



May 29, 2026

The Honorable Carl Heastie
Speaker, New York State Assembly
LOB 932,
Albany, NY 12248

Dear Speaker Heastie:

On behalf of Buffalo Niagara Waterkeeper, we write to express our strong support for **S.9144/A10141A – The Moratorium**, which establishes a temporary moratorium on new data center permits while New York conducts a comprehensive assessment of their known and suspected negative environmental and economic impacts. This bill reflects a reasonable approach to managing a rapidly expanding industry whose cumulative effects on our resources and communities are not yet fully understood or easily communicated to local decision makers. Buffalo Niagara Waterkeeper is a regional non-profit organization, with a Western New York jurisdiction including the 1+ million acre Niagara River/Lake Erie watershed. Over 1.2 million people live in this area, with over 5,500 miles of freshwater streams, connecting two Great Lakes. We currently have over 40,000 supporters, many of whom live in communities dealing with active or planned data center development.

We are asking you to assert your leadership as an elected official in New York State to represent the position of most residents in communities across Western New York who are desperately and loudly voicing their opposition to the rapid development of these centers. Local residents and leaders have few tools, minimal information, and limited ability to protect themselves from this rapidly growing industry. However, as a state elected official, you do have a position of power and the ability to protect your constituents and communities through supporting this legislation.

Our communities need time to ensure their air, water, lands, and utility costs are protected. The private sector is far ahead of government, agencies, elected leaders, and residents on this issue, and our communities are struggling to be informed, relevant and heard during these critically important discussions and local decisions.

Concurrently, data centers' consumptive use of water for cooling and processing, along with water discharges to freshwater resources, raises serious concerns for aquatic ecosystems and long-term water availability. The localized land use, air and waste impacts already being seen

only further accentuates the need for a careful, statewide evaluation before additional facilities are considered or approved.

S.9144/A10141A – The Moratorium, recognizes that large-scale data centers present considerable and layered challenges:

- Nationwide, data centers are projected to triple within the next five years, consuming more electricity than 28 million households. This is unsustainable growth of electricity demand, and our residents and environment will suffer as private developers profit.
- In the Great Lakes Basin region alone, **more than 200 data centers** are planned.
- In New York State, **over 40 data centers** are being queued for development this year, and data center electricity demand is projected to increase by more than 9,000 MW, which is approximately **double the electricity use of all New York State households combined**.
- In WNY, there are approximately **24 data centers in operation** that are already negatively impacting residents from noise and air pollution and driving up utility costs – despite this region being home to “green energy” generated by the Niagara River – and many more are being proposed with no understanding of their potential impact on our natural resources and communities.

Importantly, the bill does not permanently halt progress:

- it ensures that any growth is aligned with New York State’s previously stated environmental protection values, climate commitments and environmental justice goals,
- it requires a thorough environmental impact report and public engagement process,
- It creates a pathway to develop clear, enforceable standards that reduce resource consumption and prevent disproportionate burdens on disadvantaged communities,
- and as household electricity rates increased 13 percent in 2025, it recognizes that the costs of new infrastructure required to support data centers should not be shifted onto ratepayers.

We believe this measured pause is both necessary and responsible, and the residents of Western New York need to be heard and listened to. It will provide policymakers and the public with the information needed to balance economic development with the protection of New York State’s environment in the long term.



We respectfully urge you to support **S.9144/A10141A – The Moratorium** and help ensure that any future expansion of data centers proceeds in a manner that safeguards the state’s natural resources and the health and well-being of its residents.

Sincerely,

Jill Jedlicka
Executive Director

Buffalo Niagara Waterkeeper
721 Main Street, Buffalo, NY 14203
716-852-7483 ext. 21
jedlicka@bnwaterkeeper.org

cc: Majority Leader Crystal Peoples-Stokes
NYS Assemblymember Paul A. Bologna
NYS Assemblymember Patrick Burke
NYS Assemblymember Patrick Chludzinski
NYS Assemblymember William Conrad
NYS Assemblymember David DiPietro
NYS Assemblymember Stephen Haley
NYS Assemblymember Karen McMahan
NYS Assemblymember Angelo Morinello
NYS Assemblymember Andrew Molitor
NYS Assemblymember Jonathan Rivera