



Governing Board
Thursday, January 28, 2010; 7:30 A.M.
Historic Utah County Courthouse, Ballroom, Suite 319
51 South University Avenue, Provo, Utah

ATTENDEES:

Don Blohm, Highland City
Dick Buehler, Utah Division of Forestry, Fire, and
State Lands
Councilman Jim Lundberg, Mapleton City
Councilman Craig Coleman, Genola Town
Mayor John Curtis, Provo City
Mayor Jim Dain, Lindon City
Commissioner Larry Ellertson, Utah County
Gene Shawcroft, Central Utah Water
Conservancy District
Mayor James Hadfield, American Fork City
Mayor Heather Jackson, Eagle Mountain City
Councilman James Linford, Santaquin City
Councilman Dean F. Olsen, Springville City
Robyn Pearson, Utah Dept. of Natural Resources
Mayor Jerry Washburn, Orem City
Mayor Bert Wilson, Lehi City

INTERESTED PARTIES / VISITORS

Lewis Billings, Provo City
Reed Harris, JSRIP
Michael Mills, CUWCD
Dave Grierson, FFSL
Aaron Eager, Utah County Weed Control
Bob Trombly, Provo Attorney
Todd Frye, Bonneville School of Sailing
Dee Chamberlain, HOA, Saratoga Springs
Bruce Chestnut, Orem, Technical Committee
Steve Densley, Utah County Chamber
Carol Walters, Utah Valley Earth Forum
Leon Harward, Utah Crossing
LaVere Merritt, Provo Consultant
Charlene Christensen, Utah Valley CVB
Don Meyers, Salt Lake Tribune
Rosey Christensen, Utah Valley Earth Forum
Donna Sackett (Senator Bennett)
Sara Lenz, Deseret News

ABSENT:

Department of Environmental Quality, Saratoga Springs City, Woodland Hills Town, Utah State Legislature,
Pleasant Grove City, Vineyard Town

1. Welcome and call to order.

Vice Chairman Larry Ellertson called the meeting to order at 7:35 a.m. He welcomed the Governing Board and acknowledged new members. He asked each member to introduce themselves and who they represented. Utah Lake Commissioner Reed Price recognized eight newly elected and/or appointed municipal representatives since the last meeting: Mayor John Curtis of Provo; Mayor James H. Hadfield of American Fork; Mayor Heather Jackson of Eagle Mountain; Councilman Craig Coleman of Genola; Mayor Bert Wilson of Lehi City; Councilman Jeff Wilson of Pleasant Grove; Mayor Mia Love of Saratoga Springs; and Councilman

Jerry Johnson of Woodland Hills. Alternate Gene Shawcroft for Chris Finlinson of the CUWD and Robyn Pearson for Mike Styler from the Utah Department of Natural Resources were also recognized. Utah State Legislators Steve Clark and Mike Morley were in session with the Utah State Legislature.

2. Conduct bi-annual election of the Commission Chair and Vice Chair.

Mr. Price explained the bylaws and Interlocal Agreement states the elections would be conducted biannually at the first meeting of the year. The Commission members would elect new leadership from representatives on the board. Duties of the Chair would be to attend and conduct the monthly Executive Committee Meeting, the monthly Governing Board meetings, as well as be spokesman and supporter for the Commission and its goals.

Commissioner Larry Ellertson conducted the elections asking for nominations for the Chairman. Mayor John Curtis motioned that Larry Ellertson be elected to the office of Chair, seconded by Mayor Jerry Washburn. It was moved and seconded that the nominations cease. Motioned carried. It was moved and seconded to elect Commissioner Larry Ellertson as chairman of the Utah Lake Commission Governing Board. Voting was unanimous in the affirmative.

Chairman Ellertson then opened up nominations for the Vice Chairman. Mayor Jim Dain nominated Mayor Jerry Washburn to the position of Vice Chair; seconded by Mr. Dick Buehler. It was moved and seconded that the nominations close. Motion carried. It was moved and seconded to elect Mayor Jerry Washburn as Vice Chairman of the Utah Lake Commission Governing Board. Voting was unanimous in the affirmative.

3. Conduct annual election of Executive Committee members.

Mr. Price explained a new Executive Committee needed to be elected. The Committee was not to consist of more than seven members. The Executive Committee typically meets one week prior to the regularly scheduled Governing Board meeting to work out issues beforehand, discuss items, , and then finalize the agenda. Others who are not official committee members are welcome to attend the Executive Committee meetings. The bylaws state the committee should include the Commission Chair, Vice Chairman, and a representative of the Department of Natural Resources and up to four others from the Governing Board as determined by the Board. Accordingly the new members are: Chairman Ellertson, Vice Chairman Washburn, and Mike Styler. The previous members of the Executive Committee included Dean Olsen from Springville, Mayor Washburn, Mayor Howard Johnson from Lehi and Mayor Heber Thompson from American Fork. Mayor Tim Parker and Chris Finlinson would occasionally observe and participate.

Chairman Ellertson opened nominations for the four remaining members of the Executive Committee. Mr. Robyn Pearson nominated Mayor Jim Dain and seconded by Mr. Buehler; Mayor Washburn nominated Mayor John Curtis and seconded by Mayor Heather Jackson; Gene Shawcroft nominated Chris Finlinson (who was not present but had expressed a desire to serve on the Committee), seconded by Mayor Hadfield; and Mayor Washburn nominated Dean Olsen, seconded by Mr. Buehler. Mayor Hadfield moved the nominations cease, seconded by Mayor Curtis. Motion carried.

Chairman Ellertson restated the names of Mayor Jim Dain, Mayor John Curtis, Councilman Dean Olsen, and Chris Finlinson from the Central Utah Water Conservancy District. In one vote, the nominated members were unanimously approved.

a. Discuss meeting schedule for Executive Committee (7:30 a.m. on third Thursday). It was motioned and seconded the tentative meeting schedule for the Executive Committee is approved; motion carried.

4. Review and approve the Utah Lake Commission minutes from November 19, 2009.

Mr. Buehler motioned to approve the minutes of November 19, 2009 as written with no corrections, and seconded by Mayor Dain. Voting was unanimous with Mayors John Curtis and James Hadfield (newly elected officials) abstaining.

5. Review and approve the monthly financial reports of the Commission for November and December, 2009.

Mr. Price explained the financial reports for the months of November and December:

November: For November 30, 2009 with 58.3% of the fiscal year remaining the Zions checking account balance was \$1,728.70; the money market account balance was \$21,852.82 and the PTIF fund balance was \$284,180.36. He stated a new item was added to the financial report. The Board had requested the balances of the accounts be watched and shift the funds around as appropriate. With the new item, the figures showed the rate of return from Zions was slightly better than the PTIF account. Interest earned in November was \$166.51 and the fiscal year-to-date was \$1,269.31. Expenses for November were shown with two explanations. One was a payment to Lehi City secondary to overpayment of the annual fee based on an earlier document. (When Eagle Mountain joined, Lehi's contribution was reduced and the check was a reimbursement.) The second item was \$1,500 for the annual financial review. Total expenses for November were \$15,862.64 with the general fund budget report showing balances of all accounts. Finally, at zero percent, the special projects account was completely spent. These funds were earmarked for the phragmites removal project. In summary, 65% of the budget is remaining and 58.3% of the fiscal year was left.

Mayor Hadfield moved the financial report for November 2009 be approved as presented; seconded by Mayor Curtis. The motion carried.

December: With 50% of the fiscal year remaining, the Zion's Checking Account balance was \$1,609.73. The money market account balance at Zions was \$21,868.60 at 0.85% return with the PTIF account balance at \$264,825.88 at 0.63% return. Transfers on the dates indicated were \$6,000, \$8,000, and \$5,500 respectively. Interest earned in December was \$161.30 with year-to-date interest earned at \$1,430.61. The expenditures were noted. The budget balance reports were also indicated. With 50% of the year remaining, 56% of the budget remained. Mayor Hadfield motioned to approve the December financial report; Mayor Jackson seconded the motion and the motion carried.

6. Report from the Technical Committee.

Chairman Bruce Chestnut of the Technical Committee reported the Committee did not meet in December or January. He stated the next meeting was scheduled for February 22 when a new chairman would be elected. He stated the committee was ready to go to work and resolve the present and future issues and noted it was going to be a busy year for the committee.

Mayor Hadfield requested a listing of the Technical Committee members who are serving and what their responsibilities are. Mr. Price stated he would provide a list and discuss their responsibilities during his presentation.

7. Report from the Executive Director.

Mr. Price deferred his report until Item 10 with a presentation and yearly update to the Board.

8. Review and consider approval of the tentative Governing Board meeting schedule for 2010.

Chairman Ellertson noted the Board received the proposed meeting schedule in their packets. He explained the Governing Board usually meets on the fourth Thursday with adjustments made for holidays. The meetings are held at 7:30 a.m. in the Historic County Courthouse Ballroom, but may be moved to the Health and Justice Building Room 2500, because the Ballroom had already been reserved by other groups.

Mayor Curtis motioned to approve the meeting schedule of Governing Board meeting locations indicated; seconded by Mr. Shawcroft, and the motion carried.

9. Review and consider approval of applicants to the Public Advisory Group.

Mr. Price stated each year the Board reviews the Public Advisory Group (PAG) members and approve them. He explained to the Board, that initially, a provision in the Interlocal Agreement allowed specialty groups to become ex officio members of the board. (Ex officio is a nonvoting member of the Governing Board.) Numerous requests were received to sit at the table from different nongovernmental organizations and special interest groups. The Board was hesitant to have a group which was unmanageably large as the Board consisted of many members. The Board recognized the need and importance for specialty groups to be heard. After discussion and consideration, the Public Advisory Group was formed. The PAG is comprised of special interest groups such as sportsmen, environmentalists, businesses, such as realtors and sailing club, etc. The PAG meets bimonthly to discuss the issues and give feedback to the Governing Board. These groups have legitimate interests in Utah Lake and have a right to be informed about what the Commission is doing as well as receive feedback from PAG. One of the provisions of the established PAG is the annual re-application of the members and approval by the Board.

Mr. Price noted the current groups and recommended approval of these members. Mr. Hadfield asked for the names of the individual groups and their appointed representatives. Mr. Price explained the Bylaws recognized the organizations and not the representatives as the organization can send any representative who has the time and ability to attend. PAG membership is based on group approval and representative names may vary and so were not listed. He then identified the present PAG members:

Bonneville School of Sailing and Seamanship – Todd Frye.

The Sierra Club - Marc Heileson, Western Region Manager in Salt Lake Office.

Utah County Association of Realtors – Taylor Oldroyd, Executive Director.

Utah County Farm Bureau - Neil Anderson, President of Utah County Farm Bureau.

Utah Farm Bureau Federation - Sterling Brown, Director.

Utah Valley Chamber of Commerce - Steve Densley, Director.

Utah Valley Convention and Districts Bureau - Joel Racker, Director.

Utah Valley Sierra Forum - Laura Snow. However, Carol Walters stated the group's new name was changed to the Utah Valley Earth Forum and she was the new representative.

Utah Water Ski Club - Keith Morgan.

Utah Waterfowl Association - Matt Clark.

****Mr. Shawcroft asked if other groups had recently expressed interest in participating on the PAG. Mr. Price answered that the Utah County Birders Association had requested and received an application, but he had not received anything back from them. Mr. Price expounded on the application process. He stated in order to become a member of the PAG a formal application is filed, which includes why the group is interested in Utah Lake. The Executive Committee then reviews the application and makes a recommendation to the Board whether to accept the application or not. Chairman Ellertson stated anyone from PAG group was welcome to make public comment. Mr. Price clarified that in order to interact with the Board more efficiently PAG should follow the established guidelines. If PAG has issues they would like the Commission to address and receive attention, they ask to place an item on the Governing Board agenda. Then the PAG would be allowed to speak directly to the Board.

Chairman Ellertson called for a motion to approve members of the Public Advisory Group as presented. Mr. Price reminded Chairman Ellertson of the one correction, which was the name change of the Utah Valley

Sierra Forum to Utah Valley Earth Forum. Mayor Jim Dain motioned the members be approved as presented; Mr. Pearson seconded the motion; and the motioned carried.

10. Presentation: Utah Lake Commission—Past, Present and Future.

At the beginning of each year, Mr. Price, the Executive Director, is asked to give an annual report to the Governing Board. The report should include what has been accomplished over the past year and keep the Board abreast of how things are moving forward with the established goals and objectives. . This annual report coincided with new members joining the Governing Board. Former Chairman and Provo Mayor, Lewis Billings, , who was instrumental in establishing the Commission, gave a background and history of the Commission. .

Mr. Billings stated at the end of 2003, a group of mayors came together to discuss what the future and direction of Utah Lake. Sitting in on the Council of Governments (COG), various factions presented their ideas and wanted endorsement of their particular views of what should be done. Different voices were heard and were in conflict with regards to the lake. With a difference in perspectives and a host of issues, groups were attacked for their proposed plans. Considering the lake belonged to everyone, the joint elected officials felt they represented all the people. He believed one opinion can disagree from another one, but the both opinions should be understood. The elected representatives moved forward to create a multiparty body which would take responsibility for the work and management of this natural resource.

In 2004 the combined mayors again came together around the table. They began to ask a variety of questions which became the predecessor document to the Master Plan. These questions included water quality, recreation, development, conservation, habitat, eco-systems, coordination, dredging, causeways, reclamation, etc. He noted each leader had varying ideas on each subject. The jurisdiction, local versus county, was a major hurdle to overcome as well as issues of management practices and philosophy. The original group definitely felt a formal productive venue to manage the lake should be established, but the mayors did not want another level of government or another authority which could tax. The group looked at the Lake Tahoe Authority, but the model had authority to tax and enforce, so it was not used. The Bear Lake Regional Commission, which became a pattern for the Utah Lake Commission, was followed. This management form was utilized because everyone had a voice to consent and all could share their wisdom in the direction the management should go. This version became a rough model on which the Utah Lake Commission was formed.

Mr. Price stated the Commission was developed to bring together everyone who had an interest in Utah Lake. He showed an organizational chart with the Executive Committee and the Governing Board. The Executive Director and Executive Assistant are the “behind the scenes” staff who move the goals forward and coordinate the efforts. The PAG and Technical Committee serving on specialized subcommittees as needed including Land Use, Transportation, Natural Resources, Recreation, and Research. The Technical Committee is encouraged to make recommendations to the Governing Board before the Board takes an official stand on important issues.

The history of the formulation of the Master Plan was given. The Division of Forestry, Fire, and State Lands (FFSL) wanted to create a Master Plan and so the Commission joined forces with the FFSL. Together they created the Utah Lake Master Plan which guides and directs FFSL, the Commission and the municipalities surrounding the lake. The process began in February 2008. After one year of multiple meetings, document drafts, public hearings and discussion, the final draft document was completed and the official document was adopted in June 2009 at the Utah Lake State Park. Senator Robert Bennett was present at that event. In the progression of the Plan the group identified 18 high priority goals with 36 objectives and 13 medium priority goals which could be accomplished, if the opportunity arose. Each of goals addressed different elements including land use and shoreline protection, transportation, natural resources, recreation, and physical facilities.

After the Master Plan was completed the implementation began. In order to accomplish the goals, the Commission becomes a resource and coordinating agency which can be utilized by the municipal governments. The Commission can take the lead on some of the objectives, though it is not solely responsible for accomplishing all of the goals. The six top priority goals that the Commission will be pursuing are: Controlling or eradicating invasive species (such as the carp and/or phragmites); land use regulations and policies; public education and outreach, transportation planning; and law enforcement.

At present, the Commission is working with the June Sucker Recovery Implementation Program (JSRIP) in the removal of over five million pounds of carp each year over a six-year period. Funding from different government sources enabled the carp removal program to begin. JSRIP recently received \$1 million Federal funds to remove the carp. There are other government agencies which continue to provide funding. Also, the DWR had applied for \$152,000 grant to purchase land on the south end of the lake near Lincoln Beach to aid in the carp removal process. Application for another grant from the Habitat Council for \$8,000 is to publish a Utah Lake booklet that will explain the aspects of the lake, access points, and the amenities.

Mr. Mike Mills, Manager of the June Sucker Recovery Implementation Program (JSRIP), explained the removal of the carp and the benefits the effort would bring to the lake. The carp has ripped out the natural vegetation, stirred up the nutrients and disrupted the sediments. The goal is 75 percent removal, not total eradication of the carp. Removal of the carp should show an increase in healthy aquatic vegetation and provide habitat for the young June Sucker to escape predation and grow to adult fish. Also, other desirable species and sport fish can thrive with improvements in water quality, stabilized sediment with less turbidity, and internal loading of phosphorus. With the carp removal the biomass would be more balanced.

Mayor Hadfield asked how the commercial fishermen were using the harvested carp. Mr. Mills explained the carp disposal was used for fertilizer, mink food, and green waste compost, and possibly in the future some may need to go to the landfill.

Mr. Linford asked how many years the funding would last. Mr. Mills replied funds were in place for a year but with other sources, it could go up to 18 months. Funding for the remaining 4.5 years will be pursued.

Mr. Coleman asked if there was evidence the carp removal was successful and if the carp population was being reduced. Mr. Mills stated Utah Lake harvesting was still new and on a large scale. As evidence, he said, carp removal done in other areas showed success. If harvesting five million pounds per year were achieved, the carp population would be reduced by 75 percent.

Mayor Washburn asked why JSRIP was seeking land acquisition. Mr. Mills explained the purchase of the land was two-fold: First, to establish a means for fishermen to access the lake; and second, to erect a facility to process the carp. This location would move the harvesting away from public areas.

Mayor Bert Wilson asked how fast the carp reproduced. Mr. Mills stated it was very quickly, which is the reason for the large amount of removal.

Mayor Washburn stated the June Sucker Recovery Program was viewed by the public in different ways and asked the value of continuing with the program rather than just taking them off to the endangered species. Mr. Mills explained the JSRIP is very broad-based with seven different recovery elements including balancing the eco-system. One of the steps taken was the restoration of the natural channel of Hobble Creek. After the completion, it is now used by bird watchers, hikers, and others. He stated this would not be realized except for the June Sucker program. The program is a key factor to getting the Lake organized and moving the projects along to make Utah Lake better. Having the June Sucker listed as an endangered species shows something is wrong in the lake. If JSRIP can fix the eco-system and increase the fish population, then the June Sucker may be removed. Mayor Washburn said the JSRIP then is a barometer for the lake and puts the fish in the proper perspective so the lake will return to its natural eco-system. Mr. Mills concurred and said "when thousands of June Suckers are running up the rivers, then the program will be successful."

The Commission is leading the effort to control the phragmites growth, which was the next goal. Mr. Price explained the plant is a weed which grows 12-15 feet tall, is very dense, and has a feathery top. Over the

last 15 years, the weed became uncontrollable because no one took the responsibility to rid the lake of the plants. A long-term plan to remove the weed over the next ten years was started. Members of the Phragmites Removal Committee include representatives from the Utah County Public Works with the phragmites expert Aaron Eager, weed manager for Utah County, Utah County Fire, FFSL, Division of Wildlife Resources, and the Saratoga Home Owners Association. Pictures of phragmites growing around the lake were shown. Mr. Price said removal involved applying specialized chemicals and then burning the weed when the chemical effects are recognized. The long-term removal plan divides Utah Lake into seven sections where the phragmites is located. Each section will be eradicated over several years. Financial support was being sought through grants and government sources including the Commission funding an anticipated \$20,000 next year. Phragmites removal is a priority of the Master Plan, and he encouraged continued support from the Commission.

Mr. Coleman asked what the pilot program was and if it was successful. Mr. Price stated it would not be known until spring because the treatment is a three-year process. Each segment is sprayed and burned; expecting to get 80 percent kill, and then spot treatment is done over the next two years. After phragmites removal, it is hoped more desired vegetation would grow. Problems occurred with the initial burning because of the phragmites grows in the water, making it hard to burn and catch fire, and in winter, the frozen lake, the bad weather, inversion, or the lake level also stops the burning process.

Transportation, especially establishing a non-motorized trail around Utah Lake was another priority with close to 100 miles around the lake. Mr. Price explained segments of a trail have been built between the Provo River Trail and the Jordan River Parkway Trail, the county being a key factor.

Another goal is to participate in activities regarding the Lake. The Commission is anxious to help the FFSL with the process of the bridge proposal by being active in public hearings and nomination review.

Mr. Dave Grierson, Planner with FFSL who coordinates the nomination process, gave an update to the nomination of the bridge. He stated at the beginning of 2010, the Governor's Office of Planning and Budget released to Bio-West Inc., the informal comments received during the Resource Development Coordinating Committee (RDCC). Bio-West, a consulting firm for Utah Crossing, Inc., is beginning the process to address the issues and concerns raised by the state agencies. However, there has been no official, consolidated position from the Governor's office on the Utah Lake Crossing. RDCC is a committee made up of state agencies who review and comment on state actions which affect the state's resources. Members include agencies such as the State Historical Preservation Office, Division of Water Quality, Division of Air Quality, Wildlife Resources, Water Resources, Utah Geological Survey, UDOT, and others. RDCC communicates between the agencies and then comment on their agency's perspective as well as negotiate conflicts for actions. The state then releases a single opinion or response to the Governor's Office of Planning and Budget on the proposal.

FFSL personally met in a meeting with the governor, planning staff, the Department of Natural Resources, Leon Harward and other principals of his company. In this meeting, the governor was informed how FFSL plans to proceed on the proposal. The governor reiterated his stand on the issue that the state should not obstruct legitimate business ventures in this state, he believes in the free market system, and he supported the project **if** the environmental, financial, and other issues were adequately addressed.

The Division gave him a timeline on how the application process may unfold during the application process. The division is at a crossroads with a list of issues and concerns for the ID team to investigate. The state resources will not be used until an application is in hand. The ID team is now being formed choosing from a pool of good candidates.

FFSL will decide on the part whether to receive applications competitively or go through a non-competitive process. The competitive process adds time to the application process because of the requirement to advertise the proposal for 30 days. The advantage to soliciting competing applications is avoiding a lawsuit being filed against the division showing the division went above and beyond our public trust obligations to get the highest and best use of the land. However, a non-competitive process allows the division

to negotiate some of issues that may soften the opposition with some concessions. It is also doubtful a competitive use is ready to make an alternative proposal which may delay the project.

Simultaneous to the bid process, talks with the environmental consultant for the project are begun to find ways ID team can evaluate the issues and concerns raised by the public, agencies and others. The analysis will take place, with possible recommendations and stipulations for the construction phase, as well as the ongoing operations and maintenance phase. Concurrently, the process of the assembling the ID team is started. When issues and concerns are submitted to the governor's office the ID team will begin the process of analysis, forming recommendations, and processes that need to be mitigated to soften the blows and addressing environmental, financial, and engineering concerns. It may be beneficial for the financial analysis to be separated from the environmental analysis so each can work separately and independently from each other. Different players from the proponent's perspective for the environmental and financial analysis will also be used.

Utah Lake Commission's role to be intimately involved is on three areas:

1. The ID Team. It is desirable from the division's standpoint to have a couple of members from the Utah Lake Commission's Tech Team on the ID team. Their knowledge and expertise of Utah Lake will help tease out the issues and provide meaningful and valid recommendations and/or mitigation to address the issues.
2. The Uplands. The bridge begins and ends on lands not under the jurisdiction our division. A coordinating role played by the Utah Lake Commission would be to provide counsel and guidance to the communities where the bridge leaves sovereign lands and the upland end-points of the bridge.
3. Recommendation. The most important role is to provide its stance on the bridge. Because the bridge is more than a structure for moving vehicles across the lake, there are ramifications including political, commercial and residential development, and perhaps industrial development, environmental, and emotional. The Utah Lake Commission represents a thorough cross section of constituency in Utah County and the division places a very high value on the opinion of this body.

Timing is also important. The Division feels that the sooner the Commission makes its recommendation, the better. From a practical standpoint, the Commission won't want to make a stance until they have had time to look at the issues. Other issues are to be addressed, such as: the informal comments to the governor's office have past been protected information in the past; does that include the Commission? Wouldn't the comments given to the governor's office help the Commission make its decision?

Ultimately, the decision is the Director of FFSL's, i.e., Dick Buehler; not the governor's. But Dick will be talking to the governor's office, to the commission, to the legislators, and other elected officials and do what he needs to in order to make an informed decision.

In conclusion, FFSL is gathering and developing questions about the lake: What is it going do to the lake? What is it going to do the fish? What is it going to do to the birds? What is it going to do to development? What is it going to do to water quality? We are close to answering and then the ID team will analyze and start answering those questions by making recommendations, mitigations, and stipulations on those questions, or redesign the project if there are obstacles which cannot be overcome. Then all the impacts from the bridge will be addressed. FFSL wants to make sure that the impacts are what the constituency wants. Once answers and recommendations are made, the record of decision can be written to proceed or not proceed. FFSL wants to continue to be thorough and transparent and maintains that credo. FFSL desires to make everyone comfortable with the process and are committed to be extremely thorough with the environmental, structural and financial.

All of the spoken and/or written comments, including letters, obtained through public hearings or on line received to date are on the website, except for those submitted by the RDCC. There is a significant number of comments and it's going to take a lot of time to sort through and determine which ones need to be addressed and how to address them. Mr. Price stated the Commission is not a proponent or opponent of the project and the decision is presently the largest and most politically charged issue. The decision from the Commission will

come after it completes the review. He encouraged new members to go to the website at utahlakecommission.org with a link set up to the Forestry, Fire, and State Lands website.

Mr. Price further explained the identified land-use goals. Presently Utah Lake Commission is addressing the creation of a model ordinance which would potentially provide a buffer zone and have flood-based development restrictions. Another ordinance would encourage trail developments around the lake. The draft of the ordinance was reviewed by legal staff, a retired state attorney, Steve Schwendiman. The target is to have the project completed by the end of the fiscal year.

Another objective is public outreach. Utah Lake Commission wants to promote the public awareness and understanding of the value of Utah Lake and dispel misunderstanding. In December 2009, BYU marketing students presented outreach plans and ideas for the Commission with board members attending. One of the ideas presented was to utilize social networking. Utah Lake Commission has created a Facebook page, Twitter, and is working on a blog. JSRIP has also implemented this venue with Facebook. He encouraged everyone to become a fan of Utah Lake Commission.

The final aspect of the presentation was the future of the Commission. He reiterated the role of the Commission is to disseminate information among the Commission members and the public by coordinating all efforts. The Commission's future will be to continue working on phragmites control, supporting the carp removal, create identified land-use regulations and policies, support for transportation planning including taking a stance on the bridge and trail development, and increase efforts in law enforcement.

Mr. Billings concluded the presentation by offering advice to the new members. He restated what the Commission was trying to accomplish, their involvement, and how to move forward. He noted past efforts of a governing board had failed but this Commission had succeeded. He encouraged everyone to read the Master Plan and get intimately involved with the lake by driving around it, visiting the area, by going sailing or boating, fishing, or just talking to people around the Lake. He hoped the Commission would continue resolving the phragmites issue, carp removal, June Sucker recovery, the nutrient unbalance in the Lake and transportation. He told the group "each of them had the power to bring reasonable solutions to the table and the power to influence many people." He reinforced that each municipality retained their jurisdiction privileges with the right to zone and regulate as well as the opportunity to represent the people of their local areas as stakeholders of the Commission. He hoped they would recognize the Lake as a valuable resource, develop a passion for the goals and purpose, and provide the framework for the future of the Commission's projects and goals.

Mr. Price invited new members to watch the full Carp Removal video on YouTube. He gave each new member a copy of the *Utah Lake: Legacy DVD* and also offered the books.

Chairman Ellertson echoed an appreciation to all who have been involved in the Commission development as well as future members. He expressed continued involvement on the part of the Governing Board and its members. He said, "The importance of this (Commission) is that if we do not do it now, we will look back, and our posterity will look back, and say something was wrong. We did not fulfill the stewardship which we had. It is important that we take this seriously and that we move forward in attempting to invite those with the resources to move forward with this wonderful asset."

11. Other Business/Public Comment.

Mr. Buehler gave an update on the Utah Lake Litigation. He stated Utah Lake was one of the bodies of water awarded to Utah upon statehood in 1896. Utah Lake is 100,000 of the 1.5 million acres of sovereign land. The Federal Government claimed ownership and jurisdiction, but in 1987, the US Supreme Court reaffirmed ownership of the lake to Utah, but failed to establish the boundary of the lake. Under that premise, FFSL has been working with 250 landowners around the lake trying to negotiate boundaries. In 1997, the state filed a suit against the landowners and corps of engineers. Five years ago, Federal Judge Kimball, who was hearing the case, appointed a special master. The Master was assigned to go around the lake and

determine, based on his own judgment, where and what the lake level should be for the remaining landowners in the law suit. The assigned special master, BYU Professor Goldsmith, died a few months ago of Lou Gehrig's disease and was not able to complete his recommendation to the judge. Judge Kimball stated he would make his decision based upon the information he had received over the five-year period. The state is in the final two phases of the lawsuit. The first is to establish a lake-wide boundary which is what Judge Kimball will do. The second phase will begin when the ice is off of the lake. FFSL will go out with each individual land owner and establish a boundary, which will be time consuming. FFSL requested from the judge and was given additional time until the first of May. Some landowners want to settle and not continue with the lawsuit and FFSL is negotiating with them. At a status report meeting on May 7, Judge Kimball will set a time to make a decision on the lake-wide boundaries. He noted FFSL was making progress.

Mr. Buehler also presented the fourth "Golden Oar Award" to former Chairman Lewis Billings. The first three went to Barry Tripp, Clyde Naylor, and Steve Schwendiman. Mayor Billings received the award for his many years of service. Mr. Buehler stated Mayor Billings was a key player in establishing the Commission and was complimented for his passion and commitment to the Commission as well as continuing to be an asset and driving force for the Utah Lake Commission and Governing Board.

12. Confirm that the next meeting will be held at the Historic Utah County Courthouse Ballroom on Thursday, February 25, 2010 at 7:30 AM.

Chairman Ellertson confirmed the next meeting would be held on Thursday, February 25, 2010, at 7:30 a.m. in the Historic Utah County Courthouse Ballroom.

13. Adjourn.

Mayor Curtis motioned to adjourn the meeting; seconded by Mayor Hadfield. The motion to adjourn was unanimous. The meeting adjourned at 9:25 p.m.