

Maine Data Center Advisory Council Meeting

Refining Recommendations

October 7, 2026 | 9:30am - 12pm



MAINE DEPARTMENT OF
Energy Resources



Maine Department of
Environmental Protection



Agenda

- Overview of potential recommendations topics
 - Environment & Public Health
 - Energy
 - Economic and Community Development
- Next Steps



STATE OF MAINE
Data Center
Advisory Council

Maine Data Center Advisory Council Executive Order



Directives Guiding the Council's Work:

- Provide strategic input, facilitate coordinated state planning, and evaluate policy tools to **address large-scale data center opportunities and related benefits and risks** to Maine.
- Evaluate issues related to large-scale data centers located or proposed in Maine, with the goals of:
 - **Minimizing environmental impacts**
 - **Protecting ratepayers and electric grid reliability**
 - **Enabling responsible economic development**
- Submit a final report with **findings and recommendations**, including any proposed legislation, to the Governor and the Legislature by January 29, 2027.



STATE OF MAINE
**Data Center
Advisory Council**

Proposed Roadmap & Council Workflow

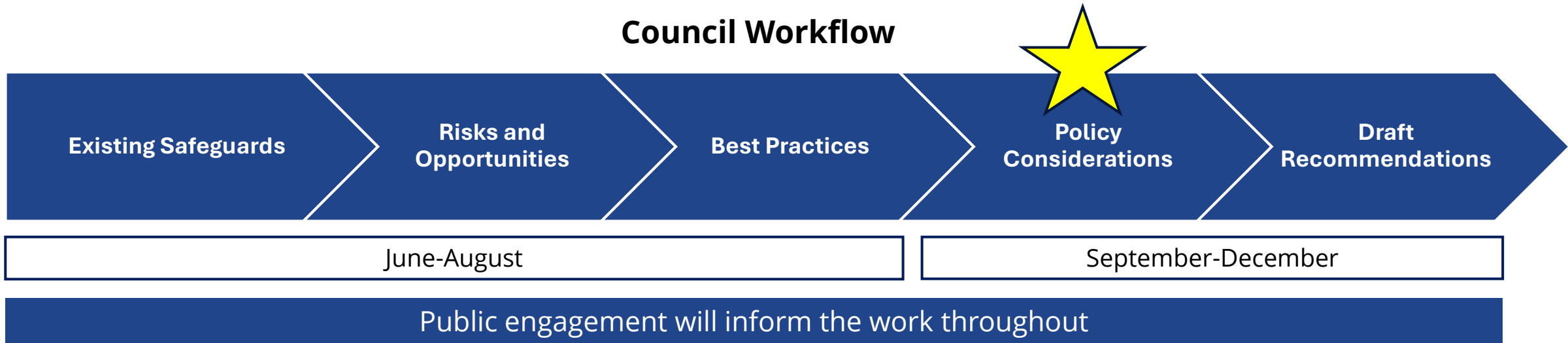
Key Topics
(to be discussed throughout)

Environmental
Impacts

Ratepayer and
Grid Impacts

Economic and
Community
Development

Council Workflow



Final report due to the Governor and the Legislature: January 29, 2027



STATE OF MAINE
Data Center
Advisory Council

Public Engagement to Date

4
Surveys

900+
Survey
Responses

1000+
Meeting
Recording
Views

650+
Newsletter
Subscribers

16
Counties

150+
Towns

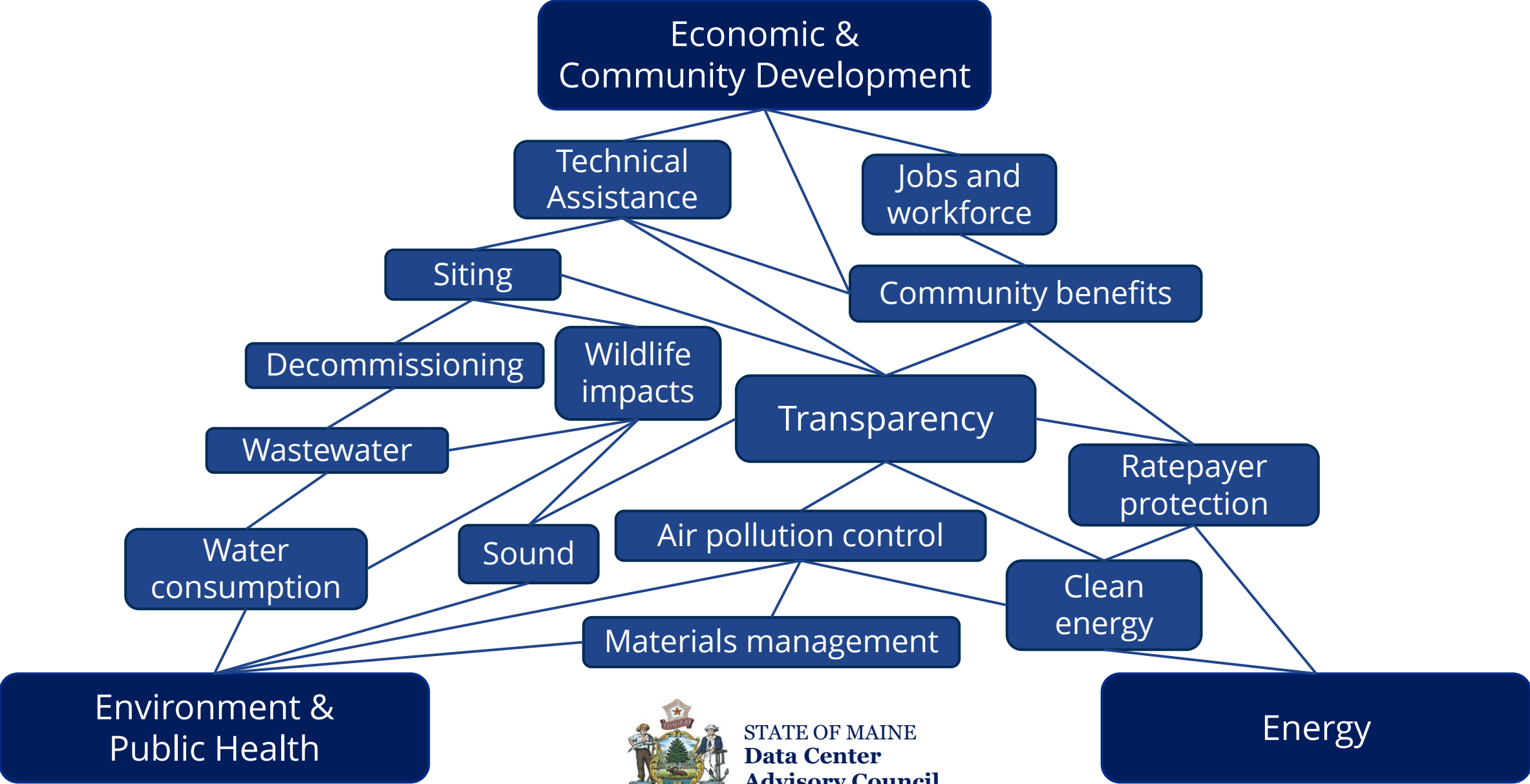
700+
Meeting
Attendees



STATE OF MAINE
Data Center
Advisory Council

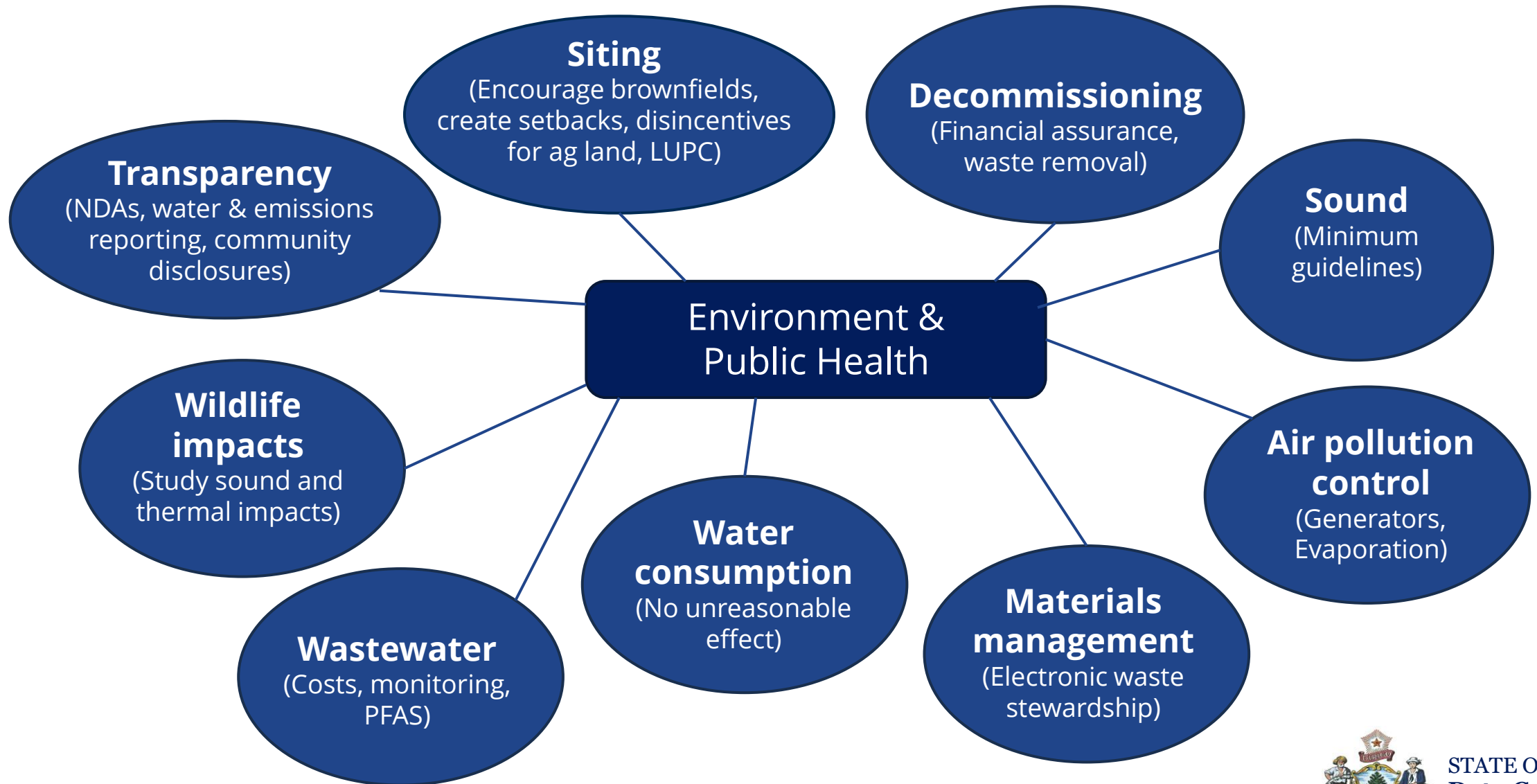
Initial Draft Recommendations

Draft Recommendations – Key Areas



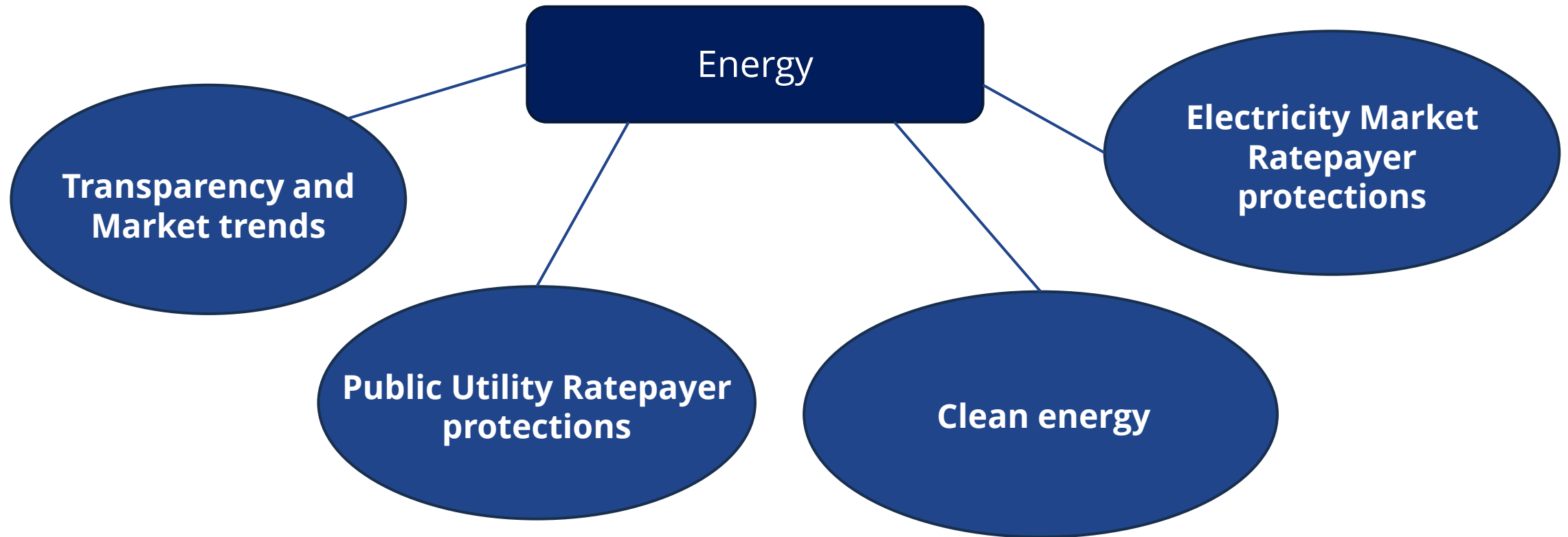
Environment and Public Health

Draft Recommendations - Environment & Public Health



Energy

Draft Recommendations - Energy

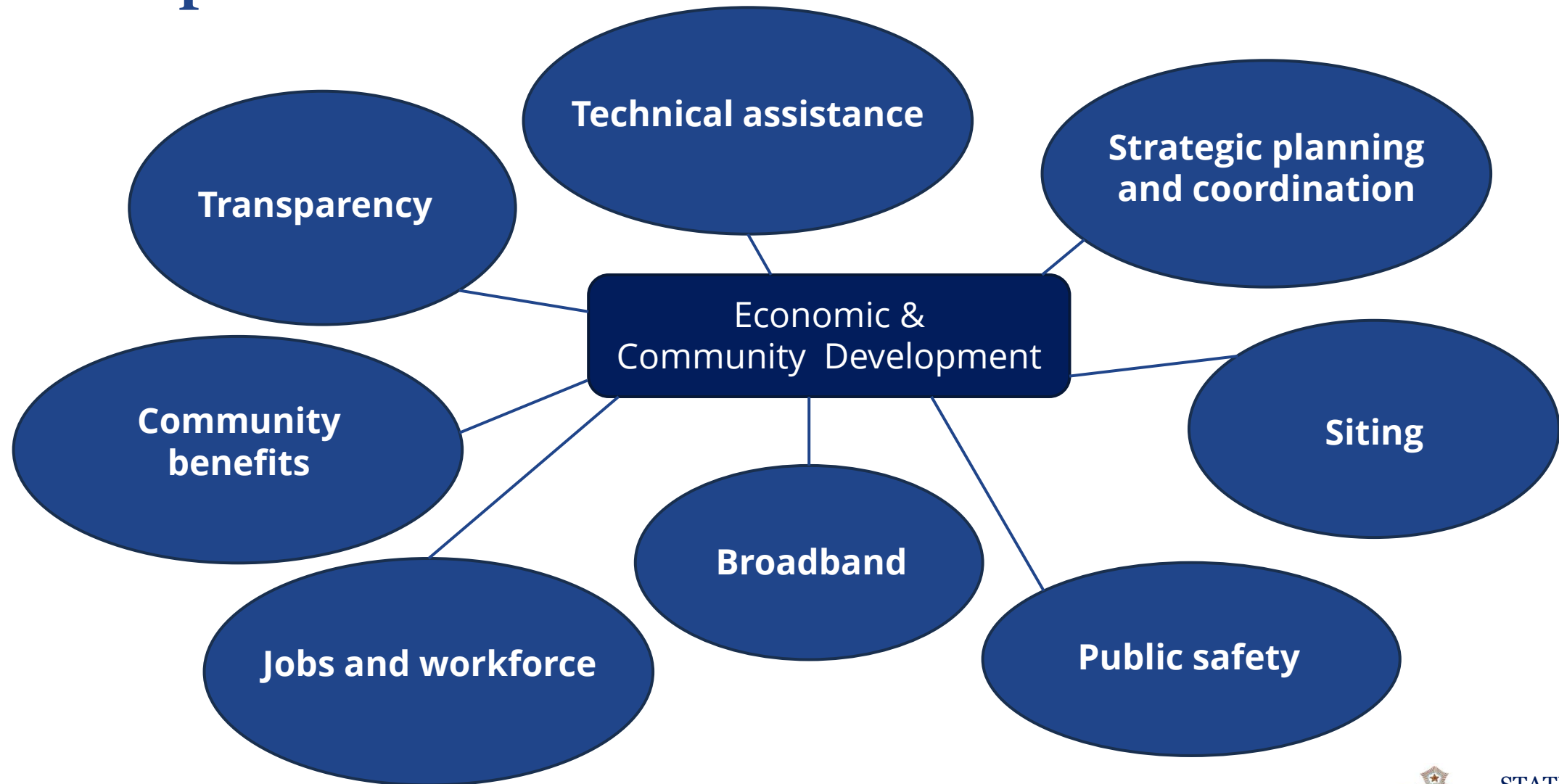


Menti poll



Economic and Community Development

Draft Recommendations – Economic and Community Development



Land Use Planning Commission

- Planning, Zoning, Permitting and Code Enforcement services for the Unorganized Territories
- Functions similarly to a Planning Board for places that don't have local government
- Oversees zoning with allowed types of land use
- If zoning does not allow a proposed use, applicant must go through a re-zoning process to apply for a permit
- LUPC certification required to obtain a DEP Site Law permit in the Unorganized Territory
- If Maine site law applies:
 - DEP is the lead permitting agency and applies its standards and process as per usual.
 - The Commission applies any land use standards it has that the DEP does not already apply. Examples: dimensional requirements such as setbacks and frontage along roads or water bodies, exterior lighting, and floodplain protection standards.



Next Steps

- Council Virtual Public Meeting Dates:
 - Wednesday, **October 7**, 9:30-12:00 (today)
 - Wednesday, **November 12**, 9:30-12:00
 - Thursday, **December 10**, 10:00-11:00
 - Registration links are online at: maine.gov/energy/datacentercouncil
- **Next Council meeting on November 12** will focus on finalizing policy recommendations.
- We anticipate an opportunity for public input on draft recommendations.
- Council meetings will be open to the public. Council agendas, meeting recordings, materials, and meeting summaries will be posted at maine.gov/energy/datacentercouncil.





MAINE DEPARTMENT OF
Energy Resources



Maine Department of
Environmental Protection

Thank You

Sign up for
email updates



maine.gov/energy/datacentercouncil

Appendix – Draft Recommendations

Summary of Public Listening Sessions (2/2)

Some key themes

- Many requests for a moratorium or ban
- Frequent mentions of environmental concerns
 - Water, ag lands, wildlife, PFAS, protecting natural resources
- Frequent mentions of energy cost protection
 - Ensure ratepayers don't pay extra costs (now or later); ensure clean energy
- Many concerns about non-disclosure agreements and lack of transparency
 - Limit/prohibit NDAs, require disclosures
- Concerns about mechanisms for local community control and costs of reviewing proposals
 - Confusion about what communities can/can't control, costs, technical assistance
- Interest and concerns about economic opportunity and community benefits
 - Explore community benefit agreements, let towns decide, create guidance
- Public health is an important consideration
 - Use a public health lens, consult Maine CDC



Draft Environmental Recommendations (1 of 3)

Siting

- The State should require large data center developers converting high value agricultural land or large areas of core habitat in undeveloped habitat blocks to establish conservation easements or pay compensation for acres converted.
- DEP should ensure large data center developers consider cross-jurisdictional impacts where neighboring municipalities will also be impacted by a large data center development (e.g., traffic, noise, viewshed, need for emergency services).

Transparency

- DEP should publish applications for air emissions, wastewater discharge, surface and groundwater withdrawal licenses on DEP's website or a publicly accessible data system.
- DEP should publish annual air emission reports, annual water withdrawal reports, and monthly discharge monitoring reports from licensed data centers on DEP's website or a publicly accessible data system.
- DEP should protect public notice requirements for air emission, groundwater withdrawal, and wastewater discharge license applications by including them in Maine law. Although these requirements currently exist, some are based on federal regulatory requirements that may be subject to change; codifying them retains transparency and opportunities for public engagement in licensing processes.



Draft Environmental Recommendations (2 of 3)

Air Pollution Control

- DEP should require large data centers subject to air emission licensing requirements to conduct a Best Available Control Technology analysis that includes evaluating alternatives to the use of back-up generators, including battery storage and fuel cells.
- DEP should require generators at large data center developments to meet at least Tier 4 certification standards, or Best Available Control Technology if a Tier 4 certified generator is not commercially available.
- DEP should include air emission limitations on PFAS from evaporative coolers at large data centers.

Water Consumption

- The State should encourage closed-loop cooling systems for large scale datacenters.
- DEP should require data center developers to demonstrate that significant groundwater withdrawals will not have an unreasonable effect on waters of the State, water-related natural resources and existing uses, including public or private wells.
- The State should require large datacenters to bear the full cost to expand water system infrastructure to serve them.

Sound

- The DEP, in collaboration with the Department of Health and Human Services and the Department of Inland Fisheries and Wildlife, should utilize the best available science to establish minimum guidelines for decibels and 1/3 octave band levels from large data centers to address sound and infrasound impacts to residents and wildlife. These guidelines should be available for implementation by local permitting authorities.



Draft Environmental Recommendations (3 of 3)

Wildlife Impacts

- The State's natural resource agencies should study the impacts to fish, wildlife and rare plant species from increased ambient thermal loads. The agencies should also study impacts to fish and wildlife from sound and infrasound.

Materials Management

- The State should expand electronic waste product stewardship programs to include electronic wastes from data centers.

Decommissioning

- DEP should require financial assurance from large data center developers adequate to remove all fluids and waste materials from the property at the time of closure.



Draft Energy Recommendations (1 of 3)

Electricity Market Ratepayer Protections

- Maine state agencies should ensure that Maine ratepayers are effectively shielded from any cost increases that may occur due to large data center deployment inside or outside the state, to the greatest extent possible.
 - Through ongoing regional processes, new large data centers should be subject to strict requirements to avoid impacting reliability or costs for other customers, through either: (1) firm transmission service, under which they would deliver incremental new capacity (“bring your own generation”) and be subject to cost allocation rules that prevent their interconnection from increasing transmission rates for other customers; or (2) non-firm transmission service, under which they would be excluded from established regional wholesale capacity markets and required to curtail load when necessary.
 - Regional markets should adopt necessary enabling rules, practices, and other enabling capabilities to ensure these requirements can be fairly and appropriately met.



Draft Energy Recommendations (2 of 3)

Public Utility Ratepayer Protections

- The Maine Public Utilities Commission (PUC) should require approval of interconnection contracts for large data centers, such as with special rate contracts or the equivalent, to ensure compliance with standards for electric utilities and, to the extent impacts are anticipated, for water and gas utilities.
- Informed by its ongoing inquiry, the PUC should review and, to the extent necessary, update its existing terms and conditions and rate schedules to ensure large data centers cover the full costs associated with interconnecting to electric, water, and gas utilities.
 - Large data centers should pay for infrastructure in advance or have security in place so that ratepayers are made whole if the project is not built or prematurely closes.
 - Continue to consider whether all large data centers should be required to take service from the existing public utilities.



Draft Energy Recommendations (3 of 3)

Clean Energy

- Large data centers should adhere to established state clean energy and renewable energy laws and compliance requirements, including the Renewable Portfolio Standard and Clean Energy Standard. Existing exemptions from those requirements that apply to certain qualified businesses or customers of small electric utilities should not be available to large data centers.
- For projects larger than 50 MWs, data centers should be required to procure incremental renewable and clean energy and/or capacity equivalent to their annual portfolio obligation and consider local economic benefits in Maine.

Transparency and Market Trends

- Large data centers should publicly report information on energy use and compliance, including contracted output for new generation and on-site power supplies (primary and backup).
- DOER and the PUC, through its ongoing regional work, should monitor large data center market evolutions identified by ISO-NE, independent market monitors, and federal agencies and work to incorporate changes to the PUC requirements as necessary.



Draft Economic and Community Development Recommendations (1 of 3)

Transparency

- The State should clarify that under the Maine Freedom of Access Act, no public official may enter into, enforce, or require a nondisclosure agreement associated with a proposed large data center. The Freedom of Access Act only allows public officials to withhold records under specific circumstances and cannot be superseded by a non-disclosure agreement.

Technical Assistance

- The State should create resources for communities and Wabanaki Nations and provide technical assistance, as requested, to support informed decisions about future development of large data centers. This may include technical information relevant to energy infrastructure, environmental permitting, community benefits, potential reporting requirements, and other needs, as identified by communities.
- Communities should have access to information related to electricity infrastructure, capacity, and other tools to help support in community-driven economic development to reduce costs and make use of the existing grid capacity.

Strategic Planning and Coordination

- The State of Maine should coordinate across agencies to ensure large data center development is consistent with long term planning objectives.
- The State should provide a multi-agency sequenced checklist of requirements for better agency coordination and public transparency.



Draft Economic and Community Development Recommendations (2 of 3)

Siting

- Large data center developers should be required to obtain municipal or Land Use Planning Commission (LUPC) approval to satisfy title, right or interest requirements before submitting Site Law or NRPA applications to the DEP.
- Developers of large data centers built on sites not previously used for industrial development should be required to meet setback distances from residential, institutional (e.g. medical facilities and schools), and elder care property boundaries.
- State policies should encourage development on brownfields and sites with existing interconnection capacity.
- Recommendations from DECD's analysis, per [P.L. 2026, Ch. 768](#), should be incorporated for legislative consideration.
- As part of its current update to the Comprehensive Land Use Plan, the Land Use Planning Commission should evaluate the effectiveness of LUPC's regulations on the specific development impacts that may result from large data centers.

Community Benefits

- The State of Maine should encourage large data centers to enter into Community Benefits Agreements with municipalities proportional to project size and community impacts.
- Large data center developers should be required to, if requested by the municipality, fund the legal and technical review of development plans.



Draft Economic and Community Development Recommendations (3 of 3)

Broadband

- The State of Maine should support the strategic development of fiber optic infrastructure and require open access of high-capacity fiber constructed to serve large data centers.

Jobs and Workforce

- The State of Maine encourages projects that hire locally and provide opportunities for workforce training and development. Large data center developers should partner with local employers, regional training providers, and community colleges to establish specialized training for data center technicians and supporting occupations.
- Investments in workforce development and training resulting from a large data center project should provide opportunities for retraining of local workforce for underemployed workers, veterans, and local youth to support high-wage, high-skilled careers.
- The State should support measures that protect existing workforce and industries, including the industrial sector, and advocate for policies that adequately protect incumbent and natural resource-based industries.

Public Safety

- The State of Maine should develop training and guidance for public safety institutions (Office of the State Fire Marshal, Emergency Management, others) in coordination with municipalities and local public safety (fire, police) and data center developers and operators.

