



UTAH CIVIC COMPACT — DOCUMENT RELEASE

The Stratos Project: How Utah's Military Installation Development Authority Fast-Tracked a 9-Gigawatt Natural Gas Data Center — and Broke State Law to Do It

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Utah Civic Compact is a nonprofit civic organization under Section 501(c)(4) of the Internal Revenue Code. Its mission is to promote community voice and consent in major development and policy decisions affecting Utah communities, advance government accountability and transparency, support civic education and engagement, and build civic capacity across Utah.

EXECUTIVE SUMMARY

In April and May of 2026, the Utah Military Installation Development Authority (MIDA) adopted a sweeping project area plan for the Stratos Project — a proposed 9-gigawatt natural gas data center campus in Hansel Valley, Box Elder County. The project is led by Kevin O'Leary ("Mr. Wonderful" from Shark Tank), a Canadian citizen, through his companies O'Leary Digital and West GenCo.

The plan grants the developer an 80% property tax rebate and reduces the state energy tax from 6% to just 0.5% — an extraordinary public subsidy extended to a foreign-backed commercial developer.

The process by which MIDA approved this plan violated multiple provisions of Utah Code § 63H-1, the statute that governs MIDA's operations:

- MIDA adopted a plan including approximately 40,000 acres of private land before Box Elder County had legally consented — a statutory prerequisite.
- MIDA signed a binding development agreement with the developer before the project area plan was legally effective.
- MIDA's mandatory finding that the project promotes public health, safety, and welfare was made without any supporting studies, data, or analysis — at a moment when MIDA's own representative confirmed impact studies had not yet begun.

Every violation documented in this briefing is supported by public records, official government documents, and statements made on video by MIDA officials and the developer.

THE STRATOS PROJECT

What Is Being Built

The Stratos Project is a proposed 9-gigawatt natural gas data center complex — one of the largest ever proposed in the United States.

- **Location:** Hansel Valley and surrounding areas, Box Elder County, Utah
- **Footprint:** Approximately 40,000 acres of private land plus 1,200 acres of military and state land
- **Power source:** 100% natural gas, drawn from the Ruby Pipeline
- **Water source:** Proposed use of brine water from the Locomotive Springs area
- **Developer:** Kevin O'Leary ("Mr. Wonderful" from Shark Tank), a Canadian citizen, through O'Leary Digital / West GenCo
- **On-site developer representative:** Austin Pritchett

Independent scientists raised immediate concerns. University of Utah professor Kevin Perry and Utah State University physicist Robert Davies separately estimated the project would increase Utah's total greenhouse gas emissions by over 50%. USU climate scientist Wei Zhang warned the thermal output could alter regional weather patterns. More than 3,900 Utah residents filed formal water rights protests before the water application was withdrawn.

The Government Vehicle: MIDA

MIDA — the Military Installation Development Authority — is a Utah state authority created to promote development in and around military installations. It operates as an independent governmental entity with the power to create project area plans, enter development agreements, and grant significant tax concessions. MIDA is not an elected body. Its Executive Director, Paul Morris, has held the position since 2008 and helped write the enabling legislation.

MIDA — not Box Elder County — is the land use authority within its designated project areas. That makes MIDA's compliance with its own governing statute the central question in evaluating whether the Stratos approval was lawful.

The Public Subsidies

- MIDA energy tax reduced from **6% to 0.5%**
- **80% property tax rebate** returned to the developer
- Developer prepayment of **\$16.2 million** to Box Elder County over three years pending revenue

These concessions were granted in exchange for future promises. The impact studies that would quantify environmental, infrastructure, and community costs had not been completed — and had not even begun — at the time the plan was approved.

THE APPROVAL TIMELINE

The Stratos Project moved from MIDA due diligence to a signed development agreement in under three months. Every entry below is based on public records — state public meeting notices (PMN), official meeting recordings, and government documents.

Date	Event
Jan–Feb 2026	MIDA begins due diligence on the Stratos Project.
Months before April 22	Developer tells Hansel Valley landowners not to discuss the project. Landowner Lanne Adams testified: <i>"They said, 'Don't tell anybody. Don't tell anybody.'"</i>
~April 8–14	County Commissioners first learn of the project. Commissioner Perry confirmed: <i>"This started back in January, February. The commission's only been made aware of it in the last couple of weeks."</i>
April 17	County posts the April 22 meeting agenda — 5 days out — listing Stratos items.
April 22	County commission meeting. Consent items tabled. County Attorney Anne Hansen states

Date	Event
	on the record the amended resolution is not consent: "...until you may be ready in the future to consent officially."
April 23, 4:40 PM	County posts notice for a special April 24 meeting at 5 PM to consider consent — 25 hours advance notice.
April 24, ~9:58 AM	MIDA board adopts the project area plan (Res. 2026-06), standards (Res. 2026-07), and SIGNS THE DEVELOPMENT AGREEMENT (Res. 2026-08). No county consent exists at this moment.
April 24, 3:45 PM	County CANCELS its 5 PM consent meeting — after the development agreement has already been signed.
April 24, 7:00 PM	The plan's own effectiveness deadline (Resolution 2026-06, Section 6) passes. County has not consented.
April 25–26	No county meeting occurs. No public meeting notice exists for these dates. The plan document itself falsely states: "On April 26, 2026, the County approved the County Consent."
April 27	County special meeting. MIDA's Hillary Venable presents. Items tabled to May 4.
May 4	County passes Resolutions 26-11 and 26-12 — the actual, legal county consent. Over 1,100 people in attendance. Commissioners temporarily leave the room to vote.
May 8	Developer withdraws water rights application — plans to refile under HB60, which limits public protest rights.

A PROCESS BUILT ON SPEED AND SECRECY

The violations documented in this briefing did not happen in isolation. They are the predictable result of a process that was deliberately rushed — one in which the developer explicitly acknowledged the need to "jump the line," public officials were kept in the dark until the last possible moment, and legal requirements were bypassed rather than observed.

The Developer Admitted the Rush — On the Record

On April 27, 2026, developer co-founder Austin Pritchett stood before Box Elder County commissioners and explained why the project had moved so fast:

"There are five groups that will front this that will get this over the line and we have the chance to jump the line and we've been told that needs to happen this month — whether that's true or not — but that's the reason for the rush." — Austin Pritchett, April 27, 2026 (youtube.com/watch?v=0MggoV-xuhA, 1:15:24)

By Pritchett's own account, the timeline was not driven by readiness — it was driven by competitive pressure to beat other projects to approval. Whether the urgency was real or manufactured, the result was the same: a process compressed to the point where legal requirements could not be met.

Landowners Were Told to Stay Quiet

The secrecy began before any public notice was filed. Hansel Valley landowner Lanne Adams testified at the April 22 public meeting about what developers told property owners in the area:

"They said, 'Don't tell anybody. Don't tell anybody. We got some property owners that you just don't tell.'" — Lanne Adams, April 22, 2026

MIDA's own due diligence had been underway since January or February 2026. The commissioners who would ultimately be asked to consent to the project were not informed until early April — months later.

Elected Officials Were Brought in at the Last Hour

Commissioner Perry confirmed publicly that the county was given almost no time to evaluate a project affecting tens of thousands of acres:

"The commission has not been sitting on this for months. This started back in January, February. The commission's only been made aware of it in the last couple of weeks." — Commissioner Perry, April 22, 2026 (youtube.com/watch?v=LVxxYfXP4a8, 32:57)

Commissioner Vincent put it plainly:

"The thing that's so frustrating for us, for commissioners, is all of a sudden, we're brought in the last hour, and we're expected to hurry." — Commissioner Vincent, April 27, 2026 (youtube.com/watch?v=0MggoV-xuhA, 45:21)

The Approval Was Pushed Through Before the Studies Were Done

MIDA was required by law to make a formal determination that the project promotes public health, safety, and welfare. That determination was made on April 24, 2026. Three days later, MIDA's own representative confirmed that the studies that would inform such a determination hadn't started:

"Right now we've finished the due diligence and we're moving on to all of the impact studies." — Hillary Venable, MIDA representative, April 27, 2026 (youtube.com/watch?v=0MggoV-xuhA, 21:41)

The approval came first. The analysis was scheduled to follow. Utah law requires the opposite.

The Timeline Was Manufactured, Not Organic

When the county failed to consent on April 24 as planned, the project area plan's own effectiveness deadline passed that evening. No consent meeting occurred on April 25 or April 26. Yet the plan document — finalized at 7:28 AM on April 24 — states as established fact: *"On April 26, 2026, the County approved the County Consent."*

That date is false. It was written into the document before the consent it describes had occurred, on a day when no meeting took place. The fabrication suggests that those preparing the documents understood the legal requirement for county consent — and chose to record it as accomplished rather than wait for it to actually happen.

What We Allege

Taken together, the pattern is this: a developer under competitive pressure to move fast, a state authority that accommodated that pressure by compressing a process that Utah law deliberately requires to be deliberate, elected officials kept out of the loop, communities not consulted, impact studies deferred, and legal requirements papered over or ignored. The three violations detailed in this briefing are not the result of administrative oversight. They are the consequence of a process that prioritized speed over compliance — and in doing so, we allege, broke the law.

VIOLATION 1 — PRIVATE LAND INCLUDED WITHOUT COUNTY CONSENT

What the Law Requires

Utah Code § 63H-1-401(3)(a)(ii)(A) provides that a MIDA project area plan may include private land **only if** the county has passed a consenting resolution. County consent is a precondition to including private land — not a later ratification of a decision already made.

What Actually Happened

- MIDA adopted the plan including approximately 40,000 acres of private land on **April 24, 2026**.
- Box Elder County's legal consent was not granted until **May 4, 2026** — ten days later.
- The county's April 22 action was explicitly not consent. County Attorney Anne Hansen stated on the record that it extended only the county's "intent to engage and look into the full benefits" and was not a consent resolution.
- No county meeting occurred on April 25 or 26. No public meeting notice for those dates exists in Utah's PMN system.

Most strikingly, the plan document adopted by MIDA on April 24 contains a fabricated date:

"On April 26, 2026, the County approved the County Consent." — MIDA Project Area Plan, Resolution 2026-06 (adopted April 24, 2026)

April 26, 2026: no county meeting occurred. No consent was given. The county did not consent until May 4. The document was finalized at 7:28 AM on April 24 — two full days before the date it claims consent was received.

The fabrication of an accomplished-fact consent date demonstrates that MIDA understood county consent was required before private land could be included — and chose to paper over the gap rather than wait for legal compliance.

VIOLATION 2 — DEVELOPMENT AGREEMENT SIGNED BEFORE THE PLAN WAS EFFECTIVE

What the Law Requires

Utah Code § 63H-1-401(1)(a) and (1)(d) govern the sequence of MIDA's actions. MIDA cannot enter a binding development agreement with a developer before a project area plan has been lawfully adopted.

Utah law provides one narrow exception: MIDA may enter a pre-plan development agreement, but only if the agreement explicitly states that the board is not required to create the project area. This language must appear in the agreement itself to be valid.

What Actually Happened

- MIDA signed the development agreement (Resolution 2026-08) at approximately **9:58 AM on April 24, 2026**.
- MIDA's own plan (Resolution 2026-06, Section 6) states the plan becomes effective when — and only when — Box Elder County provides its consent.
- MIDA's Executive Director Paul Morris stated at the April 24 meeting:

"The Stratos Project Area Plan would not become effective until Box Elder County provided its consent." — Paul Morris, MIDA Executive Director (MIDA Draft Minutes, utah.gov/pmn/files/1424911.pdf)

- County consent was not given until **May 4, 2026** — ten days after the agreement was signed.
- The county's planned April 24 consent meeting was cancelled at 3:45 PM — after the development agreement was already executed.

MIDA's own resolution ties "adoption" to the plan's effective date ("adopted as of the Effective Date"). By MIDA's own language, adoption happened May 4. The development agreement was therefore signed before any lawful project area plan existed.

VIOLATION 3 — THE HEALTH AND WELFARE FINDING IS LEGALLY INVALID

What the Law Requires

Utah Code § 63H-1-401(2)(c)(iv) mandates that every MIDA project area plan shall contain the board's **determination** that carrying out the plan will promote the public peace, health, safety, and welfare of the community in which the project area is located.

A determination is a finding based on evidence, reasoning, and analysis. It requires something to determine from.

MIDA's Entire Finding — Verbatim

"The Plan promotes public peace, health, safety, and welfare by providing for orderly development, coordinated infrastructure investment, reliable energy systems, and the provision of essential public utilities and services necessary to support the Development Project and the surrounding area."

That is the entirety of MIDA's health and welfare finding. **One sentence.** No study cited. No data referenced. No evidence discussed. No analysis of actual impacts. No consideration of public testimony. No mention of the community whose welfare is at issue.

Why This Finding Cannot Stand

The studies hadn't been done. Three days after MIDA made this "determination," MIDA's own representative confirmed the impact studies had not yet begun:

"Right now we've finished the due diligence and we're moving on to all of the impact studies." — Hillary Venable, MIDA representative, April 27, 2026
([youtube.com/watch?v=0MggoV-xuhA](https://www.youtube.com/watch?v=0MggoV-xuhA), 21:41)

A determination about health and welfare impacts cannot be lawful when the impact studies hadn't started.

The finding is directly contradicted by existing evidence. The only completed independent scientific analysis at the time of the April 24 vote contradicted MIDA's finding outright:

- USU physicist Robert Davies: the project would raise Utah's greenhouse gas production by approximately **50%**.
- USU climate scientist Wei Zhang: thermal output would be sufficient to **alter regional weather patterns**.

- University of Utah professor Kevin Perry: carbon dioxide emissions for Utah would increase by **more than 50%**.
- **3,900** Utah residents filed formal water rights protests before the application was withdrawn.

MIDA found welfare for the wrong community. The statute specifies the board must address the welfare of "the community in which the project area is located" — the people who live there. MIDA's finding addressed the welfare of the "surrounding area necessary to support the Development Project." These are not the same thing. The community spoke at the April 22 meeting. Their testimony appears nowhere in MIDA's finding.

The finding is silent on utility pricing and ratepayer impacts. A 9-gigawatt natural gas data center drawing power from the Ruby Pipeline represents one of the largest single electricity demand additions ever proposed in Utah. Projects of this scale have the potential to strain regional grid infrastructure and drive up electricity costs for surrounding residential and commercial ratepayers — or they may not. That question requires study. No such study was conducted, commissioned, or cited before MIDA made its welfare determination. The finding asserts the project will provide "reliable energy systems" and "essential public utilities" — but provides no analysis of what the project's energy demand will do to the cost or reliability of those same utilities for the people already depending on them.

This gap is particularly notable given the national standard that now exists for exactly this question. On March 4, 2026 — less than two months before MIDA adopted the Stratos plan — President Trump signed Proclamation 11014, the Ratepayer Protection Pledge. The proclamation declares that data center developers "must pay for the full cost of the energy and infrastructure needed to build and operate data centers, and must not pass this cost on to the American people." Seven of the nation's largest technology companies — Amazon, Google, Meta, Microsoft, OpenAI, Oracle, and xAI — signed the pledge at the White House, committing to negotiate dedicated power-rate deals with utilities and pay for electricity infrastructure whether or not they ultimately use it.

O'Leary Digital and West GenCo have not signed the Ratepayer Protection Pledge. No equivalent commitment appears anywhere in the MIDA project area plan or the development agreement. MIDA's welfare finding does not acknowledge the pledge, does not address ratepayer impacts, and does not explain why a project of this scale — the same scale the President identified as a national ratepayer concern — requires no such protection for Utah utility customers.

Whether the Stratos Project would raise utility rates for Utah families is a factual question that could be studied. It was not studied. MIDA certified the project promotes public welfare without ever asking that question.

MIDA also cited the wrong section of its own statute. The plan cites § 63H-1-402(2)(c) as the source of the welfare finding requirement. The correct provision is § 63H-1-401(2)(c).

WHAT OFFICIALS SAID ON THE RECORD

All statements below are from official public meeting recordings or government documents.

Paul Morris, MIDA Executive Director — April 24 MIDA Board Meeting

"The Stratos Project Area Plan would not become effective until Box Elder County provided its consent." Source: MIDA Draft Minutes — utah.gov/pmn/files/1424911.pdf

Hillary Venable, MIDA Representative — April 27 County Meeting

"It was then noted that there was that aspect that was missed. We apologize." On the 10-day notice requirement — youtube.com/watch?v=0MggoV-xuhA, 44:14

"Right now we've finished the due diligence and we're moving on to all of the impact studies." Three days after MIDA adopted the plan — youtube.com/watch?v=0MggoV-xuhA, 21:41

"MIDA is the land use authority within our designated project areas but not outside of that." youtube.com/watch?v=0MggoV-xuhA, 31:28

Austin Pritchett, Developer Co-Founder — April 27 County Meeting

"There are five groups that will front this that will get this over the line and we have the chance to jump the line and we've been told that needs to happen this month — whether that's true or not — but that's the reason for the rush." youtube.com/watch?v=0MggoV-xuhA, 1:15:24

"We're working through the state with our air permitting. And that's a long process." Confirming no air permit exists — youtube.com/watch?v=0MggoV-xuhA, 22:07

Box Elder County Commissioners

"The commission has not been sitting on this for months. This started back in January, February. The commission's only been made aware of it in the last couple of weeks." Commissioner Perry, April 22 — youtube.com/watch?v=LVxxYfXP4a8, 32:57

"The thing that's so frustrating for us, for commissioners, is all of a sudden, we're brought in the last hour, and we're expected to hurry." Commissioner Vincent, April 27 — youtube.com/watch?v=0MggoV-xuhA, 45:21

"[The amended resolution] extends the county's intent to engage and to look into the full benefits...until you may be ready in the future to consent officially." County Attorney Anne Hansen, April 22 — confirming the April 22 action was NOT county consent — youtube.com/watch?v=LVxxYfXP4a8, 35:08

Lanne Adams, Hansel Valley Landowner — April 22 Meeting

"They said, 'Don't tell anybody. Don't tell anybody. We got some property owners that you just don't tell.'"

WHAT HAS NOT HAPPENED

As of the date of this briefing:

- **No air quality permit** for the Stratos Project exists in the Utah Department of Air Quality permit database. Developer Austin Pritchett confirmed air permitting is "a long process" still underway.
- **No completed environmental impact studies exist.** MIDA's own representative confirmed they had not yet begun as of April 27, 2026 — three days after plan adoption.
- **The water rights application was withdrawn on May 8, 2026.** The developer intends to refile under HB60, a new state law that significantly limits the public's right to protest water rights applications. Nearly 4,000 protests filed under the original application will not automatically carry over.
- **MIDA has not publicly released documentation** showing it provided the required 10-day written notice to any of the 12 taxing entities before the April 24 vote.

PRIMARY SOURCE DOCUMENTS

All documents below are publicly available government records.

Document	URL
MIDA April 24 Board Meeting — Draft Minutes	utah.gov/pmn/files/1424911.pdf
MIDA Board Packet (219 pages — includes plan text and development agreement)	utah.gov/pmn/files/1423607.pdf
MIDA April 24 Board Meeting — Audio Recording	utah.gov/pmn/files/1424907.mp3
PMN Notice — April 22 County Meeting	utah.gov/pmn/sitemap/notice/1074053.html
PMN Notice — April 24 MIDA Meeting	utah.gov/pmn/sitemap/notice/1075195.html
PMN Notice — April 24 County 5PM Special Meeting (cancelled)	utah.gov/pmn/sitemap/notice/1075393.html
PMN Notice — April 24 Cancellation of County Meeting	utah.gov/pmn/sitemap/notice/1075671.html
PMN Notice — April 27 County Meeting	utah.gov/pmn/sitemap/notice/1075687.html
PMN Notice — May 4 County Final Consent Meeting	utah.gov/pmn/sitemap/notice/1076001.html
April 22 County Commission Meeting — Video	youtube.com/watch?v=LVxxYfXP4a8
April 27 County Special Meeting — Video	youtube.com/watch?v=0MggoV-xuhA
Box Elder County Stratos Project Fact Sheet	boxeldercountyut.gov/647/Stratos-Project-Fact-Sheet
Utah Code § 63H-1-401 (MIDA Plan Adoption Requirements)	le.utah.gov/xcode/Title63H/Chapter1/63H-1-S401.html

All factual claims in this briefing are sourced to public government records, official meeting recordings, or published news reports. All statutory references are to Utah Code as effective May 4, 2022.