

Utah Inland Port Authority Board 2026

DRAFT MEETING MINUTES

Utah Inland Port Authority Board Meeting Minutes
Thursday, September 3, 2026 - 10:00 am
Utah State Capitol, Room 445
350 State Street, Salt Lake City, Utah 84103

Board Members Present in Person: Abby Osborne, Paul Cutler, Jonathan Freedman

Board Members Present Electronically: Jerry Stevenson

Non-Voting Board Members Present in Person: Victoria Petro

Non-Voting Board Members Present Electronically:

Board Members Absent: Jefferson Moss, Joel Ferry, Bill Wyatt

UIPA Staff: Ben Hart, Ariane Gibson, Larry Shepherd, Amy Brown Coffin, Kaitlin Felsted, Carol Watson, Diana Gardner, Stephanie Pack, Lori Haslem, Lynne Mayer, Alicia Eggleston, Danny Stewart, Jenna Draper, Nick Archambault, Hadden Wiese, Nadine Stevens-Hendry, Stephen Smith, Michelle Bohnen, Amy Chanthalyxay, Lori Haslem, Samatha Steffensen, Scott Wolford,

Others in Attendance: Michelle Ebben, Eileen Dobbins, Aleta Boyce, Milton Summers, Anita Dalrymple, Jay Springer, Jackie Baker, Tussy King, Bruce Richardson, Sherry Stevens, Courtney Smith, Alexandra Bonilla, Katie McKellar, Monica Hilding, Madison Brown, Jeremy Kimpton, Heather Dove, Alex Buxton, Farrah Pliley, Chris Nielson, LeeAnn Franklin, Heather Peterson, Camille Burt, Amy Wicks, Rebecca Smith, Allison Barton, Alyssa Swanzey, Daniel Meade, Jason Robbins, Nate Burnett, Greg Nelson, Anastasia Sassner, Ronda Landa, Daniella Rivera, Cameron Ordakowski, Rebecca Deutsch, Tracy Grgrich, Jessica Pershon, Kaitlyn Peterson, Natalie Merriam, Rose Moore, Amy Lawson, Ann Herpich, Ann Florence, Katie Pappas, Joan Gregory, Deeda Seed

1. **Welcome**

Board Chair Abby Osborne welcomed the board members, staff and public to this Utah Inland Port Authority Board Meeting.

2. **Approval of Minutes, August 4, 2026 Board Meeting**

Board member Paul Cutler moved to approve the minutes from the August 4, 2026 board meeting.

Board member Jerry Stevenson seconded the motion.

The motion was approved unanimously by all board members present.

3. Executive Director Report

Executive Director Ben Hart provided an executive director report. He mentioned the reappointment of Victoria Peto by the Salt Lake City Council to continue her service as a non-voting member of the UIPA Board. He mentioned that the approval of the new project area in Davis County would be pushed out several months to make sure that everything is right and all stakeholder opinions have been considered. He welcomed those from Tooele who were attending the meeting and thanked them for their interest. He spoke about large energy user projects (data centers) and underscored that there was nothing on the agenda for this meeting that was related to a data center in Tooele Valley. He also said that it was likely that there never would be an agenda item for consideration by this board for a data center in that project area. Changes in state law have set out a process for this type of project and could mean that UIPA never takes action on this type of project. He said that UIPA shares the same concerns as the citizens. Tooele County's moratorium on data center development is in place. He noted the citizen letter calling on UIPA to take no action until the county figures out permitting and zoning, and he pledged UIPA's 100% commitment to never advance any item that has not been given a green light from the community where it is located. In addition, there is an executive order from the governor and new legislative direction on regionally significant development zones to be complied with. UIPA will balance those requirements, together with its commitment to protecting the natural environment on all large energy user projects around the state. He noted that the UIPA Natural Resources policy is still under consideration and he thanked those who have provided feedback on that draft policy.

4. Presentation: Quarterly Budget Update

Ariane Gibson, Deputy Director, CFO, Treasurer, provided the budget update, reviewing revenue and expenditures through the final quarter of FY 2026, ending June 30, 2026. She displayed a document showing year-to-date vendor payments and noted that the office is currently working with the State Auditor's Office on the annual financial statement audit.

Utah Inland Port Authority		Income Statement FY2026 Period 12			
	Current YTD as of 6/30/26	Approved Budget Appropriation	Approved Revised Budget	Surplus (Deficit)	Surplus (Deficit) %
Revenues					
State of Utah	3,183,200	3,184,000	3,184,000	(800)	99.97%
Property tax differential	36,146,655	36,147,000	36,147,000	(345)	100.00%
Interest Income	2,304,111	2,190,000	2,190,000	114,111	105.21%
Building lease revenue	757,566	758,000	770,000	(12,434)	98.39%
Building lease interest revenue	183,642	184,000	184,000	(358)	99.81%
Sales tax	1,973,965	1,706,000	1,665,000	308,965	118.56%
Grant revenue	776,739	781,000	780,000	(3,261)	99.58%
Other miscellaneous revenues	121,510	42,000	42,000	79,510	289.31%
Total revenues	45,447,388	44,992,000	44,962,000	485,388	101.08%
Expenditures					
Salary and wages	4,205,028	4,675,000	4,675,000	469,972	89.95%
Professional services	716,771	578,000	696,000	(20,771)	102.98%
Legal fees	465,757	330,000	488,000	22,243	95.44%
General and administrative expenses	784,127	577,000	806,000	21,873	97.29%
Grant expenditures	769,221	1,296,000	1,296,000	526,779	59.35%
Capital Outlay	5,441,269	1,705,000	1,705,000	(3,736,269)	319.14%
Debt service	3,957,650	4,587,000	4,587,000	629,350	86.28%
Tax Sharing Agreements & Incentives	14,171,473	10,096,000	19,648,000	5,476,527	72.13%
Claims & Judgments	4,375,000	-	4,375,000	-	100.00%
Total expenditures	34,886,296	23,844,000	38,276,000	(3,389,704)	91.14%
Excess (deficiency) of revenues over expenditures	10,561,092	21,148,000	6,716,000		
Other Financing Sources (Uses)					
Lease proceeds	1,705,410			(1,705,410)	100.00%
Transfers in	-			-	100.00%
Transfers out	(6,513,775)	(6,514,000)	(6,514,000)	(225)	100.00%
Total other financing sources (uses)	(4,808,365)	(6,514,000)	(6,514,000)	(1,705,635)	73.82%
Net change in fund balances	5,752,727	14,634,000	202,000		

5. Policy Updates

Amy Brown Coffin, Chief Risk & Compliance Officer, presented the following policy for review and noted that this policy is anticipated to be presented in October with additional changes, specifically relating to SB206 and tax increment use and disclosure.

BP-13 - Authority Infrastructure Bank (AIB)

Policy governing the AIB for investment in infrastructure projects.

6. Presentation: Proposed White Rock Public Infrastructure District

Stephanie Pack, Associate Vice President of Regional Project Area Development presented the proposal to create a new Public Infrastructure District in Willard, Utah. This would cover an area of the Golden Spike Project Area in Willard City, sandwiched between I-15 and the UP rail line,

potentially creating opportunities for economic diversification and job creation in this community. The PID will help to pay for water and sewer infrastructure, road improvements, and natural gas and electrical service. Three percent of tax increment generated in the area is pledged to wetland preservation.

Madison Brown, City Planner in Willard, discussed the ideal location of this development and talked about it driving growth in the area to bring in more businesses & tax revenue.

Greg Nielson with Millstream Partners told of their excitement to partner with the city on this development. He said this development will help drive tax revenue for the city while keeping the area rural. He also addressed the need for this funding as the required infrastructure, both in the development area and upstream, would be cost prohibitive for the development to proceed without the ability to borrow against future tax growth\.

7. Presentation: Resolution 2026-41 Anson Resources Incentive

Jenna Draper, Associate Vice President of Regional Project Area Development, presented an overview of the proposed project and business incentive for Anson Resources.

Bruce Richardson, CEO of Anson resources detailed the project and the company's activities in Green River, Utah. This is a lithium extraction project, bringing brine up from 10,000+ feet underground and processing it to extract the lithium, primarily to be used for battery production in the electric vehicle industry. He described the previous uses of the land as the Green River missile launch complex, and uranium enrichment by Union Carbide. He compared the project to other lithium production in the United States and the competitive advantages for this site. Initial construction will employ about 500 and there will be about 200 ongoing jobs.

Ariane Gibson reviewed the required tax increment financing disclosure and reporting. She spoke to the project's scope & details, and the public good & benefits. She noted the creation of high paying jobs, the training of locals for these jobs, and the strengthening of responsible domestic lithium production. She reviewed estimates of tax generated by the project, the amount of tax the incentive would return to the company. The incentive returns 50% of what the Utah Inland Port Authority receives from the project. She showed a breakdown for what each of the taxing entities could expect to receive during the 25-year life of the incentive and over a 40-year operational period of the project.

8. Presentation: Resolution 2026-42 Skyline Corridor Amendment #4

Jenna Draper, Associate Vice President of Regional Project Area Development, presented a fourth proposed amendment to the Skyline Corridor Project Area Plan. While the project area covers six different communities, this amendment is only in the Salina area. The proposal is to add about 566 acres on the south side of I-70 where a tire store is currently being constructed. The inclusion and triggering of this parcel will help to fund the construction of a road to service the tire store and other development projects in the area. This amendment was approved by the UIPA Tax Differential Committee on August 24.

9. Presentation: Resolution 2026-43 Mineral Mountains Amendment #4

Danny Stewart, Associate Vice President of Regional Project Area Development, presented the proposed amendment #4 to the Mineral Mountains Project Area Plan. This amendment adds a small amount of property in Milford City to the project area. The area has a housing shortage, with more than 100 workers commuting more than 100 miles to the area because of lack of

housing. This amendment would facilitate a private investment solution by funding needed infrastructure in a previously platted subdivision, including utilities and roads, where a private developer could build on 28 residential lots. This infrastructure and the building of the 28 homes is expected to drive the development of the rest of the subdivision.

Mayor Nolan Davis of Milford City said amending this land into the project area would support needed housing development and encouraged the board to approve the amendment. He described the hundreds of new jobs that have come to the area and the need for more housing.

10. Public Comment

Board Chair Osborne opened up the public comment period.

Rose Moore with the group Tooele Cares expressed concern about the development of a data center in Tooele County and public funding to support that project.

Amy Lawson asked UIPA to decline any public funding to the Interstate Technology Park in Tooele where there is a proposal for a data center and shared concerns about air quality and lack of water.

Natalie Merriam spoke of insufficient water in the Tooele Basin and the negative impact of development on public drinking water. She questioned public financing for development in the area.

Jessica Perschon asked for increased transparency in discussions of public financing for data center development in Tooele County and full disclosure of information on the entities seeking its development.

Katie Pappas spoke of the Anson Resources lithium project in Green River. She questioned the amount of the proposed tax rebate for what she sees as new and speculative extraction technology. She questioned the water usage, brine re-injection underground, power needs, air quality impact, and worker housing.

11. Resolution 2026-41, Anson Resources Amendment

Board member Freedman moved that the Utah Inland Port Authority Board adopt Resolution 2026-41, a resolution of the Utah Island Port Authority Board, authorizing the use of tax increment for an incentive to Anson Resources.

Board member Cutler seconded the motion.

The motion passed with a unanimous vote of all board members present. Note that board member Stevenson was no longer present when these votes were taken.

12. Resolution 2026-42 Skyline Corridor Amendment #4

Board member Freedman moved that the Utah Inland Port Authority Board adopt Resolution 2026-42, a resolution of the Utah Inland Port Authority Board, adopting amendments to the Skyline Corridor Inland Port Project Area Plan.

Board member Cutler seconded the motion.

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

13. **Resolution 2026-43 Mineral Mountains Amendment #4**

Board member Freedman moved that the Utah Inland Port Authority Board adopt Resolution 2026-43, a resolution of the Utah Inland Port Authority Board, adopting amendments to the Mineral Mountains Inland Port Project Area Plan.

Board member Culter seconded the motion.

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

14. **Adjourn**

Board Chair Osborne adjourned the meeting.

Board Chair Abby Osborne

Written Public Comments submitted during and after the meeting:

Tooele Valley residents and neighbors across the Great Salt Lake watershed

Submitted via email and public comment

September 3, 2026

Utah Inland Port Authority Board of Directors Attn:
Abby Osborne, Board Chair
Utah State Capitol, Room 445
350 State Street, Salt Lake City, Utah 84103

Re: We are asking you to stop funding the Interstate Technology Park data center

Dear Chair Osborne and Members of the Board:

We are writing to you as neighbors — people who live in Tooele Valley, and people across the Wasatch Front who share the same air, the same shrinking lake, and the same stake in what kind of future we're leaving our kids.

We are asking the Utah Inland Port Authority Board to decline to authorize any bonds or public financing for the Interstate Technology Park Public Infrastructure District — the entity created by this Board in January 2026 to fund roughly \$100 million in infrastructure for a massive data storage center development at Burmester Road and I-80, in and next to Great Salt Lake wetlands.

Here is why this matters to us. We all breathe the same air.

This project's own developer has told County officials he's already paid \$11 million to build a 24-inch natural gas pipeline to power the data center himself, off the regular grid. That means a new gas-fired power plant in our valley, on top of everything else already here. And the gas pipeline may only be the beginning: correspondence in our possession shows the developer separately signed a letter of intent with an undisclosed power company to build and operate modular nuclear reactors on this same site — stackable to as much as a gigawatt of capacity — with spent nuclear material to be hauled out of state. None of this has been presented to the public. We already carry more than our share of the state's industrial burden. We are asking you not to help finance more of it, sight unseen.

We all live by the same dying lake — and our own wells are already struggling.

The Great Salt Lake is at record-low levels, and every water right that gets pulled toward industrial use is a water right that isn't reaching the lake. This isn't an abstract concern for us. The Tooele Valley groundwater basin was declared over-appropriated and closed to new appropriations by the State of Utah back in 1996 — there is already more water promised on paper than the aquifer can sustainably provide. Families here rely on private wells, and multiple community members have already reported to our coalition that their well water

levels are dropping and their water is becoming increasingly brackish. A 2009 federal groundwater study warned that increased pumping in this basin could drop the water table by tens to hundreds of feet. Adding a massive new industrial water user on top of an already over-appropriated, closed basin — while our own neighbors are already watching their wells decline — is not a risk we can afford to take on faith.

The developer has told the public that data centers use very little water and that his facilities “don't draw any water out of the Great Salt Lake.” But the same correspondence shows a project that has grown from 200 acres to a 1,000,000-square-foot building plus several more, on 600 acres, with water infrastructure the developer has repeatedly tried to build without normal County permitting oversight. We would like the Board to ask harder questions — including about impacts to our own drinking water wells — before treating this project's own water claims as settled fact.

We don't think our tax dollars should subsidize something that hurts us.

This isn't a private company spending its own money. This is public financing — bonds backed by future tax revenue — for a project whose own oversight board is made up of the developer and his two business partners. Between the earlier \$80 million TVPID bond, roughly \$54 million in UIPA tax-increment financing already committed to this project area, and the \$100 million now

being sought for the Interstate Technology Park PID, this single project is on track to carry over \$234 million in combined public financing — and we've only recently learned the scale of what's actually being built. We've seen emails where the developer signs correspondence under a shifting list of entities — Zenith Bolinder LLC, GSL Industrial LLC, Sun Stone IFD, Interstate I-80 LLC, and now Burmester 1 LLC — sometimes switching identities within the same 24-hour period. We've learned that an earlier loan of nearly \$5 million went to this same development group despite unpaid county property taxes on record. We don't think the public should be asked to trust financing decisions this opaque with our money.

We want a healthy future for ourselves and our kids.

Tooele County hasn't even finished writing its own rules for data centers. County officials have said the County will not accept new data center applications until its Chapter 34 ordinance is complete — the same hold the developer's own emails describe scrambling to file ahead of, and later to argue around. We are asking the Board not to hand over \$100 million in financing for a project that may not even be legal under the rules our own county is still finalizing.

This should be discussed in public, not just behind closed doors.

We understand that representatives of the Governor's office, this Authority, and the project's own bond underwriter were invited to a private developer briefing on this data center in August 2026 — before residents were given any comparable opportunity to hear directly from you or ask questions of our own. If UIPA staff already have a working knowledge of this project's scope, we believe the public deserves that same information, in an open meeting, before any financing decision is made.

Specifically, we ask the Board to take the following formal actions:

- Adopt a resolution declining to authorize any bond parameters resolution, inducement resolution, trigger resolution, or other financing action for the Interstate Technology

Park PID, and commit publicly to holding that position unless and until every concern in this letter has been addressed at a noticed public hearing;

- Direct UIPA staff and legal counsel to formally investigate whether this District's governance — with the developer and his own business partners serving as its Trustees — satisfies this Authority's fiduciary and public-accountability obligations, and report the findings publicly before any further action on this District;
- Require the developer to provide sworn, written disclosure of every entity connected to this project — including Zenith Bolinder LLC, GSL Industrial LLC, Sun Stone IFD, Interstate I-80 LLC, and Burmester 1 LLC — and their financial relationship to one another, as a condition of any further staff engagement;
- Independently verify, through a source with no financial stake in the outcome, the claimed tenant and 2027 occupancy deadline the developer has repeatedly used to demand expedited action — and refuse to treat an unverified private claim as grounds for public urgency;

- Suspend all informal briefings, site tours, and private coordination between UIPA staff or board members and the developer or his representatives until a public process, with real notice to Tooele Valley residents, is in place; and
- Formally condition any future consideration of financing on Tooele County first completing and adopting its Chapter 34 data center ordinance — not merely wait and see, but a binding condition recorded on this Board's own agenda.

We know this Board has a lot of projects in front of it. But this one is ours — it's our valley, our air, our water, our kids' future. We are not asking for a courtesy. We are asking you to use the authority you already have, before our tax dollars are committed to a project we never had a real chance to weigh in on.

Thank you for your time and consideration.

Sincerely,

1,100 Tooele Valley residents and allies across the Great Salt Lake watershed

Eileen Dobbins - West Valley City - 8/31/2026

Tooele Data Center

Please do not allow this data center to be built! Our water levels are dangerously low and the pollution that this will cause to the environment is irreversible. We are the custodians and caretakers of this land and to poison it in this manner is irresponsible and wrong. Additionally, we know it will be built by our taxes. It's a financial burden we cannot carry. We can't afford the increased energy costs either. It is also a real threat to our own safety and the well-being of our children. This is a mistake we cannot afford.

Julie Spark - Ogden - 8/31/2026

UIPA and the Environment

Our first priorities as Utahns must be the health of our water and air. Any development that increases our limited water and the health of the Great Salt Lake and our air quality must be rejected. Saving the Great Salt Lake and improving our air quality must be priorities. Our economy and the health of our residents depend on it!

Morgan Smith - Tooele - 8/31/2026

Data Center

Hell No!!! Water alone is enough of a reason you shouldn't even be considering it

Lisa Arnette - North Salt Lake - 9/1/2026

Proposed Tooele Valley Data Center

Dear UIPA,

I am not a resident of Tooele County, but know many people who are. And we all love our state. I live on the Bountiful Bench, and literally every day I see the depleted and once "great" Salt Lake. The proposed Tooele Valley Data Center will have a terrible impact on this unique and wonderful resource. On behalf of all of we Utahns who live and love this state: please, please do not subsidize a project that will further deteriorate our beautiful natural resources. We must save these resources for our children and families, and not for the giant corporations that care about nothing but their shareholders' bottom lines.

Annette McMullin - Sandy - 9/1/2026

Tooele data center

Utah citizens do not want one ounce of water to go to a data center. We do not want our land ruined by more projects that are not good for the environment. Wake up and see what is going on with the GSL shrinking, the mudslides, the wildfires, the floods and the enormous disruption of lives.

And you want us to agree and support the unnecessary development of data center in Tooele. No and not only No, give back the taxpayer money you were given behind closed doors. We, the people are not going to tolerate it. Please wake up!

Laura Johnston - Roy - 9/1/2026

Interstate Technology Park Public Infrastructure District

Hello,

I am contacting you regarding your support of the Interstate Technology Park Public Infrastructure District. Your financing of this massive data center development threatens our water and our air and makes poor use of our tax dollars. I am not willing for one more move to be made if even there is a minute chance that it would damage our environment. If we can no longer live here, all the transportation in the world will not help us. It's ironic that the name of your project includes the word park. Ha! Please get your priorities straight!

Lindsay Kate Clark - Clearfield - 9/2/2026

Public financing needs a higher bar

I am concerned at the lack of transparency of UIPA and current projects. I am not opposed to data centers. What I am opposed to is giving private companies public funds, large tax breaks, and not requiring that projects have full vetting BEFORE construction begins. This vetting process must include not only environmental impacts of projects, but public comment periods. It also cannot contain conflicts of interest. Those who sit on the UIPA board should have zero financial incentive to push a program through. We must be looking further in the future than 1-5 years. we

must be looking 25-30 years in the future. If a project will not benefit THE PEOPLE OF UTAH more than the private corporation for at least 20 years, then that is not a project that should be endorsed or allowed to progress. We must hold to a higher standard than just financial gain. Being shortsighted has led to the bad air and critically low water in the Salt Lake basin and Utahns deserve government entities that take the long view and look out for Utah citizens future health, safety, and wellbeing.

Jim Dalrymple - Salt Lake City - 9/3/2026

Data center Tooele

This project does not have proper objective over sight. It should not receive public money.

Courtney Smith - Tooele - 9/3/2026

Tooele County Data Center

I do not think you should help fund a new data center or any development near the great salt lake. Our water resource is already so finite that we should not be using it on developments that will only harm our community more. We should be doing all we can to protect our water and air. As of now there is no clear study as to how this will effect our community. Please do what is best for the community and not for the few who stand to make money off the backs and health of our neighbors.

Chanel Nagaishi - Orem - 9/3/2026

Concerns about UIPA Tooele Valley Project

Hello,

I am a lifelong resident of Utah and I am writing you to express my opposition to public financing for a Tooele County data center. The Great Salt Lake, whose shores are near the proposed data center locations is at a historic low. Residents of Tooele County have already reported that their wells are dropping. We do not need additional strain on our water resources. I love living in Utah and would like my children to experience growing up in this state, but creating further issues for our water supply makes the future of our state tenuous at best.

Thank you,
Chanel Nagaishi

Aleta Boyce - Erda - 9/3/2026

Meetings Sept 3 - not allowed to comment

I watched the meeting online and was ready to comment but was not allowed to do so.

As that is what I was told to do I wish to have my comment read at the next meeting. I am a resident of Erda, Utah.

- [] I am asking that the Inland Port Authority stop funding for the Tooele Valley Infrastructure District until a water study of Tooele Valley is done and stop funding until it is finished.

- [] The Utah Inland Port Authority has the ability to find out whether water in the Tooele Valley is going to run last for another 50 years or dry up wells half way through their multi-million dollar projects.

- [] Without a state study of the aquifer and how much we are over-appropriated, there is no way to know if using old agriculture water rights to supply two huge projects that you are funding is irresponsible. Loaning many more millions on a project without a water study would be fiscally irresponsible.

- [] I'm asking that you ask the state for a water study of the valley before you become famous as the reason an entire valley in Utah ran out of water.

- [] The last study was 17 years ago, which was also thousands of wells ago, and many developments.

- [] We've been in drought for a majority of those 20 years.

- [] The aquifer has not been recharging and water levels are going down in our wells.

- [] With the 20 Wells project, a 500 acres mass of new housing funded by the Inland Port Authority, and the TV PID, the Tooele Valley Aquifers will be massively impacted.

- [] Using water from several sources that were once used for agriculture part of the year, maybe not even used, to suddenly supply a Travel station NONSTOP 24/7 with showers for truckers and restrooms, restaurants, businesses, warehouses, power stations without a water study is just fine, by Utah water rights standards. But they can't say if the water is really there. And that's before you add a data center.

- [] But you could ask for a study, as the fiscally responsible thing to do. You can suspend funding until the water study is done.\n

- [] If the Inland Port funds this uncapped water project from unknown sources, it makes a joke out of the Governor's Executive Order on data centers, transparency and accountability of water use and to save the Great Salt Lake.

Aleta Boyce
Erda, Utah resident

Joshua Griffith – Salt Lake County – 9/30/2026

Public Comment for October 1 2026 Board Meeting Data Center Updates and Regional Water Integrity

Dear UIPA Board Directors and Executive Director Ben Hart,

I am submitting this formal public comment regarding the Data Center Update and the Natural Resources Policy listed on the agenda for the October 1, 2026 board meeting.

As regional project areas expand across Utah, particularly in sensitive or closed basins like Tooele Valley, the intersection of massive hyperscale data center infrastructure, energy demands, and water resource management has become an urgent concern for local residents and taxpayers who rely on these finite resources.

Before considering or accepting any further project approvals, expansions, or provisional allowances in Tooele Valley or across the state, we must address the regulatory loopholes that corporations are currently exploiting to take advantage of our communities. During your Data Center Update and discussion on natural resources, we urge the Board to formally adopt, enforce, and require the following protective actions to safeguard our water, close regulatory loopholes, prevent corporate abandonment, hold existing facilities accountable, and eliminate third party corruption at the sole expense of the corporations:

1. **Protect Closed Basins and Require Verified Wet Water:** State backed or port associated logistics and tech hubs must not be permitted to bypass state water appropriations or strain aquifers that are already legally closed or heavily constrained. What we need to enforce: Require developers to pay 100 percent of the cost for independent, third party hydrological studies to prove physical wet water rights are secured from non constrained sources before any project application or regional inclusion is approved. How we need to enforce it: Legally mandate that no project area trigger can be pulled or financing unlocked by UIPA until the state engineer certifies in writing that physical wet water is verified and independent hydrologists have signed off at the developer sole expense.
2. **Ban Open Loop Evaporative Systems and Prevent Mid Project Loopholes:** Developers frequently pitch efficient or closed loop concepts during initial approvals or provisional phases, only to pivot toward open loop, water guzzling evaporative cooling systems once permits are secured. What we need to enforce: Enforce a strict, permanent ban on open loop cooling systems and eliminate any administrative loopholes, provisional allowances, or vague land use definitions that allow facilities to scale up water consumption without rigorous public review paid for entirely by the developer. How we need to enforce it: Require a binding mechanical engineering certification upfront that prohibits open loop designs, and write an explicit clause stating that any unapproved switch to evaporative cooling revokes operating permits instantly, with all review costs borne by the facility.
3. **Zero Tolerance Oversight on Chemical Wastewater and Evaporation:** Data center cooling operations consume massive volumes of local water through 80 percent evaporation, leaving behind a 20 percent return stream of heavy, chemical laden, high salinity industrial brine laced with toxic chlorine biocides, synthetic corrosion inhibitors, and sulfuric acid. What we need to enforce: Mandate strict pre treatment standards and ensure project area triggers, tax incentives, or infrastructure funding never leave local communities vulnerable to toxic chemical discharges, requiring the companies to fund all independent water quality testing and public review. How we need to enforce it: Require developers to install continuous industrial pre treatment monitoring units linked directly to municipal oversight boards, funded 100 percent by corporate fees, with mandatory shutdown protocols if chemical thresholds are exceeded.

4. Mandate Bankruptcy Remote Financial Bonds and Prevent Taxpayer Bailouts: To prevent corporate entities from walking away, filing bankruptcy, or abandoning obsolete facilities, any state or regional framework involving Public Infrastructure Districts or tax financing must mandate upfront, multi million dollar cash escrow bonds and unconditional parent company guarantees. What we need to enforce: Legally secure these funds as bankruptcy remote at the company direct cost so future citizens and local taxpayers are never left holding the bill for environmental remediation, stranded infrastructure, or water table restoration. How we need to enforce it: Require cash or liquid escrow instruments held in state managed accounts that are legally isolated from corporate bankruptcy proceedings, sized fully to cover complete site tear down and aquifer stabilization before a single shovel breaks ground.

5. Enforce Strict Real Time Telemetry and Independent Public Verification: Any framework involving data center integration must mandate independent, continuous real time telemetry monitoring of water use and wastewater output. What we need to enforce: Require developers to fund independent, third party technical auditors and build automatic public dashboard reporting directly into compliance rules so water draw and discharge volumes are tracked live by regulators and residents at corporate expense. How we need to enforce it: Require hard wired, tamper proof digital flow meters on all intake and discharge pipes that feed an open, uneditable public web dashboard, with all telemetry hardware and maintenance funded entirely through mandatory annual developer compliance fees.

6. Implement Retroactive Oversight and Accountability for Existing Data Centers: State and regional frameworks cannot ignore facilities that already slipped through past loopholes or established operations in cities like West Jordan. What we need to enforce: UIPA and local municipalities must apply rigorous operational standards to existing data centers, mandating regular water transparency reporting, strict industrial pretreatment limits on chemical blowdown wastewater before it hits municipal systems, strict noise compliance, and closing any pathways that allow legacy facilities to expand their water guzzling footprints without full environmental review funded entirely by the facility operator. How we need to enforce it: Pass mandatory municipal and state operational code compliance updates that treat existing data centers as heavy industrial utilities, requiring them to submit annual environmental impact and water use audits paid for out of pocket or face progressive operational fines and permit suspensions.

7. Eliminate Third Party Corruption and Enforce Blind Assignment Auditing: Developers are well versed in hiring independent engineering or auditing firms that are secretly compromised by under the table financial incentives, revolving door employment, or direct corporate funding channels. What we need to enforce: To prevent corruption and ensure true independence, developers must never be allowed to hand pick or directly pay their own auditors. Instead, developers must deposit oversight funds into a blind, state managed municipal trust account. The state or municipality must then randomly assign third party monitors via a blind lottery rotation, with all audit findings submitted simultaneously to the public record under penalty of severe criminal perjury and immediate permanent contract revocation for any firm caught accepting secondary payouts from the developer. How we need to enforce it: Establish a state administered oversight pool where companies pay into a blind fund without knowing who audits them, backed by state statutory penalties making falsified data a felony offense for corporate officers and engineering firms alike.

State level oversight agencies must ensure that economic development does not compromise Utah critical natural resources or our local water supply, and that private corporations, not the public, pay every cent required to verify and maintain compliance through an uncompromised, corruption proof system.

We need to enforce these protections immediately because existing data centers operating across Utah, including major facilities in places like Bluffdale, Eagle Mountain, and West Jordan, do not follow these standards. They were built under a system riddled with regulatory blind spots:

Water Use and Transparency: Until very recently, Utah law did not require granular, public reporting of actual water consumption for individual data centers. While recent legislative measures like HB 76 began requiring baseline annual water use disclosures, there are still no state caps on how much water they can consume, and they are not tied to physical wet water availability checks in closed basins.

Open Loop Versus Closed Loop Systems: Many existing centers use water intensive evaporative cooling towers because they are cheaper to run than closed loop dry coolers. Utah has historically lacked a statewide ban on open loop systems, allowing developers to choose the path of least resistance regarding local water supplies.

Chemical Blowdown and Wastewater: Chemical laden blowdown containing brine, biocides, and anti scalants goes into standard municipal wastewater or industrial sewer systems under general pretreatment guidelines, rather than the hyper strict, continuous monitoring oversight and dedicated pre treatment loops required to protect our infrastructure.

Bankruptcy Remote Decommissioning Bonds: Legacy data centers were rarely forced to lock up multi million dollar, bankruptcy remote cash escrow accounts upfront. If a corporate parent tanks or tech infrastructure becomes obsolete decades from now, local taxpayers face the risk of being left with stranded, abandoned industrial real estate.

Real Time Telemetry and Blind Auditing: There are no mandatory, tamper proof public dashboards tracking live water draw on a public web page, nor does the state use a blind lottery system to assign uncompromised third party auditors paid entirely out of corporate trust accounts.

In short, the existing fleet of data centers in Utah slipped through an era where tech expansion was welcomed with open arms, cheap utility deals, and minimal environmental strings attached. Closing these gaps for both new proposals and existing facilities is critical to protecting Utah future water and taxpayers.

This comment would be shorter if we just did it right by addressing the gaps instead of just letting it happen. As public leaders, the true measure of your office is not how many corporate projects are brought through the door, but whether the foundation remains sound for the people who actually live here—because leadership is not about being in charge, it is about taking care of those in your charge. As Fred Rogers reminded us, we live in a world where we must share responsibility; it is easy to say a strained basin or an abandoned industrial site is someone else's problem, but true neighbors and public servants are the ones who see the need and step up to protect their community.

Thank you for entering this comment into the official public record for today meeting.

Sincerely,

Joshua Griffith
Your neighbor, Utah