

What's at stake.

A four-page companion to the full briefing.

Most of the public conversation about the Stratos / Wonder Valley project has focused on **conditions** — what efficiency standards, what monitoring, what tax structure. This packet starts somewhere different: with the prior question of **whether this place should host this project at all**. Page 1 lays out the place-based case. Page 2 lays out what is known about the project's operational profile if it is built. Page 3 is questions and actions. Page 4 is a reference for the rhetorical patterns that arise in proceedings of this kind.

What is being proposed. A 9 GW off-grid data-center campus on roughly 40,000 acres in the Hansel and Locomotive valleys of northwestern Box Elder County, powered entirely by on-site natural-gas combustion supplied from the Ruby Pipeline. MIDA approved the development agreement on April 24, 2026. The Box Elder County Commission's consent vote follows. Today's hearing (April 27) closed without taking public comment; the next opportunity is the May 4 meeting.

REASON 01

This is ancestral Shoshone land.

The Promontory area is documented in published archaeology and in the Tribe's own history as **ancestral wintering ground** of the Northwestern Band of the Shoshone Nation — the federally recognized tribe headquartered in Brigham City itself.

The **Treaty of Box Elder** was negotiated and signed at Box Elder on July 30, 1863. The **Promontory Caves** are the type assemblage for the "Promontory Phase" (1250-1350 CE), with collections held at the Natural History Museum of Utah. The **Bear River Massacre site** sits in the same regional landscape.

NHPA Section 106 and Executive Order 13175 require meaningful tribal consultation when federal action affects historic properties of cultural significance. **The public record does not yet show that consultation has been initiated** for the Stratos project area.

REASON 02

A federal listing review is underway.

On **January 23, 2026**, the U.S. Fish and Wildlife Service issued a **positive 90-day finding** on the petition to list the **Wilson's phalarope** as threatened under the Endangered Species Act, advancing the petition into a 12-month status review.

Up to **60% of the global population** of the species uses Great Salt Lake during fall migration. The species' population has declined approximately 70% since the 1980s. The Service identifies declining inflows reaching the lake as the central concern.

Stratos's water-rights application 13-4148 would withdraw 1,900 acre-feet/year of new industrial water in a **tributary basin to that same lake** — during the active 12-month review.

REASON 03

It runs against Utah's own declared policy direction.

The Utah Legislature has spent **four consecutive sessions** (2022-2026) on Great Salt Lake water-recovery legislation. There is a Great Salt Lake Commissioner. The 2024 Strategic Plan describes the lake as in systemic decline.

In 2025 the state spent **\$30 million to acquire and retire 144,000 acre-feet** of US Magnesium's water rights to send more water to the lake. Compass Minerals voluntarily donated more than 200,000 acre-feet/year back. HB 453 (2024) tripled the severance tax on lake-area mineral extraction to incentivize voluntary reductions.

The trajectory of state policy is the **retirement of industrial water rights** in this basin. Adding a new 1,900 acre-feet industrial extraction in a tributary drainage runs in the opposite direction. The project sits hydrologically upgradient of Locomotive Springs, whose flow has already declined more than 50% per USGS measurement.

IF YOU HAVE 30 SECONDS AT THE MICROPHONE

*"Before we ask how this project should be regulated, the question is whether this place should host it at all. **This is ancestral Shoshone land. It sits in the watershed of a lake the state has declared in emergency, and that lake is home to a species the federal government is now reviewing for ESA listing. There is no public record that tribal consultation has been initiated, and federal review pathways have not been disclosed. I would ask the Commission to wait on consent until those questions have answers.**"*

If the project is built — what is already known.

Page 1 made the place-based case. This page is the parallel record on the project's operational profile: pipeline supply, water demand, air quality, tax treatment, and the regulatory framework. These are facts whose source is either MIDA documents, state filings, or peer-reviewed reporting — not predictions.

9GW

FULL BUILDOUT TARGET
ON-SITE GAS GENERATION

2.8× UTAH'S AVERAGE ELECTRICITY USE — AT ONE SITE.

Utah's total retail electricity demand averages roughly **3.2 GW**. Stratos at full buildout is designed to generate and consume **9 GW continuously** from on-site natural-gas combustion. Phase 1 alone is 3 GW — comparable to a major utility's entire generation portfolio. No tenant has been publicly named.

FACT 01 The pipeline arithmetic is tight.

The Ruby Pipeline's federally certificated daily capacity is **1.5 billion cubic feet** of natural gas. A 9 GW gas plant at best-in-class combined-cycle efficiency (55%) would require **~89% of that mainline capacity**. At simple-cycle efficiency, demand exceeds the pipeline by ~40%. Ruby already serves contracted West Coast utilities. *How is the gas to be delivered?*

FACT 02 A water-rights filing is on record.

Application **13-4148** requests **1,900 acre-feet/year** for "**Power Plant and Data Center; Steam Generation**" from Salt Wells Spring Stream in Hansel Valley — about 619 million gallons, equivalent to ~10,000 Utah residents at the state per-capita rate. The "steam generation" use category is documentary evidence that the project relies on water-cooled gas generation, despite "air-cooled" public messaging. The protest deadline is May 5, 2026.

FACT 03 An in-state precedent exists — and it permits at six times the emissions intensity of a utility plant.

Joule Capital Partners broke ground in November 2025 on a 4 GW data-center campus on 4,000 acres in Millard County. Air-permit applications document **1,380 tons/year of NOx** and an emissions intensity of **~0.15 kg NOx per MWh** — about 6.5× the rate of Utah's combined-cycle Lake Side Power Plant on a per-MWh basis (Trellis, December 2025). Stratos is roughly **10× larger by acreage** and ~2× larger by announced generation capacity.

FACT 04 The tax structure is a substantial rate reduction.

MIDA reduced the standard energy-use tax on the project area from **6% to 0.5%** — a 92% reduction. The development agreement also provides an **80% rebate** of property tax on the compute campus and **100% personal-property tax relief** via rebate. The headline "\$30M/year for Box Elder County" should be read alongside what would have been collected at standard rates over the project's stated 35-year life.

FACT 05 Utah's regulatory framework for off-grid data centers has narrow direct application.

Utah has no statewide PUE (energy-efficiency) ceiling, no statewide WUE (water-efficiency) ceiling, no mandatory data-center water-use reporting law, and no 100-year water-supply demonstration requirement. SB 132 (2025) created an explicit "closed private generation system" pathway that exempts off-grid data-center campuses from Public Service Commission rate regulation and Integrated Resource Planning review. The most recent statewide IECC amendment (Utah Code §15A-3-701) *deletes* the 2021 IECC's commercial automatic-receptacle-control requirement (C405.11) — Utah's only statewide commercial energy-code amendment in this cycle softens rather than strengthens. **"We will comply with all applicable Utah requirements" is, in this regulatory landscape, a statement with limited specific content for off-grid data centers.**

Five questions. Five actions.

Box Elder County's consent vote is the hinge. After consent, county leverage yields to the MIDA project area plan. **Conditions must be in the County–MIDA contract before consent — not after.** The questions below are deliberately structured so that a vague answer is itself informative.

SECTION A

Ask MIDA on the record

- 01 **Federal review:** The County resolution lists Hill Air Force Base land in the project area. Which federal reviews (NEPA, NHPA Section 106, ESA Section 7) are scheduled, with which lead agencies, and what are the public-comment dates?
- 02 **Tribal consultation:** Has formal consultation with the Northwestern Band of the Shoshone Nation been initiated for this project? If so, when and with what outcome? If not, when is it scheduled — before or after the consent vote?
- 03 **Pipeline:** What firm transportation capacity has been contracted on the Ruby Pipeline for Phase 1 (3 GW) and full buildout (9 GW)? Please provide FERC docket references for any expansion proceeding.
- 04 **Water:** Will the development agreement contain enforceable, automatic curtailment triggers tied to documented Locomotive Springs flow or aquifer-drawdown thresholds, written into the contract?
- 05 **Process:** Will MIDA commit to releasing the full text of the development agreement, project area plan, and interlocal agreement at least 30 days before any final consent vote?

SECTION B

Take action this week

- 01 **Attend the May 4 public-comment meeting at 4:00 PM** at the **Brigham City Fairgrounds, Art Building**. Today's hearing (April 27) was held without taking public comment; May 4 is the next opportunity. Bring written remarks; ask for time at the microphone.
- 02 **File a water-rights protest** on Application 13-4148 before *May 5, 2026*. Online: waterrights.utah.gov. \$15 per protest. Cite groundwater impact, Locomotive Springs flow, and Great Salt Lake tributary depletion during active Wilson's phalarope ESA review.
- 03 **Contact USFWS Region 6** (Mountain-Prairie) regarding the project's water-rights application falling within an active 12-month status review for Wilson's phalarope, a species dependent on Great Salt Lake.
- 04 **Submit written comment** to the Box Elder County Commission requesting (a) full federal-review pathway disclosure, (b) tribal consultation before consent, (c) public release of the development agreement at least 30 days before any final vote.
- 05 **Coordinate** with Utah Rivers Council, FRIENDS of Great Salt Lake, the Audubon Society, the Center for Biological Diversity (Wilson's phalarope petitioner), Save Our Canyons (MIDA / NEPA expertise), and the Bear River Water Conservancy District.

MAY **Public comment • 4 PM**

4 Brigham City Fairgrounds, Art Building. Box Elder County Commission. Today's hearing (April 27) closed without taking public comment.

MAY **Water-rights protest deadline**

5 File on Application 13-4148. waterrights.utah.gov • \$15 per protest. Detail standing, factual basis, and the public-welfare standard at Utah Code §73-3-8.

The bottom line

There is no Utah statute, MIDA ordinance, county code, or building-code provision that requires a 9 GW off-grid data center to meet a specific energy-efficiency, water-efficiency, or total-campus performance standard. If the Box Elder County Commission does not write enforceable performance requirements into the County–MIDA contract before consent, none will exist. The state of Utah is not obligated to impose any campus-efficiency standard on this facility, and at present has not done so.

When officials deflect — what is true, what to ask back.

The patterns below recur across off-grid hyperscale data-center proposals nationwide, with Utah-specific elaborations. Listen for the deflection. The middle column gives the factual response; the right column offers a follow-up question that restores specificity.

| | THEY SAY | ACTUALLY | ASK BACK |
|----|--|---|---|
| 01 | "9 GW is a long-term aspiration. Phase 1 is only 3 GW." | The development agreement covers the entire 40,000-acre project area. Phase 1 alone requires ~30% of Ruby Pipeline capacity . Land-use, water, and gas commitments at Phase 1 prefigure the full buildout. | ASK BACK Cite the contractual provision that prevents expansion past Phase 1 without separate County Commission consent. If none exists, the consent vote is for 9 GW. |
| 02 | "We will complete all required environmental review." | ACTUALLY Required by whom? NEPA attaches when a federal agency takes federal action. "All required" is responsive only when the categories of review are specified. | ASK BACK List every federal review (NEPA, NHPA §106, ESA §7, CWA §404, FERC §7, EPA PSD) the project will undergo, the lead agency for each, and the public-comment dates. If a review is not planned, name it and explain why. |
| 03 | "There is no federal action here — this is a state and private project." | ACTUALLY The Box Elder County resolution itself states the project area includes Hill Air Force Base land . MIDA's failed 2025 attempt (SB 316) to claim NEPA lead-agency authority for itself indicates the legislature recognized federal review otherwise applies. | ASK BACK Will the County and MIDA commit, in writing, not to seek a categorical exclusion, an expedited NEPA pathway, or future legislation transferring NEPA lead-agency status to MIDA? |
| 04 | "Tribal consultation is not required for this project." | ACTUALLY NHPA §106 and Executive Order 13175 attach to federal undertakings affecting historic resources, including landscape-scale settings of cultural significance . The Northwestern Band of the Shoshone Nation is HQ'd in Brigham City and has documented ancestral ties to the Promontory area. | ASK BACK Has consultation been initiated? If yes, when and with what outcome? If not, when is it scheduled — before or after the consent vote? |
| 05 | "We have firm transportation contracts on Ruby Pipeline." | ACTUALLY FERC tariff filings document firm capacity. Ruby's existing capacity is largely contracted to West Coast utilities . Adding capacity requires a federal pipeline-expansion proceeding (FERC Section 7), historically 5-7 years. | ASK BACK Provide the FERC docket number and capacity volume of any firm transportation contract held by O'Leary Digital, West GenCo, or any project affiliate. |
| 06 | "We will deploy carbon capture and sequestration." | ACTUALLY CCS at gigawatt scale is not in commercial operation anywhere. The largest operating CCS power-plant capture is roughly 1 Mt/year; Stratos at full buildout would require 25-35× that capture rate . | ASK BACK Name the CCS technology vendor , capture percentage, sequestration site, and contracted timeline. Operational at Phase 1 commissioning? |
| 07 | "We use closed-loop, air-cooled cooling. Water use is minimal." | ACTUALLY Application 13-4148 requests 1,900 ac-ft/yr for "Power Plant and Data Center; Steam Generation." Air-cooled IT cooling does not eliminate water demand for steam-cycle gas-plant heat rejection. | ASK BACK Reconcile "air-cooled" public messaging with the steam-generation water-rights filing. Specify projected water consumption by use category . |
| 08 | "Locomotive Springs decline has multiple causes — irrigation, drought." | ACTUALLY Yes — which is the reason cumulative impact is the relevant standard. Adding the largest new groundwater demand in the basin's history to an already-stressed system raises questions of cumulative effect. | ASK BACK If the system is already stressed from existing causes, what specifically makes it appropriate to add a new industrial demand on this scale? Will the agreement contain enforceable, automatic curtailment triggers tied to documented Locomotive Springs flow, written into the contract? |
| 09 | "Without these tax incentives, the project goes elsewhere." | ACTUALLY This is a competitive-bidding argument. If the negotiating leverage is geographic competition, then the question is whether participating in that competition on these terms is the right policy choice. The choice not to is also legitimate. | ASK BACK Provide specific competing offers from other states. What incentive package was needed elsewhere? If terms are confidential, that itself indicates the structural negotiating asymmetry. |
| 10 | "This is a national-security imperative — race with China for AI dominance." | ACTUALLY National-security framing does not, by itself, waive environmental review, water-rights process, or air permitting. The Department of Defense has not (publicly) requested this specific facility, and AI compute is sited at many locations. | ASK BACK Show the DoD or Air Force letter, contract, or strategic plan designating this Box Elder facility as a national-security asset. |
| 11 | "Joule in Millard County is going fine. This is a proven model." | ACTUALLY Joule's conditional-use permit is still pending as of February 2026 due to community opposition that emerged after initial zoning. Its permitted NOx intensity is roughly 6.5× higher per MWh than Utah's Lake Side combined-cycle plant (Trellis, 12/2025). | ASK BACK Will Stratos commit, contractually, that its emissions intensity per MWh will not exceed Utah's existing combined-cycle gas plants — measured, audited, public annually? |
| 12 | "We will comply with all applicable Utah requirements." | ACTUALLY Utah has no statewide PUE/WUE ceiling, no statewide data-center water-use reporting law; SB 132 (2025) exempts off-grid data-center campuses from PSC rate regulation. The list of "applicable requirements" specific to off-grid data centers is narrow. | ASK BACK List the specific Utah statutes, rules, and codes that contain enforceable performance standards for off-grid data-center campuses. |
| 13 | "We're paying for our own infrastructure — no public cost." | ACTUALLY Off-grid generation costs are private; roads, emergency services, water-system planning, air-quality compliance remain public obligations. Private generation does not eliminate public infrastructure cost. | ASK BACK Will the developer pay impact fees covering 100% of incremental county costs for roads, emergency services, and water/wastewater capacity, with annual true-up? |

THE URGENCY FRAME "Time is of the essence."

Speed of approval should be governed by the depth of public review, not by the developer's preferred schedule. Manufactured urgency is a tactical choice, not a fact.

THE DEFERRAL FRAME "Details get worked out later."

Once consent is given, leverage to negotiate substantive terms collapses. The interlocal agreement is the negotiated instrument. **If a term is enforceable later, it can be written down now.**

PRIMARY SOURCES (A COMPLETE CITATION LIST IS AVAILABLE IN THE FULL BRIEFING): Utah Code Title 63H Ch. 1 (MIDA Act); Utah SB 132 (2025); Utah Code §15A-2-103 and §15A-3-701; Utah Code §54-2-1 and §54-2-201; Utah Energy Code 2021 §C403.1.2; FERC Docket CP09-54-000 (Ruby Pipeline); Utah Division of Water Rights Application 13-4148; USGS Technical Publication 45 (Baker, 1974) and 2008 USGS / Utah Geological Survey Locomotive Springs follow-up; Utah DAQ permit framework. **REPORTING AND ANALYSIS:** KSL (April 24, 2026) on the Box Elder County resolution; Salt Lake Tribune (April 25, 2026); Deseret News (April 24, 2026); KPCW (April 24, 2026); Trellis (December 2025) and Grist (March 2026) on the Joule Capital Partners precedent; Center for Biological Diversity press release (January 23, 2026) on the Wilson's phalarope 90-day finding; Utah House of Representatives summary of 2026 Great Salt Lake legislation (March 2026); Save Our Canyons documentation of the 2025 SB 316 NEPA-lead provision removal.