Seyfarth

AI & Sustainability:
A Paradox to Govern

AI is being used to tackle climate and social problems, and it runs on electricity, water, land, and minerals in growing amounts. Both are true.

A company that adopts AI answers for its own share of that footprint regardless of what AI achieves elsewhere. Increasingly, stakeholders expect organizations to explain which tools they use, how they govern them, and what those tools cost the environment.

With experienced counsel connecting AI decisions to your impact and sustainability goals, you can capture the value of AI, protect your brand, manage emerging legal risk, and keep your commitments credible. Seyfarth's Impact & Sustainability team works with our DATA team to help clients use AI in a way that fits their values, their stakeholders, and an increasingly regulated landscape.

What is Responsible & Sustainable AI?

AI footprint. The energy, water, land, and materials needed to build, power, and use AI, from mineral extraction to electronic waste. Today's AI emissions estimates are approximate and only cover electricity use. At this time, we have no settled industry standard behind the estimates.

Responsible AI. Governing which AI tools an organization uses and how, weighing environmental and social impact alongside security, privacy, and risk.

Why it matters now

- **Energy Demand.** Data centers used an estimated 448 TWh of electricity in 2025. If data centers were a country, they would be ranked 11th in the world for energy use. The IEA projects about 945 TWh by 2030.
- **Use Drives Demand.** Everyday use of AI, not training it, accounts for an estimated 80–90% of AI's energy use per the United Nations University. AI buyers influence that share through the tools and tasks they choose.
- **Water.** US data centers consumed about 17 billion gallons directly in 2023 per the US CRS. In a 2023 Uptime Institute survey, fewer than half of operators said they report their water use. In the EU, operators of data centers of 500 kW or more must already report water use.
- **Community pushback.** Data Center Watch counted at least 48 US data center projects blocked or stalled by local opposition in 2025.
- **Reporting.** California SB 253 Scope 1 and 2 reports are due November 10, 2026 for companies with over $1 billion in revenue doing business in California, with Scope 3 expected from 2027. Paid AI services are a Scope 3 item.
- **Evolving Standards.** ISO/IEC 42005 covers environmental effects in AI impact assessments, and ISO/IEC TR 20226 describes AI's environmental sustainability across its life cycle.

The upside is real. The LSE Grantham Institute estimates AI could cut 3.2 to 5.4 billion tonnes of CO_2e a year by 2035 if applied well in power, transport, and food. That's a projected economic impact. Unfortunately, organizations cannot receive a credit against their own footprint.

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How we partner with clients & stakeholders

We take a business-first approach. With our DATA team, we add the sustainability lens to AI governance and deployment and connect it to your sustainability strategy. Our goal is to help you adopt AI where it makes sense for the business and balance its use against your impact and sustainability commitments.

Our work covers five areas:

- **Governance.** Committee design and oversight, review of your AI footprint, and model-tier standards (which AI tool handles which task).
- **Disclosure.** Proactively checking public targets and AI statements against current and projected AI use and applicable rules and standards, and helping to develop talking points for stakeholder questions.
- **Vendor terms.** Contract provisions that require energy, emissions, and hosting-region data to support accurate carbon footprint calculations.
- **Emissions inventory.** Working with carbon accounting providers to add AI to Scope 3 inventories.
- **Education.** Understand and communicate AI's environmental impact to the relevant audiences and stakeholders, including boards, leadership, and in-house legal teams.

Take back to your business

- Who owns AI's footprint, at management and board level?
- Who is on point when an employee, customer, investor, or other stakeholder asks about AI and our environmental impact, and what are your talking points?
- Which AI tools do we pay for, and who uses them?
- Which tasks need the most powerful AI models, and which can use smaller ones?
- Do our climate inventory and targets mention AI?
- Do vendor contracts give us usage and energy data?

Fastest ways to cut use: smaller models for simple tasks, no extended-reasoning mode for simple questions, fewer re-runs of the same request, limited image and video generation, and a calculator or search when it does the job.

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