

The Salt Lake Tribune

Tribune Editorial: Herbert was wrong to sign Port Authority bill



Scott Sommerdorf | The Salt Lake Tribune Marlene Jennings, right, a former delegate for Gary Herbert when he ran for Governor, shows the shirt to Dorothy Owen, left, who also opposes SB234. Jennings later gave back the shirt to the Governor's staff over the issue of the inland port and SB234, Thursday, March 14, 2018.

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An act of the Legislature should never be seen as a fixer-upper — something you buy and move into with the idea that you will upgrade the plumbing and repair the roof. When you get around to it.

With all the controversy attached to, and all the clearly bad ideas contained in, SB234, Gov. Gary Herbert was clearly wrong Friday when he signed the bill, issuing empty reassurances that the many flaws on the bill can now be addressed.

The governor's sign-now, fix-later approach is a serious and unhelpful abdication of his responsibilities as chief executive. His action puts those who favor what is suddenly the status quo in an immensely superior bargaining position over those who would rightly make many and substantial changes in the law.

Those who favor the unwarranted usurpation of power from the municipal government of Salt Lake City now have no incentive to give an inch in whatever negotiation process may follow. All they have to do is threaten to walk away, leaving SB234 in place, and the city and its allies have no power to make them come back to the table.

There are just too many flaws in the bill that would create an extraneous layer of government to oversee the inevitable development of Salt Lake City's Northwest Quadrant.

Even the bill's primary sponsor — Sen. Jerry Stevenson, R-Layton — was expressing a bit of buyer's remorse after the end of the legislative session. Even he was suggesting that the legislative process had gotten away from him, resulting in a bill that gave the board of the self-governing Port Authority too much power and the city too little.

There is real reason to be concerned that the body as structured will be an invitation to developers and speculators to go over the city's head to a body that may be much more willing to accept environmentally damaging uses, under-planned traffic patterns or anything else that favors private profit over the public good.

Nobody, least of all the city government that is losing so much power with this act, sees the mostly vacant expanse of some 34 square miles as anything other than a major industrial and transportation hub. The proximity of the airport, two Interstate highways, rail service and a thriving city add up to nothing else.

But city officials rightly felt disrespected and blind-sided by a legislative process that presented no real need for such a powerful and non-reviewable body to either duplicate or undermine the city's land-use planning and environmental review processes.

There was a lot of sniping among various political camps. Some blamed Salt Lake City Mayor Jackie Biskupski for being AWOL during the process. Others charged that the city's lobbyists were not pulling their weight.

But, even if the night watchmen were asleep on duty, that doesn't excuse the burglars.

If Herbert is serious about the need to revisit the bill he has already, and unwisely, signed into law, he should waste no time in convening the relevant parties — lawmakers, the city, the county and officials of other Utah municipalities who now rightly fear a state raid on their authority — to write a better bill.

Herbert just made that process a lot more difficult. So it is on him to make it work.
