

Utah Inland Port Authority Board 2024

DRAFT MEETING MINUTES

Utah Inland Port Authority Board Meeting Minutes
Monday, November 4, 2024 - 10:00 am
Utah State Capitol, Room 445
350 State Street, Salt Lake City, UT 84103

Board Members Present in Person: Jerry Stevenson, Jefferson Moss

Board Members Present Electronically: Jonathan Freedman

Non-Voting Board Members Present in Person: Joel Ferry

Non-Voting Board Members Present Electronically: Victoria Petro

Board Members Absent: Abby Osborne, Ryan Starks, Bill Wyatt

UIPA Staff: Ben Hart, Larry Shepherd, Mona Smith, Scott Wolford, Kaitlin Felsted, Jenna Draper, Amy Brown Coffin, Dain Maher, Nick Archambault, Carol Watson, Lynne Mayer, Stephanie Pack, Danny Stewart, Diana Gardner, Allen Evans

Others in Attendance: Scott Drumm, Jen Wakeland, Brent Boswell, Chelsea Duke, Russel Daniels, Monica Hilding, Ariane Gibson, George Edwards, Katie Pappas, Marcelle Shoop, Jack Koenig, Brooke Larsen, Phillip Ellers, Jonathan Schreck, Elizabeth Weight, Madison Rigby, Ross Feehan, Max Malmquist Stacey Phelps, Heather Dove, Melissa Early, Gary Hanneman, Benn Buys, Joan Gregory, Liesa Manuel, Deeda Seed, David Bennett, Melanie Hall, Isabel Quilantan, Amy Wicks, Bret Behling, Isaac Higham, Andy Hulda, Lynn Carroll, Jared Stewart, Rebecca Burrage,

1. **Welcome**

Board Member Jerry Stevenson welcomed the board members, staff and public to this Utah Inland Port Authority Board Meeting.

2. **Approval of Minutes, October 7, 2024 Board Meeting**

Board Member Moss moved to approve the minutes from the October 7, 2024 board meeting. Board member Freedman seconded the motion.
The motion was approved unanimously.

3. **Executive Director Report**

UIPA Executive Director Ben Hart discussed the \$112 million Environmental Protection

Agency Clean Ports Grant that was recently awarded to UIPA and the Utah Department of Environmental Quality. He called it a huge opportunity for our State, primarily focused on improving the air quality with a zero emissions technology for the Union Pacific intermodal facility and its related operations.

He introduced Ariane Gibson, the newly hired Chief Financial Officer for UIPA.

Stephanie Pack, Associate Vice President of Regional Project Area Development, to give an update on the West Weber Project Area, created about six months ago. She spoke of the focus on working with the county to bring their vision for the area to life, including developing recreational and residential assets in addition to industrial development. She mentioned recruitment efforts including bringing national site selectors to the area to familiarize them with the opportunities there. UIPA and partners in the area are working on financing for urgent infrastructure needs including water, wastewater, power and roads. Meetings with rail operators to explore anticipated growth are ongoing. Developers in the area are exploring the creation of a public infrastructure district to facilitate larger and regionally significant projects. UIPA supports the county's efforts to see the area become a renewable energy hub. To support sustainability and environmental stewardship in the area, partnerships have been formed with the Army Corps of Engineers, private wetland mitigation banks, and the Utah Department of Natural Resources and significant future tax differential will be invested in meaningful wetland protection projects.

Director Hart noted a non substantive change to the Northwest Quadrant Project Area plan and budget, adding language stating specifically that UIPA within the project area plan and budget can donate, whether through money or through land to the Department of Natural Resources for wetland and conservation easements. Board Member Ferry spoke to the UIPA grant for an important land acquisition that will serve as a buffer to sensitive wetlands in the Northwest Quadrant and thanked the UIPA and Division of Wildlife Resources staff who have worked to set this agreement in place.

4. Presentation: Statewide Logistics Strategy development update

Scott Drumm, Principal Consultant for CPCS, provided an overview of the logistics strategy that is before the board for approval in this meeting.

UIPA is interested in developing statewide strategies largely for planning to stay ahead of trends and logistics that impact Utah companies and to capitalize on opportunities for economic development, enhance resiliency and guard against supply chain shock, improve livability, and position the state as a leader in logistics so that it's able to attract top manufacturers and other top employers to create high paying jobs.

The strategy was developed through extensive outreach to freight stakeholders statewide in one-on-one conversations, interviews, and other meetings. Data analysis of a wide variety of economic trade and freight data provided a sense of the system today, where the gaps are, what the needs are, and what the opportunities look like for the future.

Logistics are important to meeting the needs of residents and the economic well-being of the state, with about 500,000 Utahns employed in industries that are logistics dependent and representing 30-40 percent of gross state product. He showed maps of

the density of logistics dependent industry across the state, trade routes moving into and through Utah, and highlighting the state's location at the crossroads of the west. He spoke of the datasets used in the study to show the details of freight movement by rail and truck through the state.

The logistics vision for Utah is that investing in logistics will create a competitive advantage that will allow the State to attract new business and support existing business here in Utah, benefitting all Utahns by providing quality, stable, well-paying jobs now and into the future. The developed logistics strategy is based on 3 pillars, enhanced rail access, connectivity to coastal ports and establishing an air cargo gateway at Salt Lake City International Airport.

The Northwest Quadrant is a strategic area located within minutes of the Interstate freeway system, with access to both rail and air cargo facilities. Strategies developed for the Northwest Quadrant are in sync with the statewide strategies, tied to the 3 statewide pillars, and aligned with development and transportation objectives of the existing Salt Lake City Northwest Quadrant Master plan.

While there are others in the state who are focused on transportation, or focused on economic development, or focused on logistics, UIPA cuts across all of those disciplines. These strategies enable UIPA to bring together the expertise, experience and knowledge of stakeholders, and along with the tools it has at its disposal to guide public investment in infrastructure and logistics, UIPA can drive economic development that will result in a stronger economy for Utah.

Board Member Petro asked if in addition to a strategy for what development will increase in the Northwest Quadrant, how will UIPA create a strategy and address mitigation of the local impacts of increased activity in the region? Director Hart noted that the development and approval of this logistics strategy provides authorization, a blueprint, data, and a strategy for action on logistics that will allow for addressing community impacts including pollution, truck parking, and the number of trucks passing through the community. The compilation of this strategy presents a public response to what UIPA intends to be. Our logistics and transportation systems are critical to our way of life and we are overly dependent on moving goods by truck. This strategy defines what UIPA is, what makes a port, and identifies how we are going to invest to create a better logistics system.

5. Presentation: Amendment to Incentive, Lakeshore Learning Materials, LLC/Mandana DC2 LLC

Ben Hart explained the request for additional incentive for Lakeshore Learning Materials to offset the significant financial burden facing the company from delays related to utility delivery to the company's new facility in Garland, Utah.

6. Presentation: Policy Updates

Amy Brown Coffin, Chief Risk & Compliance Officer, discussed the regular annual review of the following policies.

BP-06 - Board Policy Review

BP-08 - Whistleblower Policy

BP-09 - Internal Control Program

BP-17 - Wetlands

While there are no recommended revisions to three of the policies, it was proposed that the Whistleblower Policy be revised by implementing suggested changes from legal review including adding definitions (affected persons, good faith, and harmful violation); enhancing language in all sections; renaming Handling of Reporting Violations to Handling of Disclosures; and moving Whistleblower Hotline information under Handling of Disclosures.

7. Presentation: Division of Wildlife Resources Land Grant Contract

Amy Brown Coffin, Chief Risk & Compliance Officer; Mona Smith, Environmental & Sustainability Director; and Chelsea Duke, Wildlife Lands Coordinator at the Division of Wildlife Resources presented information on this contract for Great Salt Lake shoreline preservation. UIPA will provide nearly \$2.5 million to the Division of Wildlife Resources to be used for real property acquisition near the southeastern shoreline of the Great Salt Lake for the purpose of creating a natural buffer between ongoing development in the area and critical wildlife and migratory bird habitat. The funding is authorized through UIPA statute and through the interlocal agreement with Salt Lake City that determines how the port authority will spend mitigation money. The land will be managed by division of wildlife resources for the purpose of protecting Great Salt Lake Wetlands in perpetuity. The Division of Wildlife Resources owns and manages over 600,000 acres of land across the State of Utah to protect and improve wildlife habitats, provide wildlife and related recreation opportunities, and to increase fish and game populations, and to meet wildlife management plan objectives.

8. Presentation: Amendment to Central Utah Agri-Park Project Area Plan

Danny Stewart, Associate Vice President of Regional Project Area Development, discussed the first proposed amendment to the Central Utah Agri-Park Project Area Plan. The amendment adds parcels to the Nortonville Zone that were unintentionally omitted when the project area was created, expanding that zone from 27 acres to about 140 acres; adds parcels in the Dog Valley Zone for renewable power generation; adds parcels in the Ash Grove Zone for potential expansion of the Ash Grove Leamington Plant. Juab County Economic Development Director Brent Boswell joined Danny for the presentation.

9. Presentation: Amendment to Mineral Mountains Project Area Plan

Danny Stewart, Associate Vice President of Regional Project Area Development, discussed the proposed amendment to the Mineral Mountains Project Area Plan. The amendment removes areas in the Milford Zone that are currently part of other redevelopment project areas and adds parcels previously not included where geothermal development will occur. The amendment also removes an area in the Minersville zone that is currently part of another redevelopment project area. Beaver County Strategic Development Director Jen Wakeland joined Danny for the presentation.

10. Public Comment

Board Member Stevenson opened up the public comment period and invited those in the room to submit comment cards for an opportunity to speak.

Comments made include concern over the wetlands definition in the UIPA wetlands policy, air pollution from increased air traffic, potential development in the Castle Country Project Area in Green River, opposition to development in the West Weber area, impacts of development in the Northwest Quadrant on local school-age children, water level in the Great Salt Lake, and additional pressure on the lake's wetlands.

11. Approval of Contract Amendment for Business Services

Board member Freedman moved to approve the contract extension for Broadway Consulting. Board member Moss seconded the motion.

The motion passed with a unanimous vote of all board members present.

12. Approval of Statewide Logistics Strategy Plan

Board member Moss moved to approve the Statewide Logistics Strategy Plan. Board member Freedman seconded the motion.

The motion passed with a unanimous vote of all board members present.

13. Approval of Amendment to Incentive for Lakeshore Learning Materials, LLC/Mandana DC2 LLC

Board member Moss moved that the Utah Inland Port Board approve an addendum to the annual Project area incentive property tax differential rebate to Lakeshore Learning Materials, LLC and Mandana DC2 LLC equivalent to 60% of the assessed property tax with an additional 2.5 percent property tax rebate not to exceed \$1.7 million, subject to expenditure, documentation, compliance, post completion of the development. This rebate will be provided yearly for no more than 25 years, provided continued operation within the project area during that time. Board member Freedman seconded the motion.

The motion passed with a unanimous vote of all board members present.

14. Approval of Division of Wildlife Resources Land Grant Contract

Board member Freedman moved to approve the land grant contract with the Division of Wildlife Resources. Board member Moss seconded the motion.

The motion passed with a unanimous vote of all board members present.

15. Closed Session

At 11:40 am the board voted to move into a closed session meeting held at the Utah State Capitol, 350 State Street, Room 445, Salt Lake City, UT 84103, and via electronic meeting, for the purpose of a "strategy session to discuss the purchase, exchange, or lease of real property, and to discuss pending or reasonably imminent litigation" as allowed and described in Section 52-4-205 of Utah Code and sections 52-4-204 of the Open and Public meetings act. Board member Moss made a motion to move into closed session. Board member Freedman seconded the motion.

Vote:

Jefferson Moss – yes
Jonathan Freedman – yes
Jerry Stevenson – yes

Closed session ended at 12:03 pm.

16. Adjourn

Board member Stevenson adjourned the meeting at 12:03 pm.

Board Chair Abby Osborne

Written Public Comments submitted during and after the meeting:

Joan Gregory - Salt Lake City - 11/3/2024

(handwritten comment submitted at board meeting)

Thank you for allowing virtual comment today, but it is imperative that you let the public know that this is available in advance. Please commit to allowing virtual comment at your meetings. Best for all your meetings, but for sure in all venues where it is technologically possible. I am hearing impaired. Per Larry the room you meet in at the Capitol does not provide for hearing assistance. Providing virtual comments resolves that problem for me though perhaps not for everyone.

Joan Gregory - Salt Lake City - 11/4/2024

Protecting Our Utah Wetlands

I have grave concerns about BP-017, the Wetlands policy, which is on the agenda for the November 4, 2024 UIPA Board Meeting.

My top concern is that the current wetlands policy defines wetlands under the very narrowest of definitions. What we know, what we can see with our own eyes is that Great Salt Lake Basin wetlands are frequently ephemeral wetlands (wet seasonally, not continuously).

Since the 1970s, the following definition of wetlands has been used for regulatory purposes: Wetlands are areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Clearly, this definition is of a continuously wet area.

But the regulatory definition goes on to state that: Although wetlands are often wet, a wetland might not be wet year-round. In fact, some of the most important wetlands are only seasonally wet.

By FAILING to include this additional information, UIPA's Wetlands policy leaves the path wide open for significant harm to OUR UTAH WETLANDS as can be seen in what is happening *right now* in the Tooele Valley: fast tracked industrial development *IN* wetlands next to Great Salt Lake. AND with what's happening in Weber - laying the groundwork to destroy thousands of acres of wetlands in a critical area next to Great Salt Lake and 2 waterfowl management areas.

Will we stand by as OUR UTAH WETLANDS are destroyed based on policies that rely on Mitigating the harm, rather than ELIMINATING THE HARM? We should not be site-ting INLAND PORTS on, in, around, on top of, or anywhere near OUR UTAH WETLANDS. YET it seems that the purpose of UIPA's Wetlands policy is to walk developers through all the steps of mitigating the harm to wetlands while working TOWARDS the GOAL of ELIMINATING THEM.

IT's Time to STOP and RETHINK this POLICY before it is too late for OUR UTAH WETLANDS!