

***Comments on the Utah Inland Port Authority Draft Business Plan
from the Healthy Environment Alliance of Utah
June 19, 2020***

We appreciate the opportunity to comment on the UIPA Business Plan. In general, the plan appears to be a step in the right direction in elevating the planning for the port's potential environmental impacts to the same level of importance as its economic impacts. The proof of that will depend on whether the environmental goals listed in the plan guide the selection, commitment and performance of industrial and commercial land development partners who will support the plan's environmental goals, infrastructure technology, operations policies, and port performance metrics.

For this to happen the port's development will need to be driven not only by the UIPA's main tool of offering financial incentives using their share of the tax differential and state appropriations, but also investment in common port infrastructure that uses cutting-edge technology, and aggressive recruiting of private sector partners who will share and even enhance the port's environmental commitment.

But perhaps most importantly, assuring the least possible environmental impacts will require the commitment of executive and legislative governmental entities at the state and local level who control both the land use authority as well as the strength and enforcement of environmental laws and regulations. This will require the state to be bold and visionary and move beyond its historical tendency to evolve environmental policy slowly and incrementally and to do so mostly in response to minimum federal standards. If the port is to truly benefit the people of Utah, there must be a recognition in state policy that requiring developers to meet the highest environmental standards is in our long-term economic interest.

HEAL's overarching recommendations relating to all aspects of UIPA's Business Plan include the following:

1. Before any further development occurs at the port site, environmental performance metrics be adopted by the UIPA and backed up by local and state legislation related to air quality, energy use, CO2 emissions, waste management (solid, water, and hazardous), habitat impacts, water quality, light and noise pollution, and traffic.
2. The verbiage in the Business Plan must expand upon or strengthen the frequent use of verbs like "promote", "evaluate", "incentivize" "work with", "support", "advocate", "channel", and "encourage." (Highlighted in red below) The ability to actually achieve the goals that use these words depends upon more than the UIPA's good will and hope. The Business Plan needs to describe in more detail how UIPA will pursue these goals and what action will be necessary by what governmental or private entities for them to actually be realized. The plan should be specific about what UIPA's role is in achieving these goals, and where the primary responsibility and public accountability will lie.

Our specific observations in response to each of the plan's environmental strategies and tactics are found in green (of course) below.

Strategy: Initiate sustainable development standards.

Zero Emission and Near Zero-Emission Fleet: **Incentivize** older truck and rail engine upgrades to zero or near-zero emission technology, equipment retrofits, accelerated replacement, and renewable energy sources.

How will the incentives work? Will they be positive or negative or both? HEAL recommends following the Port of Los Angeles' Clean Truck Program which has reduced emissions of trucks servicing the port by 90%. <https://www.portoflosangeles.org/environment/air-quality/clean-truck-program>

We also recommend that all property owners or tenants within the Inland Port with truck fleets be required to attend trainings on the use of the Zero Emission Truck Inventory Tool (ZETI) <https://globaldrivetozero.org/tools/zero-emission-technology-inventory/> and perform the ROI calculation provided in the ZETI tool before any fleet upgrade or replacement purchases.

Clean Cargo-Handling Equipment: **Promote** the use of clean cargo-handling equipment for industrial activity.

HEAL recommends that the UIPA board and/or the related board infrastructure development subcommittee require any purchasing decisions related to port cargo handling equipment be justified against the best available technology found in the San Pedro Bay Ports' 2018 FEASIBILITY ASSESSMENT for CARGO-HANDLING EQUIPMENT <http://cleanairactionplan.org/documents/final-cargo-handling-equipment-che-feasibility-assessment.pdf/> or its subsequent revisions.

Commercial Charging Infrastructure: **Promote** electric vehicle charging and clean energy fueling infrastructure for commercial and passenger vehicles.

To be realized, this will require more than promotion by UIPA. If this decision will be made by each individual port property owner or tenant, then either regulations and/or positive/negative incentives will be required.

Eco-Driving Training and Education: **Promote** fuel-efficient truck driving and rail speeds.

There are many driving practices beside speed that can improve fuel efficiency and reduce emissions. HEAL recommends that a comprehensive training program be implemented for all drivers servicing the port with incentives and penalties for compliance. <https://truckingresearch.org/sustainable-driving-practices/>

Dynamic Vehicle Routing and Scheduling: **Use** dynamic vehicle routing optimization and scheduling with real-time data sharing to mitigate congestion.

HEAL recommends that there be incentives for companies to use these systems and public reporting of which companies do and do not.

For both this and also the previous item, HEAL recommends that there be requirements or incentives for companies to pursue fleet CO2 certification such as the one offered by Masternaut and that this information be publicly available. <https://www.masternaut.com/co2/>.

Strategy: Initiate sustainable development standards.

Site Access Planning: Streamline site access planning in concert with local government and developers to maximize trip efficiency within inland port areas.

Site access planning must minimize impacts on adjacent neighborhoods including emissions, traffic and noise.

Sustainable Development Standards: Establish sustainable development standards for buildings and pavements for construction and completed developments within inland port areas.

Who will establish these standards? Before any further construction occurs, HEAL recommends that UIPA and the land use authorities commit to requiring the [International Green Construction Code \(IgCC\)](#). As described in the IgCC materials, “(b)ecause it was written in *mandatory* language, the IgCC is poised to produce environmental benefits on a massive scale: a scale impossible to attain with purely *voluntary* green building programs and rating systems.”

Clean Construction Equipment: Promote the use of clean construction equipment for developments within inland port areas.

HEAL recommends that UIPA and the land use authorities require a construction bidding process that gives preference to companies that will commit to the use of construction equipment with Tier 4 diesel engines.

Truck Parking: Evaluate truck parking demand and promote the development of new, sustainable truck parking sites with auxiliary, renewable energy plug-ins to help minimize idling while addressing truck parking shortages.

HEAL recommends keeping all truck parking sites away from adjacent neighborhoods. We also recommend either only allowing electric-powered trucks and those with Tier 4 diesel engines to enter the port area, or developing truck parking that provides them with the most convenience and services.

Sustainability Certification: Undergo performance-based certification process to obtain the EcoDistricts certification. EcoDistricts Certification Protocol: Equity, Resilience, and Climate Protection.

It’s hard to find details about EcoDistricts without registering and paying their fee. Our understanding is that EcoDistrict Certification requires a commitment to a collaborative community process, which is commendable. But it does not appear to require a commitment to achieve specific environmental performance measures. And the accountability for achieving the

goals of the community process appears to be internal and voluntary rather than external and required. If so, EcoDistrict Certification may be a good planning framework to follow, but not an adequate outcome performance tool. HEAL recommends that UIPA consider adopting the relevant Sustainable Manufacturing Indicators that have been developed by The Organisation for Economic Co-operation and Development (OECD) or something similar and regularly reporting these metrics to the public.

<https://www.oecd.org/innovation/green/toolkit/oecdsustainablemanufacturingindicators.htm>

Strategy: Promote sustainable industry practices.

Responsible Sourcing and Procurement: **Promote** responsible corporate sourcing and procurement through education on environmental impacts through emission inventories that account for impacts both upstream and downstream in an organization's supply chain.

HEAL believes that to achieve this, more than education will be required. HEAL recommends that UIPA implement a required procurement process that favors the use of low-emission, low energy-use sources. We also recommend that final procurement decisions and the related impacts on the emission inventories be publicly available.

Energy Efficiency and Emission Standards: **Establish** energy efficiency and emission standards in coordination with DEQ for businesses using facilities in the inland port areas and **promote** enhanced microgrid technologies and renewable energy.

HEAL recommends that these standards be established in state statute and that they be based on cutting edge states like Colorado, Washington, and California since the federal government has not kept up to date on this effort. These standards should include items that are normally considered residential such as for common appliances, as well as standards for items that are primarily used in commercial and industrial settings such as large fans, hoists, etc.

Dust Control: **Implement** dust control measures such as dust suppressants, installation of hoods, fans, or fabric filters, vegetation, tilling, soil stabilizers, fencing, stones, and frequent use of sweep equipment along paved roads.

Utah's dust control statute and regulations are currently very weak with inadequate monitoring and enforcement. HEAL recommends that these laws be significantly strengthened to include more frequent monitoring with objective monitoring equipment, requirements for mitigation that include windy days and dormant extraction areas, followed by strict enforcement.

Strategy: Improve traffic and congestion issues in the Wasatch Front.

Shift Cargo from Truck to Rail: Shift increased amounts of cargo originating from and destined for the Wasatch Front from truck to rail. UIPA will focus on improving the quality of

rail service – reliability, level of service, and cargo-handling capabilities –to induce modal shifts. Seaport partners will be key to the success of this action.

HEAL recommends that UIPA develop specific goals for how much cargo can be shifted from truck to rail and that these goals become integral to the port planning process.

Disperse Cargo Traffic from Wasatch Front: Disperse cargo that does not need to flow through the Wasatch Front to satellite locations around Utah.

HEAL recommends that UIPA develop specific goals for how much cargo can be dispersed away from the Wasatch Front and that these goals become integral to the port planning process. We also recommend that the sustainability planning, goals and metrics be the same for satellite sites as they are for the hub site in Salt Lake.

Incentivize Use of Smart, Clean Energy: While the UIPA does not have tariff authority to influence the conversion of cargo-handling equipment, locomotives, and trucks serving the port to more fuel-efficient sources, UIPA intends to develop incentives to move toward the implementation of renewable energy sources.

HEAL recommends that the partnership with Rocky Mountain Power (RMP) to provide 100% renewable energy to the port be based on the establishment of new renewable energy sources by RMP and not just a shuffling of where their existing renewable energy sources are allocated.

Environmental Quality Monitoring: Work with the Utah Department of Environmental Quality to expand monitoring efforts and make improvements to environmental sustainability, air quality, and water quality within inland port areas.

HEAL recommends that an additional air quality monitoring station be included in the port planning and that baseline measurements be collected prior to port construction and operation. We also recommend that threshold levels of criteria pollutants in the port area be established and, if they are exceeded, port construction and operations be adjusted and necessary modifications to activity be made to bring the pollutant levels back into an acceptable range.

Strategy: Enhance community livability.

HEAL's areas of focus include air quality, clean energy, and radioactive waste. In the strategies below that fall outside those topics, HEAL recommends that UIPA engage with those who have expertise and experience in those areas.

Noise and Visuals: Support best practice noise and visuals to address environmental sensitivities in partnership with local government and private partners.

Air and Water Quality Monitoring: Support best practice monitoring of air and water in coordination with the Utah Department of Environmental Quality and private partners

See HEAL's air quality monitoring recommendations in the comments above.

Flood Planning: Coordinate with local government to mitigate risks of flooding in flood hazard areas.

Maintain Water Quality: Promote sustainable strategies related to water resources to address conveyance and drainage, stormwater and hydrology, groundwater, floodplains, surface water habitat and wetlands, and water supply in coordination with municipal policies and statewide through the Utah Department of Environmental Quality.

Emergency Protocols: Work with local agencies to study current hazardous waste policies and the adequacy of existing emergency protocols.

HEAL recommends the following to prevent and respond to hazardous waste emergencies:

1. The development of a comprehensive waste management plan that covers solid and hazardous waste as well as wastewater.
2. Restrict hazardous waste quantities to no more than one ton or less per shipment.
3. Do not accept any radioactive waste greater than class A and restrict class A waste to one ton or less per shipment.
4. Implement a complete Emergency Management System based on the standards of the American Association of Port Authorities (AAPA) for all hazardous waste generated on-site or that enters the port. <https://www.aapa-ports.org/empowering/content.aspx?ItemNumber=21501>

Logistics Safety Campaigns: Promote campaigns to raise awareness of rail and truck safety practices within communities in partnership with local communities.

Affordable Housing: Support affordable housing in local communities to promote equity and workforce housing needs.

HEAL recommends that this housing be developed using Smart Growth America principles. <https://smartgrowthamerica.org/> We recommend that they be located near the port and available to low-income port employees in order to reduce the costs and emissions related to their commute to work.

Look and Feel of the Community: Promote community beautification in partnership with local government, school districts, residential care facilities, libraries, and emergency service stations.

HEAL recommends that the plan include a commitment to follow Salt Lake City's Complete Streets ordinance to facilitate pedestrian and bicycle traffic in the area.

Childcare and Afterschool Programs: Advocate for enhanced community childcare and afterschool programs in partnership with local communities.

Property Tax Differential and other financing

Development UIPA will use the remainder of the property tax differential to advance sustainable and smart logistics investments through partnerships, policies, programs, and bonding.

HEAL recommends that the Business Plan provide more details about how the tax differential be used for incentives. We also recommend that it include more information about who would issue bonds and for what purposes.

Costs associated with building an inland port intermodal facility, including issuing CPACE bonds. (*The Commercial Property Assessed Clean Energy (CPACE) program helps commercial business owners, specifically, pay for these upgrades by providing 100% financing and long-term repayment options for eligible energy efficient projects.*)

HEAL recommends that the Business Plan provide more details about how UIPA plans to use CPACE funding to achieve its sustainability goals.

Strategy: Coordinate protection of community areas.

Site Planning: To minimize noise, vibration, and visual impacts, work with private and public partners to coordinate land uses between industrial uses and community areas such as schools, parks, and residences through environmental setbacks, transition zones, non-access easements, and other tools.

See comments on site planning above.

Truck Routing: Work with state and local government to designate specific routes for truck access to minimize disruption to local communities.

See comments on truck routing above.

Rail Access: Channel warehousing and distribution developments to sites with rail access to more efficiently move goods and minimize trucking activity where unneeded.

See comments on rail operations above. In addition, HEAL recommends that the plan address the impact of increased rail traffic on pedestrian and local surface road automobile traffic and delays at existing crossings and those planned for the future.

Environmental Quality Monitoring: UIPA will work with the Utah Department of Environmental Quality, as well as private partners, to monitor and make improvements to environmental sustainability and air quality within the jurisdictional area and project areas.

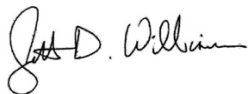
See comments on environmental monitoring above.

Additional information HEAL Utah would like to see addressed in or added to the Business Plan.

In addition to our responses to specific goals and strategies contained in the plan, HEAL recommends that the following be added to or clarified in the plan.

- The role of the municipal land use authority of Salt Lake City, West Valley City, and Magna in implementing the stated environmental goals.
- Existing state and federal environmental laws and regulations that UIPA, the municipalities and the landowners will be subject to.
- Specific plans for UTA to service the port with commuter routes and schedules that will align with port work shifts.
- A discussion of how the port development will influence and possibly change the plans for the adjacent Mountain View Highway and the impacts those plans will have on emissions, noise and traffic.
- An explicit commitment to environmental justice including a statement acknowledging that the proposed port will be adjacent to neighborhoods that are home to a diverse population that is over-represented with people of color and those with low incomes. And that these populations have historically been disproportionately impacted by pollution including air, water, land, noise, light, and waste. This includes the need to provide information in Spanish and other languages to communicate with these populations during and after the planning process.
- Identification in the staffing plan of designated staff who will have the expertise, responsibility, and authority to implement the sustainability goals in the UIPA staffing plan.
- A formal board subcommittee focused on sustainability.
- Discussion of how the recent changes in the U.S. and global economic performance and economic projections due to the pandemic will impact the port's development.

Thank you,



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The Healthy Environment Alliance of Utah