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VIA EMAIL TO: mshumake@wwcowa.gov

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RE: Amazon Attalia Campus SEPA Review

Greetings:

On behalf of the Columbia Riverkeeper and the Walla Walla Anti-Data Center League, we respectfully submit the following comment on the Amazon Web Services, Port of Walla Walla Data Center Development project (hereinafter the “Amazon Attalia Campus” or “Project”) land use application and State Environmental Policy Act (“SEPA”) review. Please consider these comments as you assess application completeness and make your initial SEPA threshold determination.

As discussed further below, we are deeply concerned that this secretive Project is on a fast-track to approval without a full and transparent assessment of its impacts. Little information is publicly available. Even so, given the public’s experience with data centers in other communities,¹ there are legitimate concerns that this Project could have consequential impacts on the people and environment of this region, from overuse of scarce water to toxic air pollution. These impacts must be explored fully under SEPA, and alternatives considered, before any permit can be granted. As described below, there is nowhere near enough information available on which to make a determination under SEPA as to the Project’s significance or non-significance. Accordingly, we request that the Walla Walla County Community Development Department require more information on this Project’s potential impacts—as the law requires—before making its threshold determination. And if the County is determined to move ahead sooner, the only lawful finding in light of available information would be a determination of significance.

I. Interest of Commenters

Columbia Riverkeeper and the Walla Walla Anti-Data Center League (collectively, “Commenters”) represent people who live near and around the proposed Project with a direct interest in the region’s land, air, water, wildlife, and quality of life. These lands and waters are their home and sustain their livelihoods and lives. Commenters rely on SEPA and other environmental laws to ensure that impacts from Projects like this one are fully disclosed to the

¹ See, e.g., Shannon Heckt, *Brown water, dust and loud noises: Louisa homeowner sues Amazon over data center construction*, (July 2026), available at <https://virginiamercury.com/2026/07/28/brown-water-dust-and-loud-noises-louisa-homeowner-sues-amazon-over-data-center-construction/>.

public, alternatives evaluated, and that decisions are made in a transparent and accountable manner.

Columbia Riverkeeper’s mission is to protect and restore the water quality of the Columbia River and all life connected to it, from the headwaters to the Pacific Ocean. Columbia Riverkeeper partners with Tribes and local organizations to advocate for environmental and climate justice by using legal advocacy, community organizing, and education. Columbia Riverkeeper has members in rural and urban communities with the goal of protecting the health of their families and the places they love. Columbia Riverkeeper works to prevent an unprecedented buildout of data centers in the Northwest without responsible regulation frameworks in place.

The Walla Walla Anti-Data Center League is a diverse group of people who live in Walla Walla and who oppose the unregulated build-out of data centers in Walla Walla County. The League was created through a coalition of concerned residents organizing around a central mission to protect the environment of where they live, work, and recreate.

The potential impacts identified by Amazon Data Services Inc.’s (“Amazon”) SEPA Checklist—and more importantly, the unanswered questions regarding the nature and extent of those impacts—are precisely the types of impacts that impact Commenters and their members, who live, work and play in the area around this Project. Commenters have as much stake in the outcome of this permitting process as anyone.

II. SEPA requires agencies to fully consider impacts based on complete information before making final decisions.

SEPA’s intent and fundamental purpose is to ensure government decisions are made with full awareness of their environmental consequences. RCW 43.21C.020. SEPA requires an Environmental Impact Statement (“EIS”) for any major action “having a probable significant, adverse environmental impact.” RCW 43.21C.031(1); WAC 197-11-330. To determine whether an action will require an EIS, agencies undergo a “threshold determination” process. WAC 197-11-330. A project proponent’s SEPA Checklist must contain sufficient information on the project’s environmental impacts to assist the agency in making its threshold determination. WAC 197-11-960. If a project proponent fails to provide such information, the agency may take additional steps to acquire it. WAC 197-11-335. An inadequate or insufficient SEPA Checklist cannot justify a threshold determination of non-significance (“DNS”). WAC 197-11-335(1); *see also King Cnty. v. Friends of Sammamish Valley*, 3 Wn.3d 793, 556 P.3d 132 (2024) (holding a DNS did not comply with SEPA where SEPA checklist failed to disclose several potential environmental impacts of the Project).

Where an agency’s threshold determination is that a project will “significantly affect[] the quality of the environment,” an EIS is required. WAC 197-11-330. “Significant” means a “reasonable likelihood of more than a moderate adverse impact on environmental quality.” WAC 197-11-794(1). “Significance involves context and intensity and does not lend itself to a formula or quantifiable test.” WAC 197-11-794(2); *see also City of Fed. Way v. Town & Country Real Est., LLC*, 161 Wn. App. 17, 54, 252 P.3d 382, 401 (2011) (finding significant impacts based on project’s incremental increase in traffic from 0.05% to 0.12% “in conjunction with” projected population growth). Notably, SEPA requires an EIS “whenever significant adverse impacts are

probable, not just when they are inevitable.” *Lanzce G. Douglass, Inc. v. City of Spokane Valley*, 154 Wn.App. 408 (2010) (finding significant impacts where project could prevent neighborhood residents from evacuating within 30 minutes of a fire in a high fire risk area). *See also ASARCO Inc. v. Air Quality Coal.*, 92 Wn. 2d 685, 601 P.2d 501 (1979) (finding significant impacts where a project to continue air emissions limits exceedances could have “potential” adverse environmental effects).

III. Amazon Attalia Campus Project Overview

Amazon is proposing to construct and operate a data center campus spanning 134 acres in Walla Walla County, just yards away from the Columbia River. SEPA Checklist at 2, 8. The campus will consist of 3 one-story data center buildings (Data Centers A, B, and C). The power-hungry equipment will draw power from Columbia Rural Electric Association and be equipped with a back-up diesel generator system on-site. Checklist at 3. The campus will also include an electrical substation; an access control/security building (Building D); a 9,940 square foot water treatment building (Building E); four evaporation ponds including at least one stormwater infiltration pond and one non-contact cooling water (“NCCW”) pond; and an 80,000 square foot septic drain field.² Amazon is proposing a phased development process so that this initial environmental review only considers the buildings constructed in this first phase: Data Center A, Building D (security building), and Building E (water building).³

IV. The Amazon Attalia Campus Project’s SEPA Checklist contains fundamental gaps that each give the County reason to require more information.

These comments first raise a threshold concern about public transparency because neither the SEPA Checklist nor the submitted materials state in plain language the scope of this Project and its environmental review. These comments then address how Amazon’s Checklist fails to disclose or adequately analyze the Project’s potentially significant impacts resulting from this Project’s water demand, energy demand, effect on air quality, and fire risk. These comments conclude that the County should require more information from Amazon now or commit to conducting an EIS as part of this Project’s environmental review.

a. The Project’s unclear scope prevents meaningful review and risks improper segmentation.

As discussed above, SEPA exists to ensure that government decisionmakers and the public understand a Project’s environmental consequences before decisions are made. But that purpose is frustrated here by a complete absence of information. The scope of this Project’s SEPA review is limited to the impacts of Data Center A and Buildings D and E only. Yet Amazon’s site plan shows three data centers, and it repeatedly describes this Project as a “campus” of “three one-story data center buildings” to be “constructed in the next 3 years.” Checklist at 2, 4.

However, nowhere do Amazon’s submitted materials plainly identify or explain whether the disclosed impacts—including diesel emissions, water use, energy demand, and other

² See Checklist at 3–4; Land Use Zoning Approval at 1–2; Critical Areas Report at 2.

³ See Pre-Application Meeting Questionnaire at 2; *see also* AWS Pre-application Meeting Recording at 00:01:30–00:01:35.

operational impacts—reflect impacts resulting from one data center or all three data centers. The environmental impacts of a single data center differ substantially from those of a campus with three. If the disclosed impacts reflect only Data Center A, neither the County nor the public can meaningfully evaluate the entire Project’s probable impacts and their significance. Questions as fundamental as whether two additional data centers sometime soon will require additional diesel generation, air permits, increased water use, and wastewater infrastructure remain unanswered.

This ambiguity also raises legal concerns because SEPA prohibits segmenting projects that are “related to each other closely enough to be, in effect, a single course of action.” *Indian Trail Prop. Owner’s Ass’n v. City of Spokane*, 76 Wn. App. 430, 886 P.2d 209 (1994) (holding that related project components must be evaluated together and cannot be segmented to avoid review of cumulative environmental impacts). Yet, based on the submitted materials, limiting review to Data Center A suggests improper segmentation under SEPA.⁴ Because “[a]gencies shall make certain that the project that is the subject of environmental review is properly defined,” the County should require Amazon to fully disclose the impacts of its entire project, even if it intends to stage the project sequentially. WAC 197-11-060(3)(a).

In sum, SEPA demands clarity and a meaningful opportunity for the public to participate. Members of the public should not have to compare inconsistent site plans, opaque technical reports, and permit applications simply to determine what is actually under review. This submittal does not meet that standard.

b. The Checklist ignores how this Project’s water demand is likely significant in a water-stressed regional system.

Water consumption is among the most significant impacts associated with data centers because they require substantial water for cooling and other operations.⁵ In the Pacific Northwest, the Columbia River is paying the price: “over 100 data center campuses at various stages of development and operation in 12 Washington and Oregon counties border[] the Columbia River.”⁶ Yet the Checklist fails to assess reasonably foreseeable impacts from this Project’s water demand, such as impacts from the campus’s water use in the region’s water-stressed context, or how the Project’s industrial wastewater may affect groundwater quality and public health. Assurances in a company-provided FAQ do not substitute for a rigorous independent analysis grounded in the best available science.

SEPA requires review of surface water movement, quantity, and quality; groundwater movement, quantity, and quality; public water supplies; and releases to the environment that may affect public health. WAC 197-11-444(1)(c)(i), (iv)–(v), (2)(a)(iii). Whether an impact is significant turns on environmental context because “the same project may have a significant

⁴ The concerns on public transparency and improper segmentation compound when considering the public history of this Project, with press reports stating: “Amazon is expected to construct a *cluster of 16 data centers on the property*, which will have two entrances from Attalia East Road.” Wendy Culverwell, *It’s official. Amazon is \$5B mystery data center developer near Tri-Cities*, Tri-City Herald (February 2026), available at <https://www.tri-cityherald.com/news/business/article314662893.html#storylink=cpy> (emphasis added).

⁵ Miguel Yanez-Barnuevo, *Data Centers and Water Consumption*, Environmental and Energy Study Institute (June 2025), available at <https://www.eesi.org/articles/view/data-centers-and-water-consumption>.

⁶ Columbia Riverkeeper, *A Closer Look: Columbia River Data Centers*, (February 2026) at 4, available at <https://www.columbiariverkeeper.org/wp-content/uploads/2026/02/2026.02.26-Data-Center-Closer-Look-Report.pdf>.

adverse environmental impact in one location but not another.” WAC 197-11-330(3)(a). Put another way, a SEPA Checklist cannot support a DNS where it fails to evaluate water impacts in light of the environmental conditions that make those impacts significant. *Friends of Sammamish Valley*, 3 Wn.3d 793, 827, 556 P.3d 132 (2024) (holding that a checklist failed to support a DNS where it omitted analysis of “potential water pollution effects” such as runoff impacts near an already threatened salmon-bearing river).

Amazon’s “campus project of up to 3 data centers,” is expected to use 14 million gallons of water per year. AWS FAQ at 2.⁷ The Project site is located within a Critical Aquifer Recharge Area because the Simplot Feeders Well Head Protection Area (“WHPA”)⁸ “encompasses most of the Site,” and “draws from the basalt aquifer.” Critical Areas Report at 3, 5. In January 2029,⁹ the Port of Walla Walla will provide the data center campus with permanent cooling water supply via surface water after converting its existing Columbia River water rights from irrigation to municipal/industrial uses.¹⁰ Until then, the Port of Walla Walla will provide the data center campus with temporary cooling water supply via groundwater from the Wallula-Dodd potable water system.¹¹

Here, the Checklist fails to evaluate this Project’s water demand and resulting impacts in the context of the regional hydrologic system. For example, the Checklist notes that the Project site lies outside the geographic boundaries of the Walla Walla watershed—a chronically water-stressed watershed¹²—implying that there is no impact or concern. But the Project lies within Water Resource Inventory Area (“WRIA”) 32, which is hydrologically connected to the Walla Walla watershed.¹³ In other words, withdrawals for this Project will contribute to further stressing an already water-stressed basin. Under SEPA, the Checklist must assess whether this Project’s water demand is significant in the environmental context of the water resources on which it depends. WAC 197-11-330(3)(a).

The same omission applies to the Project’s planned water supply: the Checklist never analyzes whether withdrawing tens of millions of gallons annually for a campus of three data centers is significant in a region already experiencing declining groundwater levels, increasing

⁷ Amazon, Walla Walla FAQs (“AWS FAQ”), available at https://www.wwcowa.gov/government/community_development/amazon_data_center_faqs.php#docaccess-6ffdb12b7359955ddc2c19c0c5092949.

⁸ This WHPA is designated as a Critical Aquifer Recharge Area under Walla Walla County Code 18.08. See Critical Areas Report Figure CA-1A.

⁹ Confusingly, the AWS FAQ states the Port will provide temporary cooling for only one year. See AWS FAQ at 4. This is inconsistent with the Project’s submitted Water Availability Form – Supporting Document 01 at 1, which states the Port will provide temporary cooling water until January 2029.

¹⁰ Water Availability Form – Supporting Document 01 at 1.

¹¹ *Id.*

¹² Walla Walla Basin Watershed Strategy, available at <https://www.wallawallawater.org/theissue>.

¹³ WRIs are areas defined by higher elevation that capture precipitation and funnel rain and snowmelt through smaller subbasins into streams, tributaries, and rivers, see <https://ecology.wa.gov/water-shorelines/water-supply/water-availability/in-your-watershed>; see also Washington Department of Ecology, WRIA 32 Walla Walla Watershed Water Availability (September 2023), available at <https://apps.ecology.wa.gov/publications/documents/2011032.pdf>; see also Washington Department of Ecology, Walla Walla Water 2050 Strategic Plan (June 2021), available at <https://apps.ecology.wa.gov/publications/documents/2112011.pdf>.

competition for water resources, and climate-driven reductions in water availability.¹⁴ Merely changing the legal source of supply does not eliminate the need to evaluate the consequences of the water withdrawals themselves.

Nor does the Checklist disclose the historical use, consumptive quantity, or return flows associated with the Columbia River irrigation rights that the Port plans to convert to provide the campus's permanent water supply. This disclosure is necessary because Washington law ties the quantity available through such a change to the right's historical annual consumptive use. RCW 90.03.380(1)(a), (c). Without that information, there is no assurance that the rights to be transferred to the Project are actually being used, such that the use of "paper water" will not still have on-the-ground impacts.

The Checklist similarly omits how the Project's use of groundwater for cooling in an area that Washington Department of Ecology identified as a draft "Very High Nitrate Priority Area" could impact water quality and public health. Critical Areas Report at 5. This Project will deploy evaporative cooling using supplied groundwater, which passes "hot air through water-soaked pads," resulting in cooler air temperatures to remove server heat. AWS FAQ at 2. The wastewater from cooling operations—or non-contact cooling water ("NCCW") brine/reject—will be collected in an evaporation pond to be repurposed as land application water after municipal wastewater treatment.¹⁵ Checklist at 13. Yet the Checklist never evaluates whether nitrate present in the supplied groundwater will remain in the resulting NCCW brine or what potential impacts could result if the repurposed land application water carries elevated nitrate concentrations.¹⁶

Further, the Checklist's silence on the area's groundwater nitrate burden ignores that the "appropriate baseline" on which to assess this Project's water impacts under SEPA is "the condition of the existing environment[.]" *Friends of Sammamish Valley*, 3 Wn.3d 793, at 822. Here, the existing environment's condition is elevated levels of nitrate in the groundwater. Critical Areas Report at 5. The Checklist must therefore assess whether the existing nitrate concentration could be amplified from the cooling process, municipal wastewater treatment, and discharge through land application. Instead, Amazon dismisses this critical issue, stating "the only change to the water is an increase in mineral concentration, similar to what happens in a home humidifier." AWS FAQ at 3.

Nor does the Checklist reckon with how the on-site septic system—with an average daily flow of 3,825 gallons a day—could be an additional source of nitrate to groundwater and thus add to area's existing nitrate burden. Critical Areas Report at 3. These omissions fall far short of SEPA's requirement to consider reasonably foreseeable impacts. WAC 197-11-060(4)(a). And impacts such as wide-scale nitrate-laden water contamination are indeed reasonably foreseeable,

¹⁴ Washington Department of Ecology, *Columbia River Basin 2026 Long-Term Supply and Demand Forecast--DRAFT Legislative Report* (July 2026), available at <https://apps.ecology.wa.gov/publications/documents/2612009.pdf>; see also Walla Walla Water 2050 Strategic Plan (June 2021) available at <https://apps.ecology.wa.gov/publications/documents/2112011.pdf>.

¹⁵ Water Availability Form – Supporting Document 01 at 1.

¹⁶ See, e.g., Shannon Heckt, *What's in the water? What we know and don't know about data center water discharge in Virginia* (June 2026), available at <https://virginiamercury.com/2026/06/01/whats-in-the-water-what-we-know-and-dont-know-about-data-center-water-discharge-in-virginia/>; see also Idaho Conservation League, *The Dark Side of Data Centers Part 2: Water Guzzlers*, available at <https://idahoconservation.org/blog/the-dark-side-of-data-centers-part-2-water-guzzlers>.

particularly for Amazon. The company recently settled a lawsuit brought by Oregon residents alleging that wastewater generated and repurposed for agricultural use from Amazon's data center cooling operations contributed to elevated nitrate levels and contamination of public use wells. Residents alleged this contamination caused adverse impacts to community members' health, including miscarriages, kidney disease, and cancer.¹⁷ Against this backdrop, the conclusory assertion in the submitted materials that the County's NCCW is "high quality,"¹⁸ does not justify dismissing a plausible contamination pathway. At bottom, this fragmented Checklist cannot bear the weight of a DNS.

c. The Checklist neither discloses nor contextualizes this Project's energy demand.

Energy use is central to this Project. Data centers consume enormous amounts of electricity and threaten to thwart the region's progress toward its ambitious clean energy goals.¹⁹ Yet the Checklist never states how much electricity the campus will require, whether sufficient energy is available to serve the campus, or what resources will supply that power. Without those basic facts, neither the County nor the public can evaluate this Project's energy impacts. Here again, the vague assurances provided in the company's FAQ do not substitute for rigorous analysis and public disclosure.

SEPA requires review of a project's energy demand by analyzing the amount of energy required for the Project, the rate of use, efficiency, source, availability, and use of renewable and nonrenewable resources. WAC 197-11-444(1)(e)(i-v). The County must base its threshold determination on information reasonably sufficient to evaluate this Project's energy impacts. WAC 197-11-335.

Here, the Applicant's Checklist fails to provide the bare minimum energy information required under SEPA. Checklist at 12–13. For example, the Applicant states the Project will use "electrical energy for power, cooling, and minor heating," but does not include the "amount required/rate of use/efficiency" of electrical energy Project operations will use. WAC 197-11-444(1)(e)(i). The Checklist also does not disclose the amount of energy the campus is expected to require in total and fails to specify how much of that energy consumption will be for cooling and minor heating respectively. Nor does the Checklist contextualize anticipated energy consumption using the data center industry standard metric to measure a data center's energy efficiency—"power usage effectiveness" ("PUE"), which represents the "ratio of all the power used by the data center to the power used by just the IT equipment[.]"²⁰ And when asked what measures the Applicant would use to reduce or control energy impacts, the Applicant stated only that the site will use the "most energy efficient mechanical systems practicable" and provided no

¹⁷ See Alex Baumhardt, *Amazon to pay \$20.5 million settlement over northeast Oregon nitrate pollution* (March 2026), available at <https://oregoncapitalchronicle.com/2026/03/31/amazon-to-pay-20-5-million-settlement-over-northeast-oregon-nitrate-pollution/>.

¹⁸ Water Availability Form – Supporting Document 01 at 1.

¹⁹ Lulu Ramadan, Sydney Brownstone, *Data Centers guzzle power, threatening WA's clean energy push*, Seattle Times (July 2024), available at <https://www.seattletimes.com/seattle-news/times-watchdog/power-hungry-how-the-data-center-boom-drained-wa-of-hydropower/>.

²⁰ National Laboratory of the Rockies, *High-Performance Computing Data Center Power Usage Effectiveness*, available at <https://www.nlr.gov/computational-science/measuring-efficiency-pue>; see also Congressional Research Service, *Data Centers and Their Energy Consumption: Frequently Asked Questions* (May 2026), n. 34, available at <https://www.congress.gov/crs-product/R48646#fn34>.

further information as to what those systems actually *are*. Checklist at 12, 13. Such cursory answers cannot support a finding of non-significance under SEPA.

Nor does the Checklist touch on “energy availability” as required under SEPA. WAC 197-11-444(1)(e)(ii). Aside from naming Columbia Rural Electric Association as the electrical energy provider, it provides no information about available capacity, necessary generation or transmission infrastructure beyond its substation, the proposed resource mix, or whether the system can serve the campus while maintaining reliability. That omission disregards the very regional energy constraints that could make this Project’s energy demand and subsequent impacts significant. For example, the Northwest Power and Conservation Council anticipates load growth uncertainty from data centers could create a “risk for adequacy” in the region, and the Council’s modeling of the highest data center load growth showed “expan[ded] the risk of extreme energy shortfalls[.]”²¹ The potential grave consequences of serving new large loads require deliberate planning, not silence.²²

Lastly, these omissions prevent the County from evaluating whether this Project could impede Washington’s clean energy transition. Washington law requires GHG-neutral retail electricity by 2030, and electricity supplied entirely by renewable or non-emitting resources by 2045. RCW 19.405.040(1); RCW 19.405.050(1). Amazon’s assertion that it is investing “billions of dollars in nuclear energy projects, including a small modular reactor (SMR) facility with Energy Northwest,” fails to assuage concerns on meeting Washington’s clean energy goals as nuclear energy is hardly a preferred alternative energy source due to the significant hazards associated with waste management and disposal.²³ Moreover, the concept remains untested at best, and it is highly unlikely to be available within the next decade. Without disclosing the Project’s expected demand or energy source, the County cannot evaluate whether the campus would strain the resources needed to meet Washington’s statutory goals.

Accordingly, the Checklist leaves unanswered every material question about this Project’s energy footprint and therefore lacks “reasonably sufficient information” to support a finding of non-significance. WAC 197-11-335.

d. The Checklist obscures the potentially significant air quality and climate impacts from the Project’s diesel generators.

This Project’s backup diesel-generator system raises significant air quality and climate concerns as diesel generators emit nitrogen oxides and carcinogenic diesel particulate matter, and clusters of diesel generators can rival small power plants in total permitted emissions.²⁴ This

²¹ Northwest Power and Conservation Council, 2029 Resource Adequacy Assessment at 13, 32; available at <https://www.nwccouncil.org/fs/18853/2024-4.pdf>.

²² Other state forums are similarly confronting questions on the infrastructure, planning, and reliability implications of data centers. *See, e.g.* Washington Utilities and Transportation Commission, Docket No. UE-260162 (examining large-load interconnections and tariffs).

²³ *See, e.g.*, Washington Department of Ecology, *High-level waste at Hanford*, available at <https://ecology.wa.gov/waste-toxics/nuclear-waste/hanford-cleanup/high-level-nuclear-waste-definition>.

²⁴ *See, e.g.*, Dan Gearino, *Data Centers’ Use of Diesel Generators for Backup Power Is Commonplace—and Problematic*, Inside Climate News (Nov. 12, 2025), available at <https://insideclimatenews.org/news/12112025/data-center-diesel-generators-noise-pollution/>; *see also* Catherine Casomar and John Bangsund, *Diesel Generators at Data Centers: Status, Impacts, and Protective Practices*, Better Data Center Project (March 2026); *see also*

Project’s generators would run on diesel and operate during power outages, routine testing, and maintenance. Checklist at 7. Yet the Checklist obscures the scope of its emissions analysis and omits the operational information needed to evaluate the Project’s impacts on air quality, climate, and human health risk from diesel emissions.

The law is clear: SEPA requires review of air quality, odor, and climate impacts. WAC 197-11-444(1)(b)(i)–(iii). Air-quality impacts may be significant where increased emissions could cause “possible adverse effects of unknown dimensions over a large [] area affecting air[.]” *ASARCO Inc.*, 92 Wn. 2d 685, at 707 (finding significant impacts where projected emissions increases “potentially would increase the pace of environmental degradation,” which is “precisely the danger sought to be avoided by the legislature in enacting SEPA.”).

The Checklist omits and obscures critical information needed to determine whether the Project’s backup diesel generators would cause significant air quality impacts. For example, it does not say whether the minor source designation applies to the full three-data-center campus or only to Data Center A in the first phase. Instead, the Checklist confusingly alternates between referring to the “facility” as compliant with Washington Department of Ecology’s air permits and identifying the whole “proposed project” as a minor source under New Source Review thresholds.²⁵ This distinction matters: if the minor-source designation accounts only for Data Center A’s emissions, the Checklist must disclose the foreseeable air quality impacts of the two additional data centers and whether their emissions would push the campus above minor source thresholds, creating a major source with potentially substantial regional air quality impacts.²⁶ Such ambiguity undermines SEPA’s purpose of preventing further environmental degradation. *See id.*²⁷

The Checklist also omits basic operational facts needed to assess those impacts. Although it acknowledges that the generators will emit toxic air pollutants (“TAPs”) during maintenance, testing, and emergency operations, and Amazon claims the generators operate, on average, “less than 12 hours per year,” how can it possibly make this estimate when the generators will be used during power outages, which are foreseeable but unpredictable events? AWS FAQ at 4. Moreover, Amazon does not disclose how many generators make up the “stand by generator system,” how frequently or under what conditions testing will occur, anticipated hourly emission rates, or how long the generators will operate during testing or an emergency event. Checklist at 13. Without those facts, the campus’s total emissions inventory is incomplete and the resulting

American Lung Association Report, *State of the Air 2026* at 17, available at

<https://www.lung.org/getmedia/32f0646d-c5de-4501-b0ac-07cd63c974d4/State-of-the-Air-2026-Report.pdf>.

²⁵ The “proposed project” will qualify as a minor source under New Source Review because emissions will remain below major-source thresholds: “less than 100 tons-per-year of all criteria pollutants, less than 10 tons-per-year of any individual Hazardous Air Pollutant (HAP), and less than 25 tons-per-year of combined HAPs.” Checklist at 7.

²⁶ This “small first, big later” strategy has been deployed by data center developer nationally: “Dozens of Texas data centers have obtained these minor air permits — which avoid public scrutiny and extensive environmental reviews and are more commonly associated with dry cleaners and auto body shops. In several cases, data centers secured these permits before seeking massive expansions later on[.]” Evan Simon, *Planned Texas data centers could emit more greenhouse gases than many countries*, Texas Tribune (July 2026), available at <https://www.texastribune.org/2026/07/09/texas-data-centers-ai-power-plants-pollution-state-permits/>.

²⁷ Substantial regional air quality impacts would be especially detrimental in this area as Washington Department of Ecology has identified the Tri-Cities to Wallula area as both overburdened and highly impacted by criteria air pollution. *See* Washington Department of Ecology, *Improving air quality in overburdened communities*, available at <https://ecology.wa.gov/air-climate/climate-commitment-act/overburdened-communities>.

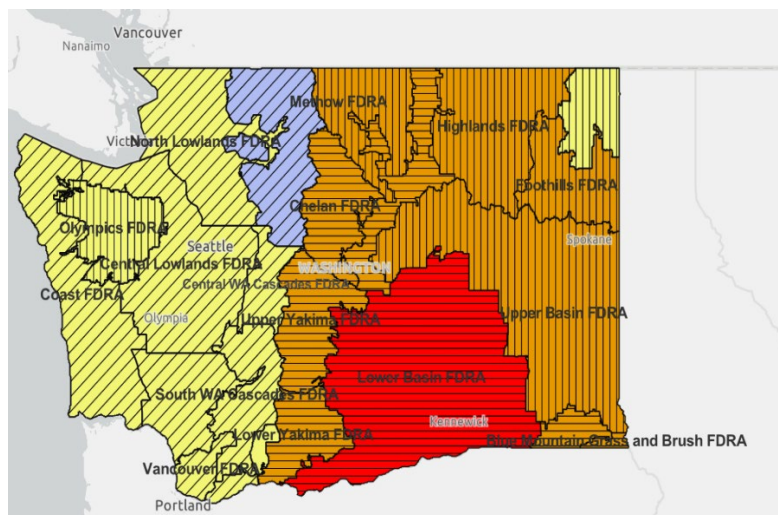
air quality and public health impacts remain unknown. And although the Checklist identifies generator-design features intended to reduce emissions and asserts that emissions will remain below regulatory thresholds, neither establishes that the resulting impacts to air quality—including risks to human health—are insignificant under SEPA. *See ASARCO*, 92 Wn. 2d 685, at 705 (stating emissions may present significant impacts where they create the potential for serious health problems even though “actual damage to health from the emissions could not be proven conclusively.”).

Accordingly, the Checklist lacks the scope, amount, and consequences of the campus’s diesel emissions, all of which is necessary information to adequately assess this Project’s air quality impacts.

e. This Project presents a potential fire risk that the Checklist overlooks.

The Checklist falls short in addressing reasonably foreseeable impacts on public safety, specifically the fire and explosion risks from on-site lithium-ion battery use and storage. SEPA requires analysis of a Project’s environmental health impacts, which encompasses explosion risks. WAC 197-11-960(7)(a).

The Project will use and store lithium-ion batteries on site. Checklist at 13. Large-scale lithium-ion battery systems are a known data center fire hazard because they present an increased risk of “thermal runaway,” or chemical reactions within batteries that cause excessive heat and explode.²⁸ The risk of fire is particularly significant in fire-prone regions like Eastern Washington.²⁹



Fire risk map screenshot taken from Washington State Department of Natural Resources Fire Danger and Outdoor Burning GIS webpage: <https://fortress.wa.gov/dnr/protection/firedanger/>.

²⁸ Tylee Kareck, et al., *From incident to insight: Fire risk in modern data centers*, (April 2026), available at <https://www.sciencedirect.com/science/article/pii/S095042302500350X?via%3Dihub#sec4>; International Association of Fire Fighters, *Data Centers are booming—and fire fighters must adapt to new challenges*, (March 2025), available at <https://www.iaff.org/news/data-centers-are-booming-and-fire-fighters-must-adapt-to-new-challenges/>.

²⁹ USDA Forest service mapping tool “Wildfire Risk to Communities,” available at <https://apps.wildfirerisk.org/explore/risk-to-homes/53>.

Yet the Checklist brushes past analyzing any fire risk, stating only that “all battery usage would be compliant with manufacture handling and use instructions.” Checklist at 13. Of course, the site will comply with basic safety instructions—anything else would be both illegal and dangerous. But doing so does not eliminate the risk of accidents. While compliance with manufacturer instructions may *reduce* the likelihood of thermal runaway, it does not *eliminate* the likelihood. SEPA anticipates impacts that are rare, but that have severe consequences. WAC 197-11-794(2). Amazon also failed to consider whether alternative battery solutions would lessen the risk of fire. Indeed, when the County recommended Amazon consider lithium iron phosphate batteries, a safer and increasingly industry-preferred alternative,³⁰ Amazon simply reiterated it will use lithium-ion batteries.³¹ SEPA mandates where a result would be severe—and in the case of a battery explosion, the result would indeed be severe—Amazon must disclose and assess this impact even if the chance of it happening may be slim.

V. Conclusion

This Project presents several significant concerns that the Checklist does not disclose or fails to adequately analyze. As a result, the Checklist cannot support the fully informed threshold determination process that SEPA requires. The County should require more information from Amazon now or commit to conducting an EIS as part of this Project’s environmental review. Please contact undersigned counsel for Commenters if you wish to discuss the contents of this letter further.

Respectfully submitted,



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³⁰ Alan Ohnsman, *Data Center Batteries Enter the Iron Age* (March 2026), available at <https://www.forbes.com/sites/current-climate/2026/03/02/data-center-batteries-enter-the-iron-age/>.

³¹ See AWS Pre-Application Meeting Recording at 00:45:19–00:46:54.