

Thank you chair and members of the committee. My name is Mo Feshami, and my professional background is in telecommunications and data center network architecture for large fortune 500 companies, some in Minnesota.

I am here to share my personal experience in support of SF 3852.

I live in the proximity of the proposed hyperscale data center in Farmington. When fully operational, on a summer day, it can demand more water than this city of 22,000 uses on an average day! This intense water demand will happen when Farmington restricts water use of its citizens but allows the data center to operate at its maximum water demand 7x24 during the same summer days!

In the last legislative session, MN HF16 provisioned some accountability "if" hyperscale data center operators applied directly to DNR for their water permit. But all, and I mean all these hyperscale data centers projects avoid going to DNR directly. Instead, they find vulnerable cities to do their bidding through a modified municipal permit and masquerade data center's high-water demand, as organic growth in the city's domestic water needs.

As an example, in October 2024, DNR warned the city of Farmington about the high-water demand of Farmington Technology Park project.

- 1) Despite DNR's warning, and without having applied for more water or getting approval from DNR, Farmington on December 2, 2024, approved a binding contract (Resolution 2024-111) that guarantees the developer up to 2.93 million gallons per day out of Farmington's domestic water.

If DNR doesn't approve this additional 2.93 million of water per day, where is this water going to come from? What fiduciarily responsible city would sign such a binding contract, long before applying to DNR and getting its approval for this extra huge increase in water allotment?

Farmington's resolution and signing of the contract protects the data center, not its citizens. The same citizens that they took an oath of office to serve and protect!

Farmington also managed to get Met Council to approve the amendment to City's comp plan, allowing the rezoning of the land for that data center, even though all parties (including DNR and Met Council) knew of the significant demand of the project. All it took for the city was to check the right boxes on a form and the Met Council approved the rezoning for the data center.

- 2) This year, Farmington increased its property tax levy by 12.98% (December 01, 2025,) with significant amount appropriated for new water and sewer lines, a new 2.5 MG water tower, NOT surprisingly, in the vicinity of the proposed hyper scale data center.

The citizens of Farmington and broader Minnesotans deserve their livelihood and safety to be protected through DNR, rather than small city governments that lack the expertise, and their interest often disregard the impact to other cities and communities that rely on the same aquifer.

What the city of Farmington has done is not unique. It is common practice, used by most, if not all proposed hyperscale data center projects to circumvent MN water prioritization statute 103G.261.

This statute puts high-water users, such as these data centers, at priority 5. Well below domestic water users, farmers irrigating crops, and power producers. Data centers avoid going to DNR and go to cities to put their water use (at a time of scarcity) above everyone else, even residential users. **Cities can restrict residential water use, but data centers don't get an odd/even day restriction.**

Regarding transparency, all data collected under HF16 would remain private so there is no increase in transparency. We need SF 3852 to disclose that information to be reported regularly, so decision makers, such as this body, can have visibility and be able to make appropriate public policy decisions and rulings based on that data.

I get it that MN should be a "new business" friendly state. But these businesses cannot take Minnesota for granted. They cannot drain our precious and limited natural resources, and they cannot pollute our environment.

Minnesotans deserve that oversight and protection from DNR against these ill-informed and biased cities such as Farmington. SF 3852 is a small step towards that protection. It is not against "new business," it is a step towards accountability. Respectfully, if this body cannot approve the simple accountability SF 3852 provides, the question becomes "Who's interest is being protected here?"

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CC: SF 3852