

The Impacts of Current ISC Statutes



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During my term as Mayor I have worked through several Industrial Citing projects, navigating the backwards and biased approval and payments process. Along the way we've discovered issues that prevent a successful implementation of funds for projects and large hurdles during the hearing process.

I've highlighted items listed below. I would like to see the legislature explore options to resolve these issues that all cities and towns have experienced.

Highlights

- Monthly payments: Payments are distributed first to the county, and then the county distributes 100% to the cities and towns. There is no real reason to delay our payments by way of a middle man.
- At the beginning of payments for Cedar Springs, the county payment did not include a breakdown of what they were paying us for, i.e. property taxes, impact funds or whatever else they sent us a check for. We went five months before we realized that we were receiving payments from Cedar Springs, thus delaying our use of impact funds for mitigation. Converse County includes a breakdown of all the entities that are receiving Impact funds and who got what amount each month.

By the time we receive the first payment it's months after the project has started. Meaning we've dealt with the impacts with no revenues to assist.

A). The statute forces us to receive these payments in monthly payments spread over 2-3 years, with a gap of no payments in between and that means we must finance vehicles or equipment.

This structure creates an additional cost associated with financing a loan and committing us to paying loan origination fees and interest.

B). In regard to projects such as Anticline. The construction is now complete. However, we are in the middle of the pay schedule break and it will resume in March of 2026. Twelve months will pass before we see the remainder of our payment schedule for the awarded additional impact funds (awarded in 2024).

1) When the pay schedule says a payment is made in March of 2026, Mills will not physically see the payment until sometime between April 14th and 21st. The state makes the payment to the county on the last Friday of the month then the county has to process the payment before we see it.

We will receive the remaining impact funds well after the project has commenced. For example; we've allocated police and fireman hours, ambulance payments, and a street sweeper purchase, spread out over the construction date provided to us by the applicant. This ISC provided time frame did not prove to be factual. Often times we find that construction starts before the state is aware and scheduled payments have begun. Also, there are times where a project is complete but the funds are over a year out from being fully dispersed.

The choice to pay over a scheduled theoretical construction period is proving to not work for the actual impacts we are seeing. We need to eliminate the schedule and pay full up front.

- It is my suggestion to pay this award up front.
- It is my suggestion to create language to allow for additional funds to cover lender fees. Unless awards are paid up front.
- We should explore requiring these solar/wind companies to have a bond.

We were awarded money to purchase an ambulance for Dinosolar. The ambulance build schedule is 18-24 months out. We had to commit to the purchase of an ambulance well before the start of the project. Then the project took a years long delay. Now the city is shouldering that expense. (Ambulance \$268,000; Command Vehicle \$55,000. Both plus interest and fees.) The project has not yet started as of April 20, 2026.

Additional Impact Request Hearing

- **Immediate payment of an award for the additional impact.**

Mills undertook the first additional impact request hearing in 50 years. We were shocked to learn that the Industrial Citing Council was under the instruction of the Governor’s office to withhold as many funds as they can from the cities and towns. One councilmember stated, “the Treasurer’s office doesn’t like when we have to issue funds”. It was clear the agenda was to deny us before we had stated our additional impacts testimony at this hearing.

They denied one part of our request and approved a street sweeper. The hearing was in Sept 2024. We received two payments (March and April of 2025) and then the project paused. We will resume receiving payments in March of 2026 (payments have not restarted to date 4-20-26). The unmitigated impact was due to 185 side-dump semis a day that were depositing fine sand debris onto Wyoming Blvd and into the storm water system. Mills will have to finance this street sweeper due to the long delay in the payment schedule award. Additionally, for us to return to the ISC council and ask for legitimate unmitigated impact funds for the need to remove dirt and sand and to clean out the storm water drains, then to have the award delayed, was frustrating. We needed to resolve the issue immediately to prevent further stormwater issues for the city. The damage was immediate, but the award funds are out years.







- The payment structures end up costing the city in finance charges for loans, as well as further damages while we wait for payments to purchase a street sweeper, including loan commitments to projects that may not start.
- The reporting process is cumbersome. We don't receive payments for months to years and sometimes not at all, and we are required to report on funds we have not received and prove that we have not used them.
- The online form doesn't allow for correct inputting of numbers. It auto fills and carries over numbers and we have to adjust as best we can to complete the report.

An additional frustrating point is the ever-changing process of the hearings and how the council requests our evidence. At times we were required to provide testimony, other times we were only allowed to sit for cross examination. At times we've been allowed to provide documentation for the council to review, and other times they want a transcribed testimony.

One notable testimony was in Douglas in front of the ISC where I witnessed tensions flare. The ISC works swiftly and prematurely to approve projects with minimal solidified information on how the solar/wind farms will source materials, the routes they will travel to deliver them, or labor. Materials such as solar batteries and panels are sourced from outside of the country and require transport to the sites, and wind turbine blades that must arrive on rail and then transfer to semis for transport to the project site. It is all a wild estimate by the company proposing the project. We've had our experts testify over and over how fire departments would have to respond to solar or wind farm fires only to have non-experts dictate we are in the wrong. These models have been proven to be incorrect. More so, our local response and our MOUs is what dictates how we work together. My point being that the project does not have to prove its impact to the communities. The communities MUST prove our impact based off incomplete applications. The problem is that when we prove our theories the ISC denies because we can't prove that the wind turbine will be offloaded at Natrona County Airport rail yard because the builder won't provide those details. The project in Douglas had not committed to a manufacturer. They had no idea which port they would enter into the country, if it would be rails or interstate delivery and what direction it would travel to be delivered to Douglas.

The project was approved. Many of our impact requests were denied because we could not prove the impact to our roads and cities. We know the Cheyenne offload yard cannot process these turbine blades, yet we were denied because in theory "it could be sent to Cheyenne and driven by semi to location". These entities are using boiler plate data from previous applicants, and we have testified over and over that it is incorrect information, however, the council is hesitant to believe the local municipalities over the applicant.



Additional Concerns

It is a nightmare scenario process to prove theoretical impacts. We would much prefer a predetermined award and allow the city to use the funds for impacts as they need, or investing in infrastructure as these massive projects have stressed our water/sewer/ roads/ and emergency services. If the ISC is under the direction to deny as many impact award funds as they can reasonably deny, then we would ask that we skip them entirely. Let's skip the lawyers' fees, the 2-day hearings, all the work that goes into providing testimony and evidence of anticipated impacts. Skip the chartered plane to deliver the council to the hearing location and all the staff it requires to run the meeting. This also includes hiring a hearing examiner. Let's not forget all the city staff that has to take two full days away from work to sit at the hearings and all the man hours put into creating the impacting testimony. Lets streamline this archaic process.

I ask that instead the statute dedicates to the cities and towns a percentage of the project valuation, and stop the state from hoarding this money away from the areas that are facing the impacts!

The system is flawed. If the money is to MITIGATE the impact we need the funds upfront to do so.

Final Note:

Natrona county is facing a financial burden from these impact commitments the same as the other cities and towns. They are having to commit to purchasing and leasing items and receive lengthy months if not years-long delays in receiving the funds. The commitments mean they must fund the expense of the items up front without receiving funds from the project. This financial burden has been massively impactful to the slim operating budget of the Natrona County Fire Protection District.

They have not received any of these impact funds to date:

- Cardiac Monitors \$260,000
- Heavy vehicle extrication equipment \$64,000
- Two Type 1 structure engines \$2,000,000 total.

Due to delays in the Dinosolar project, Mills has been left carrying the cost burden of an ambulance (\$268,000) and a command vehicle (\$55,000), plus associated interest and fees. This totals approximately \$323,000 that remains unpaid to date.