feasible today, with longer duration storage technologies becoming widely commercially available in the next few years.

Proposed changes (changes in red, additions in **bold**, and deletions in ~~strikethrough~~):
"… *with requirements for* ***2-hours of storage*** *~~'battery-first'~~ backup systems* ***to be used prior to the use of high-emitting backup generators***,…"

3. "… limits on hours of maintenance testing, and prohibition of 'load shifting'."

My concern here is the affordability issues that will arise with prohibiting load shifting. A lack of load shifting is the reason why data centers could increase other ratepayers'

[7] https://cleanview.co/power-projects/operating/battery-storage-projects/arizona; https://www.azcc.gov/Rene-Lopez/news/2025/10/03/arizona-now-among-the-top-three-states-with-largest-capacity-of-utility-scale-battery-storage-systems

bills instead of decreasing them. Instead, a choice to require load shifting could help keep other TEP customers' bills from inflating due to data center growth.

I note that "load shifting" would need to be defined in the regulation. My concern is specific to a definition of "load shifting" as the ability of the data center to switch to backup generation even in absence of a grid disturbance or outage. Other definitions of "load shifting" could obviate my concern.

Utilities are required to plan for enough generation capacity to meet the "peak demand"—highest electricity usage—hour of each year, plus some extra headroom just in case. This means that TEP must have enough generators to meet the hottest summer afternoon when the entire footprint is using their air conditioners, running their washing machines, charging their cars, refrigerating large warehouses, manufacturing equipment, and sharing AI-generated cat videos. Those generators could be (and likely are) sitting idle or at partial capacity the rest of the year; all that matters is that TEP has enough power to meet those several hours of peak demand each year. Data centers intend to run at near-full tilt all hours of the year, adding just as much new electricity to that peak demand hour as the other 8,759 hours of the year. Any extra electricity demand at peak hour is why TEP must build new generation facilities, costs that they socialize across all customers via rate-basing. By requiring data centers to shift their load to backup generation during those peak demand hour(s) each year, TEP's need for new generation facilities will decrease.

Several entities have modified their regulations or laws to require data centers to switch to backup generation during these peak demand hours, or whenever it is that the servicing utility needs electricity usage to be lowered for reliability reasons. The most notable entity is the State of Texas, which passed a law in 2025 requiring data centers to be disconnected from the grid at the utilities' request to prevent wider reliability concerns.[8] The nation's electric reliability coordinator found that this preemptive "load shifting" of data center electricity usage enabled the Texas grid to avoid elevated risk for the coming summer.[9]

Rather than prohibit load shifting of data centers, it should be both allowed and encouraged. By requiring longer storage-first and/or low-emitting generation backup systems as previously discussed, the prohibition on load-shifting for air and noise pollution should be obviated.

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[8] https://www.utilitydive.com/news/texas-law-gives-grid-operator-power-to-disconnect-data-centers-during-crisi/751587/

[9] https://www.nerc.com/globalassets/our-work/assessments/nerc_sra_2026.pdf

My proposed amendments below change the language from a prohibition to actively requiring the ability to load shift. If the City wishes, it could consider the legality of requiring data centers to shift their load during high demand hours. If it does so, I would recommend looking at limits to the number of hours and events that the servicing utility could call for this service. I would be happy to help with that research if needed.

Proposed changes (changes in red, additions in **bold**, and deletions in ~~strikethrough~~):
"… limits on hours of maintenance testing, and ~~*prohibition of 'load shifting'*~~ ***mandating the ability to disconnect load from the grid at the request of the servicing electric utility****."*

Thank you for your consideration,

Adria Brooks

From: Heidi Hoscheidt
Sent: Wednesday, June 3, 2026 4:44:08 PM (UTC-07:00) Arizona
To: PlanningCommission
Subject: Data Centers-Environmental-human Impact

Hello Planning Commission,

As a third generation Tucsonan, working citizen of this city, who loves and appreciates the desert flora and fauna, I strongly oppose any Data Center in and around Tucson, AND southern Arizona because of the profound detrimental events demonstrated thus far with other Data Centers across the country. High energy rates, black-brown (tainted) water coming out of pipes, loss of water flow, drained water systems, toxic air quality, noise and light pollution, etc.

Project Blue, has prompted multiple sleepless nights, community conversations, and strong support against this proposed structure.

I AM VERY supportive of the current plan being discussed concerning regulations. It is critical to formulate a rubric involving accountability, and environmental assessment. This plan is highly beneficial and I appreciate any attempt to take power back, and work towards taking care of our desert resources responsibly and wisely for the next generation. However, I believe, like other cities, at this point, the next steps should be proposing a Data Center moratorium, indefinitely, until more research (long term health-environmental impact) can be obtained.

Again, thank you for creating such a well considered plan to make our community more safe under the currents circumstances.

With gratitude,

~Heidi A Hoscheidt-Sandman BFA
Educator, Community volunteer, artist, desert conservationist
And Mental Health Counseling/Art Therapy Graduate Student