

STATE OF MINNESOTA
COUNTY OF NICOLLET

DISTRICT COURT
FIFTH JUDICIAL DISTRICT

Minnesota Center for Environmental
Advocacy,

Court File No. _____

Plaintiffs,

Case Type: Civil

Other/Miscellaneous

v.

City of North Mankato and Project Deacon,
LLC,

COMPLAINT

Defendants.

INTRODUCTION

1. Data centers are coming to Minnesota, but Minnesotans are in the dark about the potential environmental implications they pose for our state. One data center campus can consume more electricity than Minneapolis, demand billions of gallons of water per year, and generate large amounts of air, noise, and light pollution. But some Minnesota cities are attempting to analyze the potential for environmental impacts from these facilities without even saying the words “data center.”

2. In late 2024, Defendant City of North Mankato (“City”) announced that it was conducting an Alternative Urban Areawide Review (“AUAR”) to examine the potential environmental effects of a four-million square-foot development. The proposal was named North Mankato Industrial.

3. At a public hearing at City Hall, Plaintiff Minnesota Center for Environmental Advocacy (“MCEA”) questioned whether North Mankato Industrial was tied to a hyperscale data center. The City hedged. Staff claimed that North Mankato Industrial could “be a data center, it could be a warehouse, it could be manufacturing, it could be a lot of things.” A councilmember stated that the AUAR was “just a background thing.” One consultant helping prepare the AUAR claimed there was “no project at this very moment that's being looked into.”

4. And yet internal City communications confirm that North Mankato is anticipating data center development in the AUAR study area. In emails obtained from a public records request, City staff celebrated that “2 data center developers . . . have land under contract in North Mankato,” and they shared flyers describing North Mankato Industrial as a “250-500 MW [Megawatt] Data Center Campus.”

5. The City’s failure to identify North Mankato Industrial as an anticipated data center project violates Minnesota law.

6. First, any AUAR involving a “large specific project” is required to include a project description.¹ The Environmental Quality Board has instructed that this description should be “clear, complete and detailed.”² By failing to mention data centers at all, the City’s description of North Mankato Industrial disregarded that requirement.

¹ Minn. R. 4410.3610, subp. 5a(B).

² Minn. Env'tl. Quality Bd., *EAW Guidelines: Preparing Environmental Assessment Worksheets* 11 (2013).

7. Second, AUARs must study the “direct, indirect, and cumulative” environmental effects of developments “anticipated” in the AUAR study area. Public records show that the City anticipates a hyperscale data center. By obscuring that fact, the City produced an AUAR that fails to study a hyperscale data center’s effects on water resources, the electricity grid, and nearby residents.

8. These errors of law matter. Minnesotans may have no other opportunity to examine potential environmental effects from these large-scale projects. That is because, once an AUAR is approved, projects “consistent with development assumptions” in an AUAR can receive exemptions from additional forms of environmental review. When the City approved an unlawfully generic AUAR, it thus welcomed hyperscale data center developers to claim their projects are consistent with the ill-defined North Mankato Industrial proposal and thereby exempt from meaningful environmental study.

9. Plaintiff MCEA challenges the final decision of the City to approve the North Mankato Industrial AUAR, seeking declaratory and injunctive relief, costs, and an order prohibiting the City from making any final decisions, approving the project, or granting any permits for the North Mankato Industrial proposal until it completes legally adequate environmental review.

PARTIES

10. MCEA is a Minnesota non-profit organization that uses the law and science to protect Minnesota’s environment, its natural resources, and the health of its people. MCEA has supporters across the state, including in the City of North Mankato, that

stand to suffer injury from a data center with negative environmental impacts on drinking water, the electricity grid, noise pollution, air pollution, and light pollution. MCEA's supporters in North Mankato were also denied a legitimate opportunity to participate in the AUAR scoping process due to the City's obfuscation of the North Mankato Industrial proposal's details.

11. Defendant City is a municipal corporation under the Minnesota Constitution, article XII, section 4, located in Nicollet County. Part of the North Mankato Industrial project is located within the City, and the City is the Responsible Governmental Unit ("RGU") required to conduct environmental review under the Minnesota Environmental Policy Act ("MEPA") before deciding whether the Proposed Project can proceed.

12. Defendant Project Deacon, LLC ("Project Deacon") is the Project Proposer for North Mankato Industrial. Project Deacon was formed on October 15, 2024, one week before the North Mankato Industrial AUAR process began. Its registered address is Suite 247, 525 Park Street, Saint Paul, Minnesota 55103-2106. The registered agent for Project Deacon in Minnesota is Cogency Global, Incorporated.

JURISDICTION AND VENUE

13. This Court has jurisdiction over the claims asserted under Minnesota Statute section 484.01, subdivision 1; Minnesota Statute section 555.01; and Minnesota Rule 4410.0400, subpart 4.

14. Venue is proper in this Court under Minnesota Rule 4410.0400, subpart 4, as the county where North Mankato Industrial would be undertaken.

FACTUAL BACKGROUND

History of AUARs

15. MEPA was enacted in 1973 with the legislative goal “to create and maintain conditions under which human beings and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of the state's people.”³

16. MEPA typically requires the preparation of an Environmental Impact Statement (“EIS”) whenever “there is potential for significant environmental effects resulting from any major governmental action.”⁴ The EIS “describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated.”⁵ Government bodies can prepare an Environmental Assessment Worksheet (“EAW”) to “set out the basic facts necessary to determine whether an environmental impact statement is required.”⁶

17. MEPA authorizes the Environmental Quality Board (“EQB”) to establish alternative forms of environmental review that “address the same issues and utilize similar procedures as an environmental impact statement in a more timely or more

³ Minn. Stat. § 116D.02, subd. 1.

⁴ Minn. Stat. § 116D.04, subd. 2a(a).

⁵ *Id.*

⁶ Minn. Stat. § 116D.04, subd. 1a(c).

efficient manner.”⁷ In 1988, EQB used this authority to establish a process called Alternative Urban Areawide Reviews (“AUARs”).⁸

18. Unlike an EIS or EAW, which reviews the environmental impacts of a “major governmental action,”⁹ an AUAR reviews environmental impacts within a “particular geographic area.”¹⁰

19. Within the particular geographic area of an AUAR, a city examines the environmental impacts of “anticipated residential, commercial, warehousing, and light industrial development and associated infrastructure.”¹¹ The AUAR must study the “direct, indirect, and cumulative potential effects typical” of these anticipated developments.¹² The “content and format must be similar to that of the EAW, but must provide for a level of analysis comparable to that of an EIS.”¹³

20. In a guidance document, EQB instructs that “whenever a certain impact may or may not occur, depending on the exact design of future development, the AUAR should cover the possible impacts through a ‘worst case scenario’ analysis or else prevent the impacts through the provisions of the mitigation plan.”¹⁴

⁷ Minn. Stat. § 116D.04, subd. 4a.

⁸ See Minn. R. 4410.3610; Minn. Env'tl. Quality Bd., *Statement of Need & Reasonableness, Proposed Amendments to Minn. R. parts 4410.0200–.7800* 25 (1988).

⁹ Minn. Stat. § 116D.04, subd. 2a(a).

¹⁰ Minn. R. 4410.3610, subp. 1.

¹¹ *Id.*

¹² Minn. R. 4410.3610, subp. 4.

¹³ *Id.*

¹⁴ Minn. Env'tl. Quality Bd., *Recommended Content and Format: Alternative Urban Areawide Review Documents* 1 (Sept. 2008) [hereinafter “AUAR Guidance”].

21. Because AUARs evaluate the worst-case scenario for development impacts, an approved AUAR can exempt future projects from EIS and EAW review.¹⁵ These exemptions apply to projects that are “consistent with development assumptions” in an approved AUAR, and that comply with an AUAR’s “plan for mitigation” of environmental effects.¹⁶

AUAR Rule Revisions for Large Specific Projects

22. In 2009, EQB amended the AUAR regulations with new requirements applicable to “large specific projects.”¹⁷

23. To explain the new rules, EQB noted that “[c]ritics have questioned whether the use of the AUAR process for the review of individual projects reduces the quality of the review compared to what would be achieved if the project was reviewed through the regular EAW/EIS process.”¹⁸ When “one large project dominates an AUAR analysis,” the agency determined “there is a concern that this could have a chilling effect on the analysis of alternative development scenarios that is a key purpose of the AUAR process.”¹⁹ EQB concluded that “additional public scrutiny is appropriate when a large

¹⁵ Minn. R. 4410.3610, subps. 2, 5(E).

¹⁶ *Id.*

¹⁷ See Minn. R. 4410.3610, subp. 5a; Minn. Env'tl. Quality Bd., *Statement of Need & Reasonableness, Environmental Review Program Rules, Minnesota Rules, Chapter 4410* 37-39 (Jan. 8, 2009) [Hereinafter “2009 SONAR”].

¹⁸ 2009 SONAR at 38.

¹⁹ *Id.*

project dominates an AUAR to ensure that alternative development scenarios are thoroughly analyzed.”²⁰

24. EQB’s new rules apply to AUARs that involve a “large specific project,” defined as a project that “would otherwise require preparation of an EIS” under ordinary development thresholds, or that would “comprise at least 50 percent of the geographic area to be reviewed” in an AUAR.²¹

25. When an AUAR involves a “large specific project,” the amended rules require cities to conduct a scoping process where the public may offer “alternatives to the specific large project or projects proposed to be included in the review.”²²

26. The scoping process must be based on a “description of the specific large project . . . comparable to that of a scoping EAW pursuant to part 4410.2100, subpart 2.”²³

27. A scoping EAW is a document that can be used to “identify the need for preparing an EIS” for a specific project.²⁴

28. Scoping EAWs must describe the “purpose of the project, methods of construction, quantification of physical characteristics and impacts, project site description, and land use and physical features of the surrounding area.”²⁵

²⁰ *Id.*

²¹ Minn. R. 4410.3610, subp. 5a(A); *see* Minn. R. 4410.4400 (identifying development thresholds where an EIS is ordinarily required).

²² Minn. R. 4410.3610, subp. 5a(B).

²³ *Id.*

²⁴ Minn. R. 4410.2100, subp. 2(A).

²⁵ Minn. R. 4410.1200(C).

29. EQB states that the “project description is the most important item in the EAW.”²⁶ The agency’s guidance notes that the project description should include a “brief summary” of the project proposal, followed by a “complete description” focused on all “aspects of the project that may directly or indirectly manipulate, alter or impact the physical or natural environment.”²⁷ Additionally, the project description should consider “construction and operational activities,” “project components and structures,” the “location and relationships of project components,” and “associated infrastructure” required to serve the facility.²⁸

30. EQB has stated that “clear, complete and detailed project descriptions are essential to understanding the potential for environmental effects.”²⁹

The City’s Review of North Mankato Industrial

31. Pursuant to Minnesota Rule 4410.3610, subpart 5a, the City published the draft order for review and scoping document for an AUAR, titled North Mankato Industrial, on October 22, 2024.³⁰

32. North Mankato Industrial involves a large specific project that the City stated was “anticipated to begin in 2025.”³¹

²⁶ Minn. Env’tl. Quality Bd., *EAW Guidelines: Preparing Environmental Assessment Worksheets* 11 (2013).

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ City of North Mankato, *Draft Order and Scoping Document for the North Mankato Industrial Alternative Urban Areawide Review (AUAR)* (Oct. 22, 2024).

³¹ *Id.* at 6.

33. The City identifies this large specific project with the following project description:

The AUAR study area encompasses an area of approximately 678 acres on 16 parcels within Nicollet County, Minnesota; where the City of North Mankato will act as the Responsible Governing Unit (RGU, shown on Figure 2). Project Deacon, LLC is proposing to develop the study area from existing farmland to technology park or office/warehouse use.

Two scenarios, Scenarios 1 and 2, are proposed for evaluation in the AUAR. Scenario 1 includes multiple buildings for a total of 4 million square feet of proposed technology park development (see Figure 4). Scenario 2 includes multiple buildings for a total of 4 million square feet of proposed office/warehouse development (see Figure 5). The proposed development within the AUAR study area is anticipated to begin in 2025. A general development timeline and potential phasing will be discussed in the AUAR.

The intent of the AUAR is to recognize the worst-case potential impacts and identify mitigation measures that may be taken to compensate for those impacts. Development of the study area would include new infrastructure, including water service, sewer, stormwater, streets, and utilities. All new services would be extensions to existing infrastructure or upgrades to existing systems to support the new development.³²

34. Scenario 1 of North Mankato Industrial involves a four-million-square-foot technology park. This development would be larger than the combined size of Target Field, U.S. Bank Stadium, and Xcel Energy Center.³³

³² *Id.*

³³ Minn. Ballpark Auth., *Facts About Target Field*, <https://ballparkauthority.com/Facts.html> (1,000,000 square feet) (last visited August 2, 2025); Salas O'Brien, *U.S. Bank Stadium*, <https://salasobrien.com/projects/vikings-u-s-bank-stadium/> (1,750,000 square feet) (last visited August 2, 2025); Xcel Energy Ctr., *About Us*, <https://www.xcelenergycenter.com/guest-services/about> (650,000 square feet) (last visited August 2, 2025).

35. The City's project description lacks any information about what the technology park would do, how it would operate, or what kind of business it would engage in. There is no "brief summary" of the technology park development, as instructed in EQB guidance.³⁴

36. The City also does not offer a "complete description" of all aspects of the technology park "that may directly or indirectly manipulate, alter or impact the physical or natural environment."³⁵ Beyond referencing new "water service, sewer, stormwater, streets, and utilities," the project description does not describe the technology park's "construction and operational activities," the "project components and structures," the "location and relationships of project components," or "associated infrastructure" required to serve the facility.³⁶

37. The term "data center" does not appear in the City's project description or elsewhere in the AUAR scoping document.

38. After the City published North Mankato Industrial's scoping document, the public had 30 days to suggest "alternatives to the specific large project" being proposed.³⁷ The 30-day comment window expired on November 21, 2024.

³⁴ Minn. Env'tl. Quality Bd., *EAU Guidelines: Preparing Environmental Assessment Worksheets* 11 (2013).

³⁵ *Id.*

³⁶ *Id.*

³⁷ Minn. R. 4410.3610, subp. 5a(C).

39. The City received no comments that were identified as being from residents of North Mankato, the City of Mankato, the Township of Belgrade, or any surrounding municipality about the scope of North Mankato Industrial.

40. After the public comment window closed, the Mankato Free Press reported a story titled “North Mankato one of cities eyed for a data center.”³⁸

Plaintiff’s Comment and The City’s Response

41. The City’s draft AUAR environmental study of North Mankato Industrial was published on April 8, 2025, and a revised AUAR was published June 10, 2025.

42. Both versions of the City’s AUAR use the same generic project description for North Mankato Industrial, discussing a four-million-square-foot technology park, found in the City’s scoping document.

43. The City’s AUAR is an alternative to EIS review, but should not be a shortcut. State law requires the AUAR to offer a “level of analysis comparable to that of an EIS.”³⁹

44. To engage in an EIS-level analysis, a city must *study* a project’s potential environmental effects. When a mining project is reviewed, for instance, an EIS engages in detailed groundwater and appropriation modeling based on groundwater-flow models, calibrated to monitoring wells, to map aquifer drawdown and seepage

³⁸ Tim Krohn, *North Mankato One of Cities Eyed for a Data Center*, Mankato Free Press (Jan. 19, 2025), https://www.mankatofreepress.com/news/local_news/north-mankato-one-of-cities-eyed-for-a-data-center/article_e09fc03c-bc34-11ef-a6f8-df59a5ad79dc.html (last visited August 2, 2025).

³⁹ Minn. R. 4410.3610, subp. 4.

pathways.⁴⁰ The EIS simulates solute-transport pathways to predict metals and sulfate migration under varying recharge scenarios, accounting for storm-runoff and climate-stress.⁴¹ These studies allow the government to know how a mining project could impact Minnesota, and how those impacts could be limited.

45. The City's AUAR falls short of this bar.

46. For water appropriation, the AUAR's two-page analysis flags that North Mankato Industrial could withdraw up to 30 million gallons of water per day from the protected Mt. Simon-Hinckley Aquifer.⁴² This level of appropriation would dwarf the City's presently unallocated water supply. Yet, the AUAR offers no modeling of groundwater impacts, no studies of well interference, nor even a qualitative discussion of how 30-million-gallon daily withdrawals could result in environmental consequences.

47. This pattern repeats throughout the AUAR. The City notes that North Mankato Industrial would consume more electricity than every household in the City combined, but it does not analyze how this new load would be generated or what it would mean for the grid.⁴³ The AUAR acknowledges that North Mankato Industrial

⁴⁰ U.S. Army Corps of Eng'rs, U.S. Forest Serv. & Minn. Dep't of Nat. Res., *Final Environmental Impact Statement: NorthMet Mining Project and Land Exchange* ch. 5, § 5.2.2, at 5-95 – 5-127, 5-177 (Nov. 2015).

⁴¹ *Id.* at 5-95 – 5-127, 5-177.

⁴² City of North Mankato, *Final Alternative Urban Area-wide Review: North Mankato Industrial* 49-50 (June 2025) [hereinafter "Final AUAR"].

⁴³ See Final AUAR at 462 ("Appendix C. Quantifying Greenhouse Gas Emissions").

could cause significant noise pollution from computers and ventilation systems, then hedges that “[f]urther noise evaluation will be completed as design progresses.”⁴⁴

48. Across these and other issues, the City’s AUAR flags potential environmental impacts. However, it does not study them.

49. On May 8, 2025, Plaintiff submitted a timely public comment on the City’s draft AUAR, highlighting the AUAR’s failure to describe the large specific project it was reviewing and its failure to study the Proposed Project’s potential environmental effects at a level comparable to an EIS.

50. The City did not make any material changes to the AUAR in response to Plaintiff’s comment.

51. The City approved the North Mankato Industrial AUAR on July 7, 2025.

52. On the evening of July 7, the North Mankato City Council heard a presentation and public comments about North Mankato Industrial.

53. Senior City Councilmember Billy Steiner described the North Mankato Industrial AUAR as “just a background thing.”⁴⁵

54. In response to questions about whether the AUAR involved a data center, Community Development Director Michael Fischer (“Director Fischer”) offered that “it can be a data center, it could be a warehouse, it could be manufacturing, it could be a lot of things.”

⁴⁴ Final AUAR at 69.

⁴⁵ City of North Mankato, *Regular City Council Meeting* (July 7, 2025) (video), <https://northmankato.viebit.com/watch?hash=0OX1Spjz83YfxMR3> (last visited July 28, 2025).

55. Director Fischer stated “we don't have a proposal for a data center.”⁴⁶

56. A consultant for the City claimed there was “no project at this very moment that's being looked into.”⁴⁷

Data Centers

57. Documents produced from public records requests suggest that North Mankato Industrial is an anticipated hyperscale data center project, which would be a large facility used to store computing infrastructure.

58. In an email dated September 12, 2024, Director Fischer shares that there “are currently 2 data center developers who have land under contract in North Mankato.”⁴⁸

59. In the same email, Director Fischer shares that the City is “in a unique position where we have large amounts of land for development and large amount of electricity to accommodate data centers” and states “I have other data center developers wanting to come to North Mankato.”⁴⁹

60. On January 17, 2025, Director Fischer wrote that “the land we proposed for data center development is currently outside the City limits but, is guided for Heavy Industrial use in our Comprehensive Plan.”⁵⁰

⁴⁶ *Id.*

⁴⁷ *Id.*

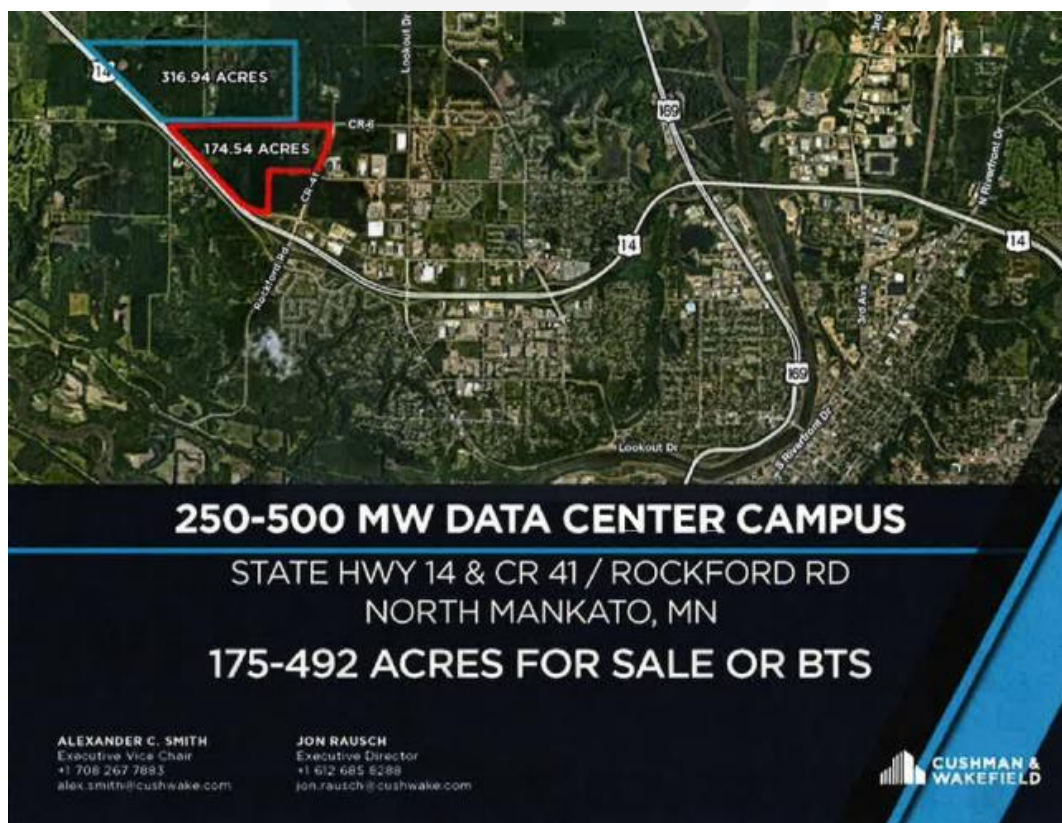
⁴⁸ Exhibit A at 1.

⁴⁹ *Id.*

⁵⁰ Exhibit B.

61. North Mankato Industrial lies predominantly outside City limits, in Belgrade Township, and it is zoned for Heavy Industrial use in the City's Comprehensive Plan.⁵¹

62. On March 11, 2025, Director Fischer participated in an email exchange with a flyer advertising a "250-500 MW Data Center Campus" near North Mankato:⁵²



63. This March 11 flyer identified a red-outlined parcel of land that mirrors the "particular geographic area" of North Mankato Industrial.⁵³

⁵¹ See Final AUAR at 19.

⁵² Exhibit C at 2.

⁵³ *Id.*; Final AUAR at 8.



64. The flyer describes that the 250-500 MW Data Center Campus exists in a “development friendly city” where “environmental application [is] underway.”⁵⁴

Inadequate Project Description

65. North Mankato Industrial involves a “large specific project,”⁵⁵ now anticipated to begin construction in 2026 or 2027,⁵⁶ that public records suggest will be a “250-500 MW Data Center Campus.”

66. At no point in the AUAR process did the City acknowledge that North Mankato Industrial was tied to data centers.

⁵⁴ Exhibit C at 2.

⁵⁵ See City of North Mankato, *Final Order and Record of Decision for an Alternative Urban Areawide Review (AUAR) for the North Mankato Industrial Development 1* (Dec. 16, 2024) (“WHEREAS, the Project is required to provide a Scoping Document as an additional procedure to the review process in accordance with Minnesota Rules 4410.3610 Subpart 5a,” which are the rules applicable to large specific projects.).

⁵⁶ Final AUAR at 6.

67. The City's Project Description did not include a "complete description" of all aspects of a 250-500 MW Data Center Campus that may directly or indirectly manipulate, alter or impact the physical or natural environment.⁵⁷

68. The Project Description does not identify "project components and structures" required of a 250-500 MW Data Center Campus, nor the "location and relationships of project components," nor the specific "associated infrastructure" required to serve the facility.⁵⁸

69. The City did not provide a "clear, complete and detailed project description" of the large specific project it was reviewing.⁵⁹

70. The City's omission of an adequate project description denied the public meaningful participation in AUAR scoping and precluded adequate environmental analysis in the AUAR or in the future.

71. AUARs involving large specific projects must include a scoping process, designed to allow the public to offer "alternatives to the specific large project or projects proposed to be included in the review."⁶⁰

72. If the public had been told that the City anticipated a 250-500 MW Data Center Campus, nearby residents could have offered alternative project ideas or locations for consideration in the AUAR.

⁵⁷ Minn. Env'tl. Quality Bd., *EAW Guidelines: Preparing Environmental Assessment Worksheets* 11 (2013).

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ Minn. R. 4410.3610, subp. 5a(C).

73. This did not happen. The draft order for review and scoping document for “North Mankato Industrial” were published months before the Mankato Free Press reported data center developments in North Mankato, and the scoping documents omitted any reference to a data center project. The City received no comments from residents of North Mankato, or surrounding jurisdictions, about the scope of North Mankato Industrial.

74. Once the Mankato Free Press reported that North Mankato Industrial might be a data center, twenty residents submitted comments on the City’s AUAR,⁶¹ *after* the public process to discuss “alternatives to the specific large project or projects” had expired.

Inadequate Environmental Review

75. In a presentation to the North Mankato City Council, a consultant who helped prepare the North Mankato Industrial AUAR described the AUAR as a “cursory review to see if this [land] was a suitable site for a future development.”⁶²

76. Under Minnesota law, AUARs are not a cursory review to see if land is suitable for *any* development. They are a tool to study the “direct, indirect, and cumulative potential effects” of *anticipated* development.⁶³

⁶¹ Final AUAR at 531-561 (“Appendix E. Draft AUAR Comments”).

⁶² City of North Mankato, *Regular City Council Meeting* (July 7, 2025) (video), <https://northmankato.viebit.com/watch?hash=0OX1Spjz83YfxMR3> (last visited July 28, 2025).

⁶³ Minn. R. 4410.3610, subp. 4.

77. The City anticipates a hyperscale data center project for North Mankato Industrial. For that reason, the environmental effects of North Mankato Industrial are tied to basic details about how a data center would be cooled, where it would get its power, and design considerations related to air, noise, and light pollution.

78. The City's AUAR failed to address these questions.

Water Impacts

79. An AUAR must describe "the source, quantity, duration, use and purpose of the water use" for any project requiring water appropriation.⁶⁴

80. The City estimates that North Mankato Industrial could demand anywhere from 500,000 gallons to 30 million gallons of water per day for "industrial processes, agricultural processing, and thermal cooling."⁶⁵

81. A data center's water consumption depends on how the facility is cooled. Traditional evaporative towers can consume millions of gallons of potable drinking water per day. However, there are many alternative approaches: Data centers can use reclaimed wastewater or implement closed-loop systems that continuously recycle the same water. They can adopt liquid cooling technologies, where coolant is brought directly to processors or servers are immersed in specialized fluids, or cool data center equipment using ambient air.

⁶⁴ Minn. R. 4410.3610, subp. 4 (AUARs must include the content of an EAW); Minn. Env'tl. Quality Bd., *Environmental Assessment Worksheet Form 8* (Dec. 2022) (establishing EAW content requirements for water appropriations).

⁶⁵ Final AUAR at 50.

82. Had the City identified North Mankato Industrial as a data center project, the AUAR could have examined cooling technologies and their water impacts. Alternatively, the City could have waited until the large specific project contemplated here had chosen a method of cooling, and drafted the AUAR to analyze the potential environmental effects of that chosen method.

83. Neither analysis exists in the AUAR.

84. Rather, the City notes in one sentence that “[t]echnology parks can have a wide range of cooling options which impact the water demand depending on either the use of a non-water cooled or a water-cooled system.”⁶⁶

85. By not studying data center cooling options, and instead reporting a sixty-fold range of water consumption, the City failed to describe the “quantity, duration, use and purpose” of North Mankato Industrial's water use.

86. EQB guidance also requires AUARs to describe “environmental effects from water appropriation.”⁶⁷

87. North Mankato draws its water from the Mt. Simon-Hinckley Aquifer, which is a slow-recharging Cambrian sandstone aquifer reserved in state law for potable drinking water.⁶⁸

⁶⁶ *Id.*

⁶⁷ Minn. R. 4410.3610, subp. 4 (AUARs must include the content of an EAW); Minn. Env'tl. Quality Bd., *Environmental Assessment Worksheet Form 8* (Dec. 2022) (establishing EAW content requirements for water appropriations).

⁶⁸ Final AUAR at 50.

88. The entire City of North Mankato is allowed to appropriate up to 570 million gallons *per year* from this protected aquifer, of which 530 million gallons are taken by current users.⁶⁹

89. The AUAR notes that North Mankato Industrial would demand up to 30 million gallons of water *per day*. Recognizing that this demand would dwarf the City's appropriations, the AUAR promises that the "City of North Mankato is in the process of lobbying legislatures to amend this statute and allow for more uses of this aquifer."⁷⁰

90. No environmental analysis of the planned appropriations is incorporated in the City's AUAR. There are no projections of how 30-million-gallon daily withdrawals, at levels currently barred by state law, could result in drawdown effects, impact other municipal and agricultural users, or threaten a protected groundwater aquifer.

91. The City omitted any study of "environmental effects from water appropriation" tied to North Mankato Industrial.

Energy Impacts

92. EQB guidance instructs that an AUAR project description should identify "aspects of the project that may directly or indirectly manipulate, alter or impact the physical or natural environment."⁷¹

⁶⁹ *Id.*; see Minn. Stat. § 103G.271, subd. 4a.

⁷⁰ Final AUAR at 50.

⁷¹ Minn. Env'tl. Quality Bd., *EAW Guidelines: Preparing Environmental Assessment Worksheets* 11 (2013).

93. Indirect impacts extend to “[a]ssociated infrastructure . . . necessary to serve the project.”⁷²

94. The AUAR estimates that North Mankato Industrial would require 80,800 megawatt hours (MWh) of electricity per year,⁷³ exceeding the electricity use of every household in North Mankato.⁷⁴

95. A new load of 80,800 MWh could require a build-out of associated grid infrastructure, such as transmission lines, distribution systems, or generation facilities required to deliver power to the North Mankato Industrial site.

96. The City does not identify how North Mankato Industrial would get power, does not consider whether the project’s electricity demands would indirectly require new grid infrastructure, and omits any study of the land use or climate impacts that would be caused by grid-infrastructure changes.

97. It is also likely that the City grossly underestimates North Mankato Industrial’s electricity demand.

98. Public records suggest that North Mankato Industrial is tied to proposals for a “250–500 MW Data Center Campus.”

⁷² *Id.*

⁷³ See Final AUAR at 462 (“Appendix C. Quantifying Greenhouse Gas Emissions”).

⁷⁴ U.S. Energy Information Administration, *Electric Sales, Revenue & Average Price*, tbl. 5A, 2023 (listing Minnesota average monthly residential consumption as 752 kWh, equivalent to 9 MWh per year); U.S. Census Bureau, *North Mankato city, Minnesota*, https://data.census.gov/profile/Chicago_city,_Illinois?g=160XX00US2747068 (showing 5,922 households for City, which at a 9 MWh rate would consume an estimated 53,298 MWh of electricity per year) (last visited August 2, 2025).

99. The low end of the reported campus size—a 250 MW data center facility—would suggest annual electricity consumption of 1,883,400 MWh per year.⁷⁵ This is over twenty-three times higher than the electricity consumption reported by the City in the AUAR.

100. The high end of this reported campus size—a 500 MW facility—could demand more electricity than the entire City of Minneapolis.⁷⁶

101. The AUAR contains no analysis of the “direct, indirect, and cumulative potential effects” of serving power to a 250-500 MW data center campus.

Air Quality Impacts

102. In addition to obtaining power from the grid, data centers often generate electricity using on-site fracked gas or diesel-powered turbines. These on-site turbines

⁷⁵See Isabella Riu et al., *Load Growth Is Here to Stay, but Are Data Centers?: Strategically Managing the Challenges and Opportunities of Load Growth*, Energy and Environmental Economics, Inc. (July 2024), <https://www.ethree.com/wp-content/uploads/2024/07/E3-White-Paper-2024-LoadGrowth-Is-Here-to-Stay-but-Are-Data-Centers-2.pdf>. (Estimating an 86% load factor for data centers. Adopting this estimate, a 250 MW data center campus would have an average power draw of 215 MW and consume 1,883,400 MWh of electricity per year) (last visited August 2, 2025).

⁷⁶ Compare *id.* (repeating same analysis, a 500 MW data center would draw power at an average rate of 430 MW over 8,760 hours in a year, totaling 3,766,800 MWh of annual electricity consumption) with Minneapolis Clean Energy Partnership, *2023 Annual Report* 28, 37 (Sept. 2024) (combining 1,084,565 MWh of residential electricity use and 2,540,462 of commercial-and-industrial electricity use in 2023 shows 3,625,027 MWh of electricity from Minneapolis in 2023).

are useful if a “data processing center’s voracious appetite for energy has outpaced electric utilities’ ability to serve it.”⁷⁷

103. On-site turbines can emit nitrogen oxides, particulate matter, carbon monoxide, and other pollutants that are hazardous to human health. In Memphis, thirty-five gas turbines powering a data center have reportedly emitted more nitrogen oxides than a nearby power plant and oil refinery.⁷⁸

104. The City’s AUAR should include a “complete description” of all aspects of the North Mankato Industrial “that may directly or indirectly manipulate, alter or impact the physical or natural environment.”⁷⁹

105. Additionally, EQB states in a guidance document that “any stationary air emissions source large enough to merit environmental review requires individual review” outside the AUAR.⁸⁰

106. While on-site turbines are anticipated at North Mankato Industrial, the City states that “[d]etails pertaining to the number, size, and location are unknown at this time.”⁸¹

107. By omitting any information about on-site power generation, the City failed to contemplate North Mankato Industrial’s direct, indirect, and cumulative potential

⁷⁷ See Ariel Wittenberg, ‘How Come I Can’t Breathe?’: Musk’s Data Company Draws a Backlash in Memphis, Politico (May 6, 2025), <https://www.politico.com/news/2025/05/06/elon-musk-xai-memphis-gas-turbines-air-pollution-permits-00317582>.

⁷⁸ *Id.*

⁷⁹ Minn. Env’tl. Quality Bd., *EAW Guidelines: Preparing Environmental Assessment Worksheets* 11 (2013).

⁸⁰ AUAR Guidance at 5.

⁸¹ Final AUAR at 55-56.

effects on air quality, and it failed to identify whether the proposal “required environmental review outside the AUAR.”

Noise and Light Pollution

108. Thousands of graphics chips and associated infrastructure at a hyperscale data center can generate significant noise pollution. Residents living near data centers describe this pollution as a “low-pitched roar topped with a tinny screech.”⁸² This noise can last day and night, travel for miles, and contribute to sleep disruption, headaches, and decreased quality of life for impacted residents.⁸³

109. EQB instructs cities to examine whether development studied in an AUAR “will include or adjoin major noise sources.”⁸⁴ If the project includes a major noise source, “noise analysis is needed to determine if any noise levels in excess of standards would occur, and if so, to identify appropriate mitigation measures.”⁸⁵

110. The City acknowledges that “the main sources of noise” from the studied project could “include computers and ventilation systems within the building, and the use of generators.”⁸⁶

⁸² Peter Cary, *Amazon Tones Down Its Data Center Noise After Residents Sound the Alarm*, Data Center Knowledge (Oct. 24, 2023), <https://www.datacenterknowledge.com/data-center-construction/amazon-tones-down-its-data-center-noise-after-residents-sound-the-alarm> (last visited August 2, 2025).

⁸³ See Steven Gonzalez Monserrate, *The Staggering Ecological Impacts of Computation and the Cloud*, The MIT Press Reader (Feb. 14, 2022), <https://thereader.mitpress.mit.edu/the-staggering-ecological-impacts-of-computation-and-the-cloud/> (last visited August 2, 2025).

⁸⁴ AUAR Guidance at 4.

⁸⁵ *Id.*

⁸⁶ Final AUAR at 69.

111. The AUAR omits any analysis of whether this “main source of noise” qualifies as a “major source of noise.”

112. Despite identifying homes, a church, and a middle school within a mile of the proposed development, the AUAR offers no noise modeling, nor qualitative noise assessment, nor any analysis to determine whether “noise levels in excess of standards would occur.”⁸⁷

113. Million-square-foot hyperscale data centers can also generate light pollution. In Virginia, residents living near hyperscale data centers report that the facilities’ lighting is “easily seen for miles,” glowing “at night like a giant city of lights.”⁸⁸

114. EQB guidance instructs cities to analyze “any impacts” on scenic views and vistas in the AUAR study area, including “both direct physical impacts and impacts on visual quality or integrity.”⁸⁹ If “any non-routine visual impacts would occur,” they should be discussed “along with appropriate mitigation.”⁹⁰

115. The AUAR notes in one paragraph that “lighting practices will be selected to address known ecological concerns and prevent avoidable impacts to insects, wildlife, rare plants, and adjacent natural areas. Guidance from the USFWS to minimize blue light, uplight, and backlight will be adhered to the extent practicable.”⁹¹

⁸⁷ Final AUAR at 69; AUAR Guidance at 4.

⁸⁸ Grace Mamon, *Data Centers Are Changing the Landscape. Here's How They May Affect Rural Virginia.*, Cardinal News (Mar. 12, 2025), <https://cardinalnews.org/2025/03/12/data-centers-are-changing-the-landscape-heres-how-they-may-affect-rural-virginia/> (last visited August 2, 2025).

⁸⁹ AUAR Guidance at 5.

⁹⁰ *Id.*

⁹¹ Final AUAR at 63.

116. Beyond these generic commitments, the AUAR offers no analysis of how a four-million-square-foot data center development would be lit, and it fails to study how data center lighting would impact the visual quality of the surrounding region.

117. The AUAR's missing analysis of noise and light pollution is a failure to study North Mankato Industrial's "direct, indirect, and cumulative potential effects" on surrounding residents.

Cumulative Impacts

118. An AUAR must include a cumulative impacts analysis that studies the "incremental effects of a project in addition to other projects in the environmentally relevant area that might reasonably be expected to affect the same environmental resources."⁹²

119. The Minnesota Supreme Court has explained that an adequate cumulative impacts analysis under MEPA must "determine whether the project, which may not individually have the potential to cause significant environmental effects, could have a significant effect when other local projects already in existence or planned for the future are considered."⁹³

⁹² Minn. R. 4410.0200, subp. 11a. (defining the term cumulative potential effects); *see* Minn. R. 4410.3610, subp. 4 (AUARs must include the content of an EAW); Minn. Env'tl. Quality Bd., *Environmental Assessment Worksheet Form 1*, 13 (Dec. 2022) (establishing EAW content requirements for cumulative impacts).

⁹³ *Citizens Advocating Responsible Dev. v. Kandiyohi Cty. Bd. of Comm'rs*, 713 N.W.2d 817, 829 (Minn. 2006).

120. For projects already in existence in the AUAR study area, the City omits any analysis of how a hyperscale data center could exacerbate existing environmental stressors.

121. For foreseeable future projects, EQB instructs cities to study “the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.”⁹⁴

122. In response to this prompt, the City offers two sentences: “Future public and private development projects may result in impacts to transportation, water resources, and utilities. These impacts will be addressed via the regulatory permitting and approval processes and will be individually mitigated to ensure minimal cumulative impacts occur.”⁹⁵

123. Beyond these generic references, the City does not connect North Mankato Industrial to *any* foreseeable future private developments.

124. In particular, the City fails to connect North Mankato Industrial to any foreseeable data center projects. The Star Tribune has reported that ten hyperscale facilities planned for Minnesota could consume “as much electricity as every home in Minnesota.”⁹⁶ Taken together, these foreseeable projects could easily strain Minnesota’s

⁹⁴ Minn. Env'tl. Quality Bd., *Environmental Assessment Worksheet Form 13* (Dec. 2022).

⁹⁵ Final AUAR at 76.

⁹⁶ See Walker Orenstein, *Mega Data Centers Are Coming to Minnesota. Their Power Needs Are Staggering.*, Star Trib. (Jan. 10, 2025), <https://www.startribune.com/mega-data-centers-are-coming-to-minnesota-their-power-needs-are-staggering/601204129> (last visited August 2, 2025).

electricity grid and interconnected water resources. Yet, the City omits any study of how multiple foreseeable hyperscale data centers could result in cumulative environmental effects.

125. The City's AUAR fails to address "whether there is potential for significant environmental effects due to these cumulative effects" from North Mankato Industrial.

Inadequate Mitigation Plan

126. AUARs must include a plan "specifying the mitigation measures that will be imposed upon future development within the area in order to avoid or mitigate potential environmental impacts."⁹⁷

127. EQB has emphasized that "the plan for mitigation called for is perhaps the key part of the entire substitute review process" in an AUAR.⁹⁸ The agency instructs that it "must be understood that the mitigation plan is a commitment by the [Responsible Governmental Unit] to prevent potentially significant impacts from occurring from specific projects. It is more than just a list of ways to reduce impacts—it must include information about how the mitigation will be applied and assurance that it will."⁹⁹

128. The City is the Responsible Governmental Unit for the North Mankato Industrial AUAR is the City of North Mankato. Yet, the City's mitigation plan repeatedly fails to offer a commitment to prevent potentially significant impacts.

⁹⁷ Minn. R. 4410.3610, subp. 5(C).

⁹⁸ Minn. Env'tl. Quality Bd., *Statement of Need & Reasonableness, Proposed Amendments to Minn. R. parts 4410.0200–.7800* 32 (1988).

⁹⁹ AUAR Guidance at 6.

129. The City promises that “[f]urther noise evaluation will be completed as design progresses and best practices to reduce noise will be implemented.”¹⁰⁰ This ambiguous promise falls far short of identifying “how the mitigation will be applied and assurance that it will.”¹⁰¹

130. The City suggests that it will limit water use by stating “it is assumed that Scenario 1 is a non-water-cooled system.”¹⁰² This assumption provides no “commitment,” however, to adopt any water-saving measures.¹⁰³

131. The City asserts it can mitigate greenhouse gas emissions because “potential design strategies and sustainability measures that are under consideration.”¹⁰⁴ These strategies may offer a “list of ways to reduce impacts,” but the City offers no “description of how each mitigation measure will be implemented.”¹⁰⁵

132. Across these examples, and others, the City fails to specify “mitigation measures that will be imposed upon future development within the area in order to avoid or mitigate potential environmental impacts.”¹⁰⁶

There Is No Future Review of Hyperscale Data Centers

133. Public records show that the City anticipates North Mankato Industrial will be a four-million-square-foot hyperscale data center. Ordinarily, a data center campus

¹⁰⁰ Final AUAR at 80.

¹⁰¹ AUAR Guidance at 6.

¹⁰² Final AUAR at 78.

¹⁰³ AUAR Guidance at 6.

¹⁰⁴ Final AUAR at 80.

¹⁰⁵ AUAR Guidance at 6.

¹⁰⁶ Minn. R. 4410.3610, subp. 5(C).

this large would trigger a mandatory EIS, the most rigorous form of environmental review.¹⁰⁷

134. This changed after the City approved the North Mankato AUAR. Because AUARs evaluate the worst-case scenario for development impacts within the geographic area being studied, EQB rules offer environmental review exemptions to projects that are “consistent with development assumptions” in an approved AUAR.¹⁰⁸

135. The City’s generic project description produced an AUAR with very broad development assumptions.

136. Because of the lack of detail in the AUAR, a data center with (a) any level of noise pollution, light pollution, or impacts to the grid, (b) any number of backup turbines, (c) any level of cumulative environmental effects, and (d) up to 30 million gallons of water use per day could claim that it is consistent with development assumptions in the AUAR and thus exempt from further environmental review.

137. Even though the City failed to study the worst-case potential impacts of a hyperscale data center, or to evaluate such a development with the detail required in an EIS, a data center could use the City’s AUAR to evade environmental study.

¹⁰⁷ See Minn. R. 4410.4400, subp. 11 (mandatory EIS thresholds based on the size of an industrial, commercial, or institutional facility).

¹⁰⁸ AUAR Guidance at 1; Minn. R. 4410.3610, subps. 2, 5(E).

138. Such an evasion would violate the intent of MEPA for major projects to receive adequate environmental review, based on a fair evaluation of “alternatives to the specific large project” under consideration, before proceeding to development.¹⁰⁹

CLAIMS FOR RELIEF

COUNT I

Declaratory Judgment That the AUAR Is Inadequate Under MEPA Because It Fails to Provide an Adequate Project Description

139. Plaintiffs reallege and incorporate by reference all preceding paragraphs.

140. An AUAR adequacy decision may be overturned if it was unreasonable, arbitrary and capricious, or affected by error of law.

141. An AUAR involving a large specific project must undergo a scoping process that includes a project description.

142. Adequate project descriptions are clear, complete, and detailed.

143. The City failed to provide a clear, complete, and detailed description of the technology park studied in the North Mankato Industrial AUAR.

144. Plaintiffs respectfully ask this Court to declare that the AUAR for the Proposed Project is inadequate for its failure to describe the large specific project it reviewed.

145. Plaintiffs respectfully ask this Court to reverse the City’s decision to approve the AUAR, to remand the AUAR to the City, and to enjoin the Project Proposer from

¹⁰⁹ Minn. R. 4410.3610, subp. 5a(C); *see* Minn. Stat. § 116D.04, subd. 2b.

continuing with the Proposed Project and the City from making any final decisions with respect to the Proposed Project until adequate environmental review is complete.

COUNT II

Declaratory Judgment That the AUAR Is Inadequate Under MEPA Because It Fails to Analyze the Direct, Indirect, and Cumulative Impacts of Anticipated Data Center Development

146. Plaintiffs reallege and incorporate by reference all preceding paragraphs.

147. An AUAR must study the direct, indirect, and cumulative potential environmental effects of development anticipated in an AUAR study area.

148. The City anticipated data center development in the North Mankato Industrial study area.

149. The City failed to adequately study a hyperscale data center's potential environmental effects on:

- a. Water resources, including impacts to the Mt. Simon-Hinckley Aquifer from withdrawals up to 30 million gallons per day;
- b. Energy infrastructure, including grid impacts from a 250-500 MW facility that could consume up to 3,766,800 megawatt hours annually;
- c. Air quality from backup generators used for on-site power generation;
- d. Greenhouse gas emissions from the facility, including its off-site and on-site emissions;
- e. Noise pollution affecting nearby residents, a school, and a church;
- f. Light pollution from a four-million-square-foot data center campus; and
- g. Cumulative impacts from existing environmental effects and reasonably foreseeable projects, including foreseeable data center projects.

150. Plaintiffs respectfully ask this Court to declare that the AUAR for this Proposed Project is inadequate for its failure to consider the potential environmental effects of the large specific project it reviewed.

151. Plaintiffs respectfully ask this Court to reverse the City's decision to approve the AUAR, remand the AUAR to the City, and to enjoin the Project Proposer from continuing with the Proposed Project and the City from making any final decisions with respect to the Proposed Project until adequate environmental review is complete.

COUNT III

Declaratory Judgment That the AUAR Is Inadequate Under MEPA Because It Fails to Include an Adequate Mitigation Plan

152. Plaintiffs reallege and incorporate by reference all preceding paragraphs.

153. An AUAR must include a mitigation plan with measures that will be imposed upon future development in the study area in order to avoid or mitigate potential environmental impacts.

154. The City's mitigation plan fails to specify enforceable mitigation measures for the North Mankato Industrial development.

155. Plaintiffs respectfully ask this Court to declare that the AUAR for this Proposed Project is inadequate for its failure to adopt a specific and enforceable mitigation plan.

156. Plaintiffs respectfully ask this Court to reverse the City's decision to approve the AUAR, remand the AUAR to the City, and to enjoin the Project Proposer from

continuing with the Proposed Project and the City from making any final decisions with respect to the Proposed Project until adequate environmental review is complete.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

- a. Declare that the City must start the MEPA process from the beginning and not issue any permits or approvals for any development in the AUAR geographic area until an adequate environmental review is complete,
- b. Enjoin the City from taking any action that would prejudice the ultimate decision on the Proposed Project until it completes adequate environmental review,
- c. Award Plaintiffs their costs and expenses, and
- d. Grant Plaintiffs such other and further relief as this Court deems just and equitable.

Dated: August 5, 2025

/s/Luke Norquist

Luke Norquist, #0505691
Evan Mulholland, #0399072
Minnesota Center for
Environmental Advocacy
1919 University Avenue West
Suite 515
Saint Paul, Minnesota 55104
(651) 223-5969
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emulholland@mncenter.org

*Attorneys for Minnesota Center for
Environmental Advocacy*

Michael Fischer

From: Michael Fischer
Sent: Thursday, September 12, 2024 8:30 AM
To: wardeiness einessstrategies.com; Kevin McCann
Cc: Scott Carlson
Subject: RE: Mount Simon Aquifer

Ward,

I have not heard from any other cities having the same issue. I believe that not all cities who obtain water from the Mt. Simon are aware of the prohibition as we did not know about it either.

I also believe that other cities are not attracting the type of attention North Mankato is for data center development. We are in a unique position where we have large amounts of land for development and large amount of electricity to accommodate data centers. We simply need additional water to accommodate them. Note, that these are billion dollar investments.

Additionally, other cities may have access to other aquifers other than the Mt. Simon for additional water. We are currently studying other water sources available to us. However, we still would like to pursue changes to the current legislation.

While this appears to be a North Mankato issue right now, I believe other cities needing non potable water in the future, will likely be in the same position as we are.

There are currently 2 data center developers who have land under contract in North Mankato. Without additional water, we will not be able to accommodate them. Additionally, I have other data center developers wanting to come to North Mankato. All are waiting to see if we can obtain more water.

I believe that if other cities were in the same position we are in, more attention to the prohibition would be made. Regardless if this is a North Mankato right now, I still believe we need to make an attempt to amend the current legislation. We cannot afford to lose billion dollar investments.

Thanks,

Mike Fischer
Community Development Director
City of North Mankato
1001 Belgrade Avenue
North Mankato, MN 56003
507-625-4141

From: wardeiness einessstrategies.com <wardeiness@einessstrategies.com>
Sent: Thursday, September 12, 2024 1:02 AM
To: Kevin McCann <KMMcCann@northmankato.com>
Cc: Michael Fischer <MichaelF@northmankato.com>; Scott Carlson <scottcarlson@northmankato.com>
Subject: Re: Mount Simon Aquifer

Hello Kevin,

Yes, I have connected with both the League of Minnesota cities and the Association of Greater Mn Cities.

Their responses were a little surprising. The staff at LMC said they had not heard from other cities/members of the League complaining about the moratorium or asking for its repeal. They did say that Elko New Market did flag this issue as a problem for a bottling company they were attempting attract but were able to find a "work around" that enabled the project to move forward.

The Association of Greater Mn Cities indicated that they have had conversations with Mankato and the Greater Mankato regional folks about the issue but indicated that Mankato was simply bringing the issue forward at the behest of North Mankato.

I also got the clear sense that LMC was supportive of the moratorium. They didn't say it directly but their comments stressed the benefits of the moratorium more than the costs. My takeaway from the communication with the two associations is that the moratorium is not a big issue from their perspective.

I have not connected with the Association of Minnesota Counties yet but will give them another nudge.

At this time, it appears that North Mankato is kinda a lone voice on this issue.

Michael, have you heard from any of your colleagues in other cities about the moratorium? I was quite surprised that the city associations have not heard more negative feedback from their members regarding the moratorium.

That's what I know for now.

Ward

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From: Kevin McCann <KMCCann@northmankato.com>
Sent: Wednesday, September 11, 2024 5:46:37 PM
To: wardeiness@einessstrategies.com <wardeiness@einessstrategies.com>
Cc: Michael Fischer <MichaelF@northmankato.com>; Scott Carlson <scottcarlson@northmankato.com>
Subject: Mount Simon Aquifer

Hi Ward,

Thanks for lining up the meeting with folks from DEED the other week. Just seeing if you've had a chance to connect with any of the people Kevin McKinnon suggested contacting.

Thanks,

Kevin

Kevin P. McCann
City Administrator
City of North Mankato, MN
(507) 625-4141
kmccann@northmankato.com



MINNESOTA JUDICIAL BRANCH

Michael Fischer

From: Michael Fischer
Sent: Monday, January 27, 2025 7:58 AM
To: wardeiness einessstrategies.com; Kevin McCann; Scott Carlson
Subject: RE: Data Center Bill/Conditional Use

Thanks Ward,

The land we proposed for data center development is currently outside the City limits but, is guided for Heavy Industrial use in our Comprehensive Plan. The land is only near one rural residence. I believe it would be easy for use to list data centers in our Heavy Industrial district as a conditional use if needed. This would be done through an ordinance change.

Thanks,

Mike Fischer
Community Development Director
City of North Mankato
1001 Belgrade Avenue
North Mankato, MN 56003
507-625-4141

From: wardeiness einessstrategies.com <wardeiness@einessstrategies.com>
Sent: Sunday, January 26, 2025 11:56 AM
To: Kevin McCann <KMCCann@northmankato.com>; Scott Carlson <scottcarlson@northmankato.com>; Michael Fischer <MichaelF@northmankato.com>
Subject: Data Center Bill/Conditional Use

Hello folks;

The attached data center related bill was introduced last week. This bill is a reaction from a controversial data center project in Farmington (Tract).

Would this legislation impact the projects under consideration in North Mankato? What is the current property zoned?

Let me know if you have any concerns. I am not sure this bill has any legs but don't want them to pass something that places an impediment to developing data centers in North Mankato.

Thanks for your insight.

Ward

Michael Fischer

From: Lambrecht, Thomas GRE-MG <tlambrecht@GREnergy.com>
Sent: Tuesday, March 11, 2025 11:18 AM
To: Michael Fischer
Subject: Fwd: FOR SALE - 250-500 MEGAWATT DATA CENTER CAMPUS - MANKATO, MN (175-492 ACRES)

Here you go.


Tom Lambrecht
Great River Energy
Manager
Economic Development Services

Begin forwarded message:

From: Stephen Sevenich <Stephen.Sevenich@cushwake.com>
Date: March 11, 2025 at 10:00:25 AM CDT
To: "Lambrecht, Thomas GRE-MG" <tlambrecht@greenergy.com>
Subject: FOR SALE - 250-500 MEGAWATT DATA CENTER CAMPUS - MANKATO, MN (175-492 ACRES)
Reply-To: r-ff00e2dba23ac6111e96235a4940b6630b99e5a5@comms.cushwakedigital.com

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250-500 MW DATA CENTER CAMPUS
STATE HWY 14 & CR 41 / ROCKFORD RD
NORTH MANKATO, MN
175-492 ACRES FOR SALE OR BTS

ALEXANDER C. SMITH
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JON RAUSCH
Executive Director
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jon.rausch@cushwake.com

CUSHMAN & WAKEFIELD

PROPERTY HIGHLIGHTS



PROPERTY INFORMATION

- Development friendly city
- Zoning in place for data center
- Electric provided by: Great River Energy
- 800,000 gallons per day of water available to the area
- Power application underway now
- Environmental application underway now

DEMOGRAPHICS	1 MILE	3 MILES	5 MILES
Population	445	11,738	37,811
Households	116	4,677	14,896

POWER

Average HH			
Income	\$151,148	\$121,980	\$95,264
Daytime			
Population	797	9,100	31,667

- Up to 500 MW available at full capacity

Projected Power Ramp-up Schedule

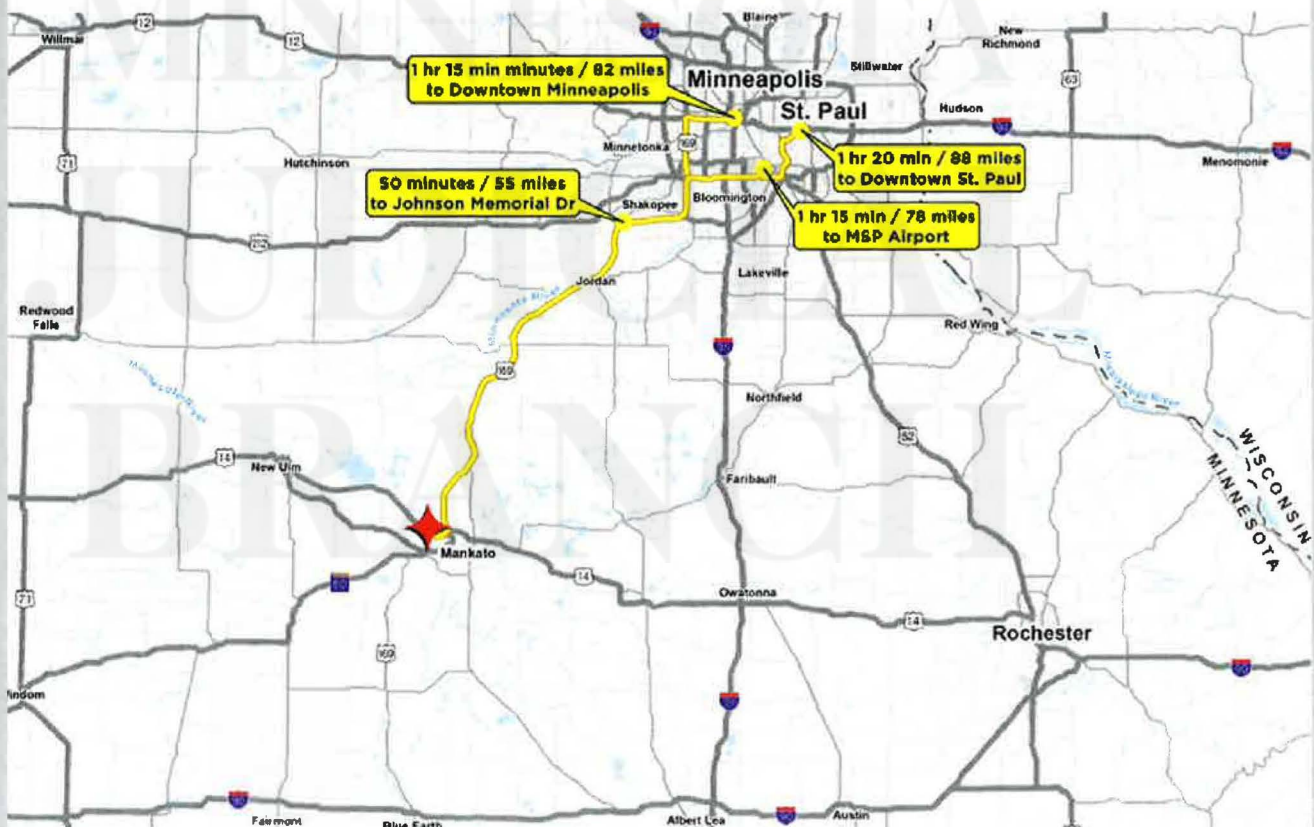
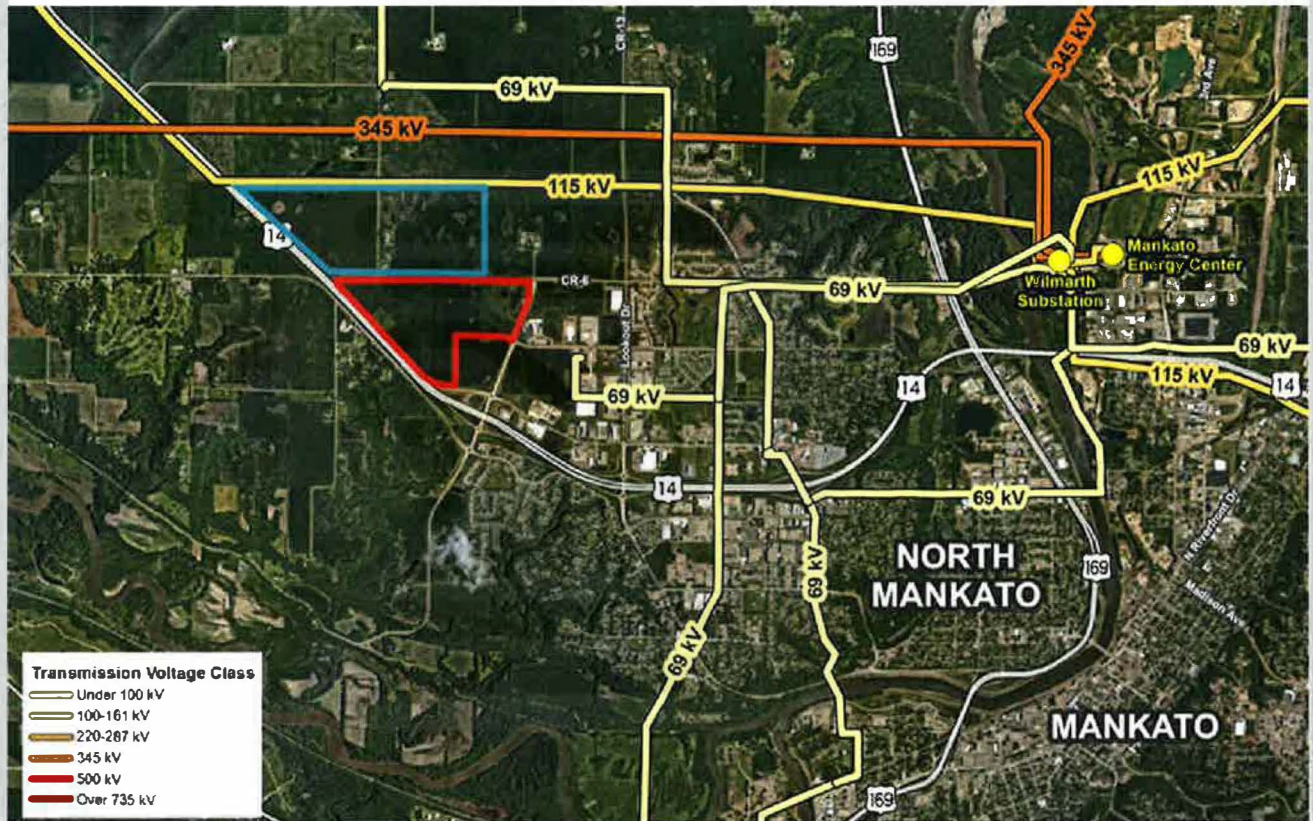
Year	MW
Immediate	25 M\
Year 1	50 M\
Year 2	275 M
Year 3	500 M

TRAFFIC COUNTS

- Highway 14: 9,391 vpd
- County Road 41: 505 vpd

MINNESOTA
JUDICIAL
BRANCH

PROPERTY AERIAL



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