



Governing Board  
Thursday, March 25, 2010, 7:30 A.M.  
Historic Utah County Courthouse, Ballroom, Suite 319  
51 South University Avenue, Provo, Utah

**ATTENDEES:**

Leah Ann Lamb, Utah Dept. of Environmental  
Quality  
Don Blohm, Highland City  
Dick Buehler, Utah Division of Forestry, Fire, and  
State Lands  
Councilman Mike Cobia, Mapleton City  
Councilman Craig Coleman, Genola Town  
Mayor John Curtis; Greg Beckstrom, Provo City  
Mayor Jim Dain, Lindon City  
Commissioner Larry Ellertson, Utah County  
Mayor Randy Farnworth, Vineyard Town  
Chris Finlinson, Central Utah Water  
Conservancy District  
Mayor Heather Jackson, Eagle Mountain City  
Councilman James Linford, Santaquin City  
Councilman Bud Poduska, Saratoga Springs City  
Councilman Dean F. Olsen, Springville City  
Robyn Pearson, Utah Dept. of Natural Resources  
Mayor Jerry Washburn, Orem City

Mayor Bert Wilson, Lehi City  
Councilman Jeff Wilson, Pleasant Grove City

**INTERESTED PARTIES / VISITORS**

Mike Mills, JSRIP  
Reed Harris, JSRIP  
Chris Keleher, DNR  
Keith Morgan, Utah Water Ski Club  
Steve Densely, Utah County Chamber  
Ben Anderson, DNR  
Rick Cox, URS  
Gene Shawcroft, CUWCD  
Todd Frye, Bonneville Sailing  
Dee Chamberlain, Saratoga Springs Homeowners  
Association  
Sara Lenz, *Deseret News*  
Taylor Oldroyd, Realtors  
Carol Walters, Utah Valley Earth Forum  
Donald W. Meyers, *The Salt Lake Tribune*  
Donna Sackett, Senator Bennett's Office

**ABSENT:**

American Fork City, Pleasant Grove City, State Legislature.

**1. Welcome and call to order.**

Commissioner and Chairman Larry Ellertson called the meeting to order at 7:35 a.m. He welcomed the members or representatives of the Governing Board and the visitors.

**2. Review and approve the Utah Lake Commission minutes from January 28, 2010.**

There were no corrections or changes to the minutes of the January 28, 2010 meeting. Mayor Jim Dain motioned for approval of the minutes and seconded by Mayor Bert Wilson; and motion passed unanimously.

**3. Review and approve the monthly financial reports of the Commission for Jan. and Feb. 2010.**

Mr. Price summarized the financial reports for January and February 2010:

**January 31, 2010:** With 41.7% of the fiscal year remaining, the Zion's Checking Account Balance was \$1,531.77 at an annual rate of 0.70%. The Utah Public Treasurer's Investment Fund balance was \$250,957.08 with a 0.6% return. There were two transfers made on January 13 and 27 in the amount of \$7,000.00 each. Interest earned in January was \$145.10 with the year to date interest earned at \$1,575.71. The expenses are listed in the middle of the report totaling \$14,077.96. The general fund budget balances are reported at the bottom and shows a budget balance of \$108,383.12 which is about 50 percent of the budget remaining

**February 28, 2010:** With 33.3% of the fiscal year remaining, the Zion's Checking Account Balance was \$1,459.00. The Zion's Bank Money Market account balance was \$21,894.25. The annual rate of return again was 0.7%. The PTIF account balance was \$237,560.81 with a 0.55% return. After the third month, Zion has had a better return. Mr. Price recently transferred about \$200,000 back to the Zion's Money Market account to take advantage of the additional 0.15%. He noted although not a major difference, he was taking every opportunity to increase funds. A transfer to checking on February 10 was \$7,000.00 and on February 24, the amount transferred was \$6500.00. Interest earned in February was \$115.48. Expenses in February totaled \$13,572.77. (He made note in preparing the report, description of the last four items shifted down. The changes for the four transactions on February 25, 2010, were cited as follows: The fourth in account 1100 should read wages; the next one 1300 should be taxes and benefits; the third account 2310 should read mileage; and the final US Post Office should read postage. He asked the board to recognize the mistaken descriptions.) The general fund budget report revealed a balance of \$94,810.35, which is 44 percent of the budget remaining. He explained the amounts budgeted in 1100 and 1300 for employee's wages, taxes, and benefits, the amount budgeted for benefits will not be enough. He wanted to keep the categories in the black. The wages has enough budgeted to cover the shortfall. The total budgeted was \$159,000 and the projection is roughly \$158,750, and after the transfer the Commission will be under budget. Since Mr. Price cannot transfer funds without approval, the board can adjust the categories for \$104,000 needed for employee wages and \$55,000 for benefits. \$20,000 was budgeted in account 3150 for consultant fees, with a payment to the BYU student project that created several public outreach plans and more funds appropriated for a future project later this year.

Chairman Ellertson explained funds within the budget categories will transfer during the final budget approval process for FY2011. Mayor Jerry Washburn motioned to approve the financial reports of both January and February, seconded by Mayor Heather Jackson; and the motion carried.

**4. Report from the Technical Committee.**

Mr. Greg Beckstrom reported to the Governing Board the Technical Committee's activities. He explained there were three ongoing projects including updates of carp removal and phragmites removal, and discussing a crossing across Utah Lake. He stated Mr. Price would report on the carp and phragmites.

He gave a brief history of the Utah Crossing proposal and the approval process. The Department of Natural Resources has advertised for competitive bids with the deadline of March 31. At present, the

Technical Committee is reviewing how a generic bridge proposal crossing Utah Lake would affect the Master Plan goals. In January, he noted that it was difficult to focus discussion on the goals of the Master Plan and not bring up the specific proposal of Utah Crossing, Inc. For the March meeting, Mr. Price prepared a ballot listing the high priority goals. The Technical Committee voted on what they each felt would have the greatest benefit or cause areas of concern in terms of the Master Plan. The most significant goals cited were:

Water quality addressing phosphorous, total dissolved solids (TDS), oils, and greases and how to deal with these impacts was discussed. All of these would have a negative effect on the lake and the water quality. Transportation planning and evaluation of how a crossing will mesh and coordinate with the Mountainland Association of Governments (MAG) county-wide master transportation plan was assessed. Items evaluated were the consistency, compatibility, timing, and other issues. The additional subjects examined were boating and trails coordination. He said a number of issues on the master plan will be talked about over the next several months.

Mr. Beckstrom stated if a formal application is submitted, the Technical Committee will continue to give reports to the Board concerning the status and issues associated with a bridge.

#### **5. Report from the Executive Director.**

Mr. Price announced the annual event of the Utah Lake Festival would be on Saturday, June 5, 2010. The June Sucker Recovery Implementation Program (JSRIP) as well as the Divisions of Wildlife Resources and Parks and Recreation, other state agencies, city governments, and the Utah Lake Commission host it. The Commission is sponsoring a VIP event for the Governing Board members and their families with a pancake breakfast and extensive boat tours with larger boats. This was done in the past but on a smaller scale. Members of the Governing Board and their families to The VIP Session begins at 8:30 a.m. and a RSVP is requested from those who wish to attend. He reported the boat rides give the Board an opportunity to be on the lake rather than looking at the lake from the shore. The official Utah Lake Festival goes from 10:00 a.m. to 2:00 p.m. with free admission. Besides free fishing, there will be booths hosted by several entities associated with the lake along with children's games and contests. The Utah Lake Commission will give away free hotdogs. He cited the success of the festival is largely due to the donated hours of Dedicated Hunters who enjoy the Festival because it is a different type of service project.

The Utah Lake Water Users Conference was held in St. George and Mr. Price was one of the presenters reporting on the priorities of the lake. While there, he met with the Spanish Fork Mayor. He invited Mr. Price to attend a council meeting and give a presentation about the Commission. He asked Governing Board members to encourage those neighboring cities which do not currently participate on the Commission to learn more about what the Commission does.

Mr. Price reported that Representative Steve Clark was called to be a Mission President for the LDS Church in the Missouri St. Louis Mission and wished him well. Representative Morley will continue to represent the Legislature on the Commission.

Mr. Price reiterated that the Technical Committee is looking at the issue of a lake crossing on the broader scale. If a crossing is determined to be needed, the Commission will help coordinate the decision-making process of the affected municipalities, MAG, FFSL and others. The Technical Committee members may be asked to assist FFSL in reviewing the project including participation on an Interdisciplinary Team, identified as a group of experts, to help examine the application and place expectations on the proposer and/or answer present and future questions.

The phragmites removal has shown a "grass roots" effort from Central Utah to the north where phragmites is more prevalent. A workshop in Brigham City discussed the problems and some

approaches to help solve them. He reiterated there is a proven effective method in place to remove phragmites and we are trying to adapt it to the unique Utah Lake environment. He said the ideal time to treat phragmites is in the spring killing the young species with chemicals before it grows. Another option would be in the summer when phragmites is mature, burn the biomass, and then retreat the growth of the young plant from year to year before it grows tall. He said a scheduled test burn at 9:00 a.m. that day (March 25) might occur depending upon the weather.

Another option is to remove the phragmites biomass mechanically, but this option would increase the costs considerably. Funds for purchasing this equipment are being pursued.. A business plan is being drawn up to show the type of funding and identify places to obtain funding. The UPCD grant received in previous years was cut back because of legislative actions, so other avenues are being pursued.

On the subject of carp removal, Mr. Price reported the ice had receded and Bill Loy Fisheries were fishing on the lake. Federal funds were released and Mr. Loy entered into a one-year contract to remove five million carp this year.

Mayor Dain asked what type of phragmites removal equipment was needed. Mr. Price stated the county is using bobcats and rangers. Better equipment was available, such as a wetland Sno-Cat, and is more preferred. The county's equipment is utilized to create firebreaks by matting down the plant, but this operation is wearing out the county equipment.

Mr. Buehler reported the state was looking at other ideas including a new device being developed for burning. The mechanism would be mounted to a boat, ATV vehicle or used as a hand-held tool. The instrument shoots a small ball, which is filled with potassium permanganate and then injected with ethylene glycol. Within a few seconds, the ball creates a hot fire. He stated this would help with the burning issue and if they could do it more effectively, it would be a good investment. An amphibious unit is being developed in Sweden, noting phragmites is a problem the world over. Research is presently being done to either harvest it or use the phragmites for something productive. He had taken some of the phragmites to a fire-pellet plant to see if they could use it.

Mr. Price reported with a new budget year approaching, the municipal contributions would be similar to those of the past year.

#### **6. Approval of consultant for Model Ordinance process.**

Mr. Price explained the Master Plan identified different areas the Commission should coordinate. In compliance with the requirements, the Commission is to create a model ordinance recognizing each entity still has the option to govern itself. The ordinances would use common terminology, provide for mixed land uses compatible with existing ordinances and yet flexible enough to meet the needs and ideologies of the communities surrounding the lake. The ordinance would also protect the shoreline where appropriate, create a buffer zone to identify appropriate flood-based development restrictions, and create a trail ordinance to assist the goal of having a trail system around the lake.

An RFP went out on February 2, 2010 and advertised in the *Daily Herald* on February 7-8 stating March 12 as the deadline for submissions. Three firms sent responses including Logan Simpson Design, which helped the Commission through the Master Planning process, particularly in the land use and recreation section; Landmark Design; and Epic Engineering. Mr. Greg Beckstrom, Technical Committee Chair; Bruce Chestnut, former chair; Chris Keleher, with the Department of Natural Resources and Technical Committee Vice-Chair; Councilman Dean Olsen from Springville representing the Governing Board, and Mr. Price evaluated the three proposals. After evaluating cost, time-frame, and services rendered, the committee chose Logan Simpson Design citing prior association with the firm, reputable

experience throughout the western states, their approach to the project, and the feasible time-frame needed to compile and review the information. Another positive for the firm was utilizing their in-house legal expertise in drafting the ordinances and getting legal feedback on the issues discussed.

Those who reviewed the proposals will act as a Steering Committee to address the issues, ensure continuous communication with the consultant, plan meetings, and insure the group stays on task. They want to meet with the land planners of the shoreline members so they can participate as well. The budget proposed by Logan Simpson Design is close to \$25,000. We will use the remaining budget for consultants this year (some of which was used for the BYU Public Outreach project) and budget the balance in the next fiscal year.

Mr. Price asked the Governing Board to approve this recommendation and allow him to enter into the contract representing the Governing Board.

Mayor Dain motioned for approval of the consultant, Logan Simpson Design to develop model ordinances and authorized the Executive Director to enter into a contract for the Board; seconded by Ms. Chris Finlinson; and motion unanimously carried.

**7. Review and consider approval of the recommended amendments to the Bylaws of the Utah Lake Commission.**

Commissioner Ellertson explained the Governing Board was to review Section 10 of the Bylaws. Mr. Price reviewed the changes to the Bylaws. He explained each member on the Governing Board has one member appointed to the Technical Committee with few exceptions. The Interlocal Agreement identifies an additional member for the Division of Wildlife Resources, the Division of Parks and Recreation, and the Division of Water Resources, which are all Divisions of the Department of Natural Resources. Other recognized members of the Technical Committee include members from the Utah Lake Water Users, and the Army Corp of Engineers. With the above exceptions, only one designated voting member to the Technical Committee is appointed by the municipalities.

Mr. Price stated an additional phrase in the Interlocal Agreement says “additional members as identified and appointed by the Governing Board.” The DNR requested two people be identified as voting members of the Technical Committee; The Executive Committee asked for the creation of a process to allow new members as allowed in the Interlocal Agreement. He explained the drafted document, noting Section 10.4, makes the requested changes.

Mr. Buehler asked if the proposed change would appoint individual members to a permanent seat on the Technical Committee and a new member for the permanent seat could be reappointed. Mr. Price replied in the affirmative. Mr. Washburn asked if the intent was to provide specific expertise in some area and trying to find an expert in areas of concern. Mr. Price responded affirmatively. Mr. Blohm asked if their specific expertise was not already on the Committee. Mr. Price said it was expertise as well as experience.

Mr. Ellertson asked for questions on the specific wording. He stated requests for specific individuals would be reviewed before the Executive Committee, and if agreed their presence was needed, the individuals would be presented before the Governing Board for appointment to a two-year term. The Governing Board generally likes appointments to occur the first of the calendar year with the next time frame in January 2012. If individuals leave, terminate, or no longer represent the Governing Board, the recommendation would be automatic removal as voting members of the Technical Committee. Another could be appointed as a replacement, but it is not guaranteed.

Mr. Buehler motioned to adopt the proposed amended changes to the Utah Lake Commission Bylaws as outlined in the document; seconded by Mr. James Linford; and unanimously approved.

**8. Consider appointing two additional representatives to the Technical Committee.**

Mr. Price stated two individuals serving on the Technical Committee were believed to have been official voting members. These two men are Mr. Chris Keleher, a member of the administration of the Department of Natural Resources and Mr. Mile Mills, Coordinator for the June Sucker Recovery Program. He lauded the qualities and experience of each. He asked for their recognition as voting members of the Technical Committee.

Mayor Jerry Washburn motioned to approve the appointment of Chris Keleher and Mike Mills as voting members and representatives to the Technical Committee; seconded by Mayor Bert Wilson, and motion carried.

**9. Presentation on Provo River restoration project by Mr. Mark Holden, Utah Reclamation Mitigation Conservation Commission.**

Mark Holden, Project Manager of the Utah Reclamation Mitigation and Conservation Commission (URMCC), presented plans for the Provo River Restoration Project. The URMCC was established in 1992 by the Central Utah Project, which was enacted by Congress, and is part of the Utah Water Conservancy District. In a final environmental impact study in 1999, several environmental commitments were made. These commitments included development of a June sucker recovery program and recognition that any future development of the Bonneville Unit of the CUP would be contingent upon the program making sufficient progress towards the recovery of the June sucker, an endangered species.

The JSRIP was organized in 2002 with participation in local, state, and federal entities, as well as universities and private enterprise people. There are two goals: Recover the June sucker so it can be taken of the endangered species list and develop water resource facilities for human uses in the Utah Lake Drainage Basin. He listed six programs essential to the recovery the June sucker:

1. Non-native control (removal of carp).
2. Habitat restoration.
3. Water management providing flow.
4. Hatcheries and stocking program.
5. Research of Utah Lake and June sucker survival.
6. Awareness and stewardship.

He stated they were beginning a public process to look at a project to restore the delta at the mouth of Provo River, which feeds into Utah Lake. A delta is a fan-shaped area with several channels distributing water and sediment into ponds, oxbows and other types of wetlands prior to entering a larger body of water. The delta is a vital part in the recovery program for the June sucker.

Mr. Holden explained the spawning process of the June sucker. In May or June, they swim up Provo River, and lay their larvae. The June suckers will utilize the vegetation, sediment, and water flow for the eggs to mature, hatch, and survive from predation. For this to succeed, the delta conditions need to be restored assure the recovery of the June sucker.

The restoration will also benefit other types of fish and wild life in the riparian areas by this habitat restoration and result in a more natural eco-system for Provo River. The benefits for the citizens would be trails, boardwalks, and nature interpretive centers.

The rebuilding of the delta has been studied for many years. A feasibility study was completed and agreed with the recommended location. He explained the process to include public hearings, responses, and other government established guidelines. The Hobble Creek delta near Springville provides another spawning area for the June sucker. As the project moves forward, an environmental impact study will be completed. This study will address things such as endangered species, public access, kinds of activities, and public areas, affects to agricultural use, flood control, as well as hydrological changes.

Mosquitoes and other nuisances such as phragmites may be discussed. Other issues that arise may be land acquisition and water level.

The project is in the scoping period and after the final environmental impact study is complete, the rebuilding may begin in late 2012 or early 2013. He announced the scoping period ends on April 30. Comments can be either sent in by writing or emailed. He asked citizens to go to [JuneSuckerRecovery.org](http://JuneSuckerRecovery.org) to find out more information. He invited everyone to a scoping meeting at the Utah Lake State Park at 6:00 p.m. that evening. He provided a PDF form handout for the Governing Board and citizens.

Chairman Ellertson asked if there were questions:

Mayor Dain asked if the old channel would dry up or carry a little water. Mr. Holden did not have the answer and did not know if there would be ample water in the future for two streams. When water was in the river channel, the purpose for the purchase was for the June Sucker Recovery Program. When the Central Utah Project is complete in 2020-2023, there will be space in the pipeline to deliver water to the Provo River to augment the spring flow. Mayor Dain asked if there would not be a fair amount of water in the channel in the lake when the lake is at compromise elevation. Mr. Buehler explained the current dike, which extends a mile from the north side of Utah Lake State Park, is higher on the lake side than the opposite side. The high water compromise level is just over 4489 and at that elevation there would be water in the river channel.

Mayor Washburn asked if the release of excess water in May or June through the Provo River augmented the flow of water into the delta area. He understood the flow would be as close to release through the new channel rather than splitting and having it go through the old and new channels. Mr. Holden confirmed Mayor Washburn's assessment stating one of the hydrographs to meet the high flows is to bring the June sucker to spawn. When the June sucker eggs hatch, sufficient flow is needed to transport the fish to the lake. Flow in the new channel will be provided to transport the larvae into the wetland delta area.

Mr. Blohm asked if Hobble Creek had been in place long enough to determine if it was accomplishing the intended purpose of helping in the spawning of the June sucker. Mr. Holden replied from 80 to 100 June sucker made a run up Hobble Creek, presumably for spawning. He explained June sucker larvae were collected on Hobble Creek, but it was too early to know whether the larvae survived and these would be one-year-old fish this year. Mr. Blohm asked if the indications showed the process was working and Mr. Holden confirmed the statement.

Mr. Coleman asked with the two reservoirs on the Provo River Drainage, if sediments were sufficient to maintain the ecosystem or would funding be required to maintain the delta. Mr. Holden stated sediment was very important to the goals of the delta system. With eight diversion dams between Utah Lake and the mouth of Provo Canyon, it may hamper the goal. The JSRIP is working to have the diversions removed or modified so June sucker can pass as well as the sediment. It is not known at this time if augmentation to the delta sediment is needed.

Mayor Curtis stated he believes rebuilding of the mouth of Provo River could fulfill a number of other good purposes as well. He believes the new delta could have recreational advantages such as a beach and other recreational venues. Recreation and building the delta would complement each other. He asked that everyone look at the broader visionary perspective for preservation of the June sucker as well as recreation.

Mr. Buehler said the boundary had been settled along the entire proposed area. The boundary is on the east side of the dike, with the dike being on state lands.

**10. Other Business/Public Comment.**

Mr. Ellertson asked for any public comments:

Carol Walters of the Utah Valley Earth Forum (UVEF) explained this group is concerned with the health environment of the county. As their representative, she stated UVEF was opposed to the bridge across Utah Lake due to the impact of water quality but more importantly air quality. She reminded the Board that several times this year Utah County had the worst air quality in the nation, which has a huge impact on the community's health. A bridge would initiate more auto traffic polluting the air even more. UVEF, Intermountain Health Care, and the College of Science and Health of Utah Valley University are hosting a Utah Clean Air Conference on April 10. Prestigious speakers will address the air quality situation. She invited members of the board to attend the conference.

Steve Densley, Utah County Chamber of Commerce, asked why JSRIP did not utilize fish hatcheries for the June sucker. With only 100 June suckers making it into the lake from Hobble Creek tributary, he asked if it would be an easier process to utilize the hatcheries and remove the threat of predators. Reed Harris, Director of the JSRIP, stated the program has a dual track. One is converting half of the Springville Fish Hatchery into a native fish hatchery in a few years. Utilizing the Experiment Station in Logan to produce a large number of fish is costly. Mr. Densley asked if using hatcheries were in place for raising trout. Mr. Harris replied yes, but the trout were self-sustaining with fishing licenses and other revenue paying for the use of hatcheries.

Mr. Ellertson wanted clarification asking if using hatcheries provided an opportunity for introducing more mature and/or adult June suckers into the system. Mr. Harris replied the June suckers have to be a certain size or they will not make it into the lake. The longer June suckers are raised in the hatchery, the greater the cost to ship out and move them. He said 50,000 to 60,000 June suckers about eight inches long will go into the lake and will be growing in the lake. He cited over the past couple of years some June Suckers were found to be about 18-20 inches. He anticipated the river systems will start filling up with the June suckers. Mr. Ellertson asked if June suckers were food supply for the carp. Mr. Harris replied a lot of June suckers were lost due to predation, but believed once vegetation is established and the fish can hide, the June sucker will become adaptive when they reach a certain size, and will go into the lake.

Mr. Keith Morgan, of the Utah water Ski Club, asked if the impact on birds at the water bay were considered as predators. Mr. Harris stated all types of predation are considered. The vegetation will help the fish hide from birds as well as other fish and help the fish come by to spawn. Mr. Mike Mills added this is a marker for the health of the lake, when the June suckers are healthy, the lake is healthy and things will occur in a normal eco-system rather than just pouring hatchery fish into the lake. Mr. Holden said by definition of the Fish and Wildlife Services, in order to get the June sucker off of the endangered list they have to be naturally self-sustaining rather than using fish hatcheries.

Mr. Densley noted an article that the Bear Lake Commission (BLC) was being dissolved. He asked if the dissolution was official and if Utah Lake Commission could learn from the example. Mr. Ellertson did not believe the Bear Lake Commission had dissolved, but explained it is related to on-going funding from the State of Idaho. Mr. Densley asked if there was anything the Utah Lake Commission could do to avoid the same situation. Mr. Pearson stated the Bear Lake Commission was not been dissolved, but had run into some financial struggles. A Utah requirement is the state of Idaho will serve as a match to support the Bear Lake Commission, which is a good share of the funding and the BLC is worried about continuing to operate without the funding. Mr. Price explained as long as the Utah Lake Commission addresses the issues it faces, the Utah Lake Commission will continue.

**11. Consider changing the April 22, 2010 meeting to Friday, April 23 at 7:30 AM to facilitate a field trip around Utah Lake planned for 8:30 a.m. to 2:30 p.m.**

Chair Ellertson explained the Executive Committee recommended changing the regularly scheduled April meeting from Thursday, April 22 to Friday, April 23, at 7:30 a.m. to facilitate a field trip. He stated the Governing Board Business would take place until 8:30 a.m. After the business session, members would board a UTA bus for a tour around Utah Lake with stops at various municipalities. Representatives will discuss the vision for their cities and other information they deem pertinent. Lunch will be served with the bus returning around 2:00-2:30 p.m. at the Historic Courthouse. Mr. Price added cities who are not members of the Commission and Senator Bennett's office are invited on the tour. He will also invite other federal representatives. He asked for a RSVP for the tour because of the limited seating.

**12. Adjourn.**

Mayor John Curtis motioned changing the meeting date from April 22 to April 23, and motioned to adjourn the meeting; seconded by Heather Jackson; motion carries. Meeting adjourned at 9:45 a.m.