



Governing Board Meeting
Thursday, April 24, 2008, 7:30 A.M.
Historic County Courthouse Ballroom-3rd Floor
51 South University Avenue, Provo, Utah

ATTENDEES:

Members

Mayor Lewis K. Billings, Chairman
Reed Price, Utah Lake Commission
Walt Baker, UT Dept. of Environmental Quality
Don Blohm, Highland
Dick Buehler, Forestry, Fire & State Lands
Stephen Clark, House of Representatives
Mayor Jim Dain, Lindon
Steve Densley, Provo/Orem Chamber
Chris Finlinson, Central UT Water Conservancy District
Bob Fisher, Woodland Hills
Mayor Howard H. Johnson, Lehi
David Lifferth, Eagle Mountain
James Linford, Santaquin
Mike Morley, House of Representatives
Dean F. Olsen, Springville
Robyn Pearson, UT Dept. of Natural Resources
Nathan Riley, Vineyard
Mayor Jerry Washburn, Orem

Other Interested Parties

Stephen Schwendiman, Attorney General's Office
Clyde Naylor, Utah County
Bruce Chesnut, Orem
Greg Beckstrom, Provo
David Grierson, Forestry, Fire & State Lands
H. Barry Tripp, Forestry, Fire & State Lands
Reed Harris, Dept. of Natural Resources
Chris Keleher, Dept. of Natural Resources
Michael Mills, JSRIP
Gene Shawcroft, Central UT Water Conservancy District
Senator Margaret Dayton
Rick Cox, URS Corp.
LaVere Merritt, Private Consultant
Cory Branch, Mapleton
Matt Clark, Utah Waterfowl Association
Joel Racker, UT Valley Convention & Visitors Bureau
Catherine Smith, Deseret News
Marsha McLean, Visions of Utah Lake
Bob Craghead, Intrinsic Motivators
Leon Harward, Utah Crossing
Roger Mickelson, Private Citizen
James Westwater, Utah Valley Sierra Forum
Ed Belliston, Property Reserve Incorporated

ABSENT: American Fork, Mapleton, Genola, Pleasant Grove, Saratoga Springs, Utah County

1. Welcome and call to order.

Chairman Lewis K. Billings welcomed everyone to the April meeting of the Utah Lake Commission and called the meeting to order at 7:35 A.M. He acknowledged that Mr. Robyn Pearson was in attendance for Mr. Mike Styler. He welcomed Mr. David Lifferth from Eagle Mountain, representing the new Ex-Officio member. He invited all the interested visitors to introduce themselves and they are as listed above. He invited Senator Margaret Dayton to address the meeting later in the agenda when there are public comments.

2. Review and approve the Utah Lake Commission minutes from March 27, 2008.

It was stated that the minutes from the Governing Board meeting held on March 27, 2008 had been sent to all members of the Board. Chairman Billings asked all to review them. Mr. Buehler moved to approve the minutes and it was seconded. The minutes were approved.

3. Review and approve the monthly financial report of the Commission for March 2008.

Chairman Billings introduced the agenda item by commenting that the Commission is trying to be a good steward of the money in the budget and then turned the time over to Reed Price, Executive Director. Mr. Price reported that at the end of March the checking account balance totaled \$3,859.27 and the Money Market account balance was at \$206,649.35. The expenses for the month were \$13,352.37. He pointed out the Budget Year-to-date Transactions and Balances listed in the Financial Report. He highlighted the report by reviewing that with 25% of the fiscal year remaining there was 64% of the budget remaining because there had not been any money expended towards the Master Plan. However a bill has come in for payment in the month of April which will change the balance in the % left column next month. Mr. James Linford questioned the budget as to the Accounting Services account. Mr. Price explained that the \$5,000 budgeted was for a year- end audit. It has now been decided that an audit will be paid out of next year's funds. So the funds in that account will be transferred to the next fiscal year. Clarification was also requested on the Legal Services account. Mr. Price explained that money had been budgeted to help create the contract for the Master Plan and other things that might come up. However, the Commission was able to use the legal services of the ad hoc committee of Mr. Stephen Schwendiman, Attorney General's Office and Mr. Robert West, Provo. Mayor Jim Dain moved to approve the Financial Report for the month ending March 31, 2008 and it was seconded by Mr. Walt Baker. Motion carried.

4. Report from the Technical Committee.

Mr. Bruce Chesnut, Chairman of the Technical Committee acknowledged that Mr. Greg Beckstrom, Vice-Chairman and others from the Technical Committee were in attendance. The Committee has been working on the Current Conditions Report and continues to work with their subcommittees. He thanked the Chairmen of the subcommittees which are: Rod Despain – Land Use, Ty Hunter – Recreation, Chris Keleher – Natural Resources, and Clyde Naylor – Transportation. They have met and reviewed the Current Conditions Report in preparation for the Visioning Workshop being held following the Governing Board meeting. He stated that the subcommittee members have put in many hours in preparing to help steer the Master Plan specifically in regard to technical issues regarding Utah Lake. They are going to be addressing several issues in upcoming meetings as well. They are looking forward to today's Visioning Workshop. Chairman Billings commented that the Technical Committee is very active and providing great value to the process of the Master Plan.

5. Report from the Executive Director.

Mr. Reed Price, Executive Director reported that there are continued efforts in the carp removal issue. Earlier this week he had been contacted by Mr. Reed Harris and requested that Mr. Harris take a few minutes to update the Governing Board on that subject.

Mr. Harris stated that the June Sucker Recovery Implementation Program (JSRIP) is in the process of putting out in about a week a Request for Proposal (RFP) for carp removal on Utah Lake. Their goal is to remove 500 pounds of carp from Utah Lake which represents about one million carp. They met with a few of the fishermen who could possibly do the job and they convinced JSRIP that the task can be achieved. JSRIP believes the project will culminate in a meeting at Utah Lake State Park in a few weeks with fishermen and potential marketers to discuss the issues and problems at Utah Lake and, hopefully, allow them to work with each other in submitting proposals for carp removal. Carp removal is a priority for JSRIP and also for the welfare of Utah Lake. Mr. Harris invited questions.

Mr. James Linford inquired as to the time frame of completing this objective.

Mr. Harris replied that this year they are focusing on removing five million pounds. Studies that the JSRIP has conducted have shown that if they can do the same amount for a period of six years they can get ahead of the carp reproduction in the Lake and will put the carp population of the Lake in decline. The science says that if 75% of the carp population can be removed the eco-system of the Lake will change which will benefit the water quality and the fishery. This year will be the test to make sure that the targeted amount of carp can be removed. The JSRIP hopes that once it can be shown that it is possible to do this then that they can get the funds for the remaining years to keep it going.

Mayor Jim Dain stated that he remembered hearing in an earlier Governing Board meeting this year about a commercial fishing operation from Minnesota who was interested in helping remove the carp. He asked if they would be involved with the RFP. Mr. Harris stated they could be involved in the marketing end of it. They have met with the commercial fishermen involved with that group and they are interested. However, if they had to bring their whole crew out from Minnesota there would have to be enough net income involved for them to do it. The marketing group did speak with Mr. Harris last week and expressed that they have the funding and they do want to come out and purchase the carp, but that needs to be verified.

Mr. Steve Densley asked if it was possible to do a portion of the Lake rather than the entire Lake. He also asked if it would accelerate the process of carp removal by a rotenone treatment similar to was done at Strawberry Reservoir. Mr. Harris replied that rotenone treatment is not selective and kills everything. There may be opportunities to do some spot rotenone treatment out on the Lake but mechanical removal seems to be the best way to deal with all the other important fish in the system.

Mr. Densley asked what is done with the other fish when the carp is caught. He asked how they are sorted.

Mr. Harris confirmed that they do what is called "bi-fishing" and they do return the other fish to the lake.

There is some mortality involved with that system but they believe it is within limits that are manageable.

In summary, Mr. Harris stated that the RFP will be out in about two weeks. The RFP deadline will be two weeks after that and they expect to have a signed contract by the middle of the June. The contract will stipulate that five million pounds of carp be removed within twelve months time.

Mr. Price reported that another project in focus is trails. He was contacted yesterday by a representative from Saratoga Springs who relayed that he had heard of a grant opportunity to connect two trails, one on the north and one on the south, of Saratoga Springs. They asked Mr. Price if he would be willing to write a letter of support for that project. Mr. Price informed him that he was happy to do that since it does follow under the Commission's objectives to create additional recreational opportunities. He encouraged everyone to let him know if they become aware of other projects that the Commission can lend their voice and support. The Master Plan is another major project. In the past month there have been several meetings with the subcommittees to review the Existing Conditions Report. They have given many suggestions to the consultants that will be incorporated in the Report.

The Utah Lake Festival has been scheduled for Saturday, June 7th. The Utah Lake Commission will be participating with that in cooperation with the JSRIP. The JSRIP started the program several years ago and this will be the fourth Festival. The Commission will be sponsoring a pancake breakfast that morning for the elected officials and their families in Utah County and the candidates for office and their families. Mr. Price will be recruiting members of the Governing Board to help prepare and serve the breakfast that morning. The time of the Festival is 10:00 A.M. to 2:00 P.M. In order to draw people to the event there are plans to have Governing Board members create activity booths and free food booths. Commitments have been received from Orem, Provo, American Fork, Lehi, and Springville. So far there will be hot dogs, popcorn, snow cones, and drinks that will be given away at the Festival. There will also be some craft activity booths, fish pond, and face painters. Mr. Jim Cross who gave a tour of Utah Lake to the Governing Board about a year ago in some flat-bottom boats has volunteered to give boat tours at the Festival.

As previously discussed last month, Mr. Densley had referred Mr. Frye to the Festival committee who has a sailboat school which helps to promote Utah Lake. Mr. Frye has volunteered to organize a sailboat regatta and has more plans for future years. He will set that up and also has some other big plans for the future.

In conclusion Mr. Price reviewed that it is one of the Commission's goals to become more visible. He had the opportunity to make presentations to the Orem and American Fork City Councils this past month. He gave them an update of the progress of the Utah Lake Commission and thanked them for their continued support. Mr. Pearson asked if the Budget would permit for a banner to be made to advertise the Utah Lake Festival. Mr. Price answered that the JSRIP has a banner and he has been in contact with Helen Anderson from Provo to get it hung from one of Provo's banner locations.

Mr. Buehler responded to the report on the trails. He encouraged every city that is adjacent to the Lake to require that new developments put in a trail as the cities of Saratoga Springs, Orem and Lindon have done. When the boundaries were designed for Saratoga Springs they included a trail that was developed from the old marina to the south end of the golf course. Vineyard is requiring the same thing to be done. Sometimes there are sovereign lands involved and the County is happy to put in trails. They have done that in some cases already.

Mr. Linford questioned if booths will be provided at the Festival for the cities' use. Mr. Harris said they would provide some booths and need to match up the cities with booths. Information regarding booth requests should be given to Mr. Price or Mr. Harris by tomorrow. At the moment there are seventeen booths scheduled. There is a Utah Lake Festival meeting tomorrow.

The Festival day is free fishing day and that will be advertised. Announcements will be sent out for city newsletters soon. It is also free admission to the State Park for that day.

Mr. Lifferth asked Mr. Harris what the plans are for the five million pounds of carp. Mr. Harris answered that question will be part of the RFP. There are several options including fertilizer, fish meal, foreign markets, etc. They are going to request that the carp be disposed of at one time.

6. Update on the Master Planning Process.

Mr. Price reviewed that the Commission is working on the Master Planning process that will guide the Commission as they develop a Vision for Utah Lake. He introduced Mr. Rick Cox from the consultant team to give an update.

Mr. Cox reported that the process is about one-third completed. The process has been very collaborative. The next step will be to start talking about the vision, opportunities and constraints. He encouraged everyone to participate in the Visioning Workshop being held the remainder of the day. Mike Donohue will be at the Workshop as a facilitator. Mr. Donohue is the former Director of the Great Lakes Commission which is comparable to the Utah Lake Commission. He will be making a presentation on Lake St. Clair which is a twenty-foot deep lake and is similar to Utah Lake.

The Consulting Team is making progress and Mr. Cox expressed appreciation on their behalf for the opportunity to be a part of this planning process.

Chairman Billings asked if the Consulting Team feels it is getting the response, support and participation that is appropriate for them to complete the plan they hope to deliver. Mr. Cox affirmed that they have and that the subcommittees have done a Herculean job of participating. They went through each section with every subcommittee in detail. There is still a lot of work to do in modifying the final version of the report, but they believe the document represents facts.

The Visioning Workshop has been reserved for the Governing Board, Technical Committee and the Subcommittees. There have been two Open Houses and they were well attended by the public. Responses from the public at those Open Houses have been included in the preparation for the Visioning Workshop. The public is having the opportunity to be heard.

Mr. Don Blohm asked what is the next significant milestone following the Visioning Workshop. Mr. Cox stated that after the Visioning Workshop is concluded there will be a Visioning Statement which in essence will be objectives and goals. Those goals will be the basis for the Opportunities and Constraints Workshop. The date for that workshop is yet to be scheduled but is anticipated to be sometime in June.

Mr. Price interjected that after the Visioning Workshop the Steering Committee will meet to help distill the information that comes from the Workshop to make it more presentable and understood by the Governing Board members as they identify the opportunities and constraints to the different visions and goals that are expressed at the Visioning Workshop. The Opportunities and Constraints Workshop will probably be another day long workshop. Mr. Cox said the visions that are applicable will be identified to the maps.

7. Discuss Procurement Policy.

Mr. Price said that at the last Governing Board meeting it was questioned whether or not the Procurement Policy allowed the Commission to choose to advertise on the internet or in the newspaper without being obligated to doing both and the Commission's legal counsel said the Commission could do either. Mr. Price reviewed the Procurement Policy and found that in regard to bids on Page 2, Section A, Item 3 it reads, "The notice inviting bids shall be published either in a newspaper of general circulation, noticed on the internet, or otherwise made public at least ten (10 days) before the date of the opening of the bids." This wording allows for the Commission to have a choice. Also regarding Request for Proposals on Page 3, Section B, Item 4 it reads, "The notice inviting proposals shall be published either in a newspaper of general circulation, noticed on the internet, or otherwise made public at least ten (10 days) before the date of the opening of the proposals." Therefore the question that was raised at the last meeting has factually already been addressed. Chairman Billings reviewed that this was discussed with the Executive Committee and it seems there are not any legal issues and the policy is fine in its current form.

8. Discuss and review the proposed tentative budget .

Mr. Price noted that included in the packet that was sent to the Governing Board members was a copy of the proposed tentative budget for the next fiscal year. The first page shows the expected revenue sources. The total funds requested from the Utah Commission Members is \$ 319,111.45 which will be divided amongst the Commission participants. The third sheet in the packets shows what each city's portion will be and if there is an increase or decrease from last year. If there was an increase it is probably due to population increases. The projected unspent funds from 2008 are currently projected to be around \$75,000. That number may be changed depending on consultant fees and other fees that come as the end of the fiscal year gets closer. There is an estimated interest income for 2009 of \$5,000. The total projected revenue for 2009 is thus \$400,403.

Mr. Price will be working with Mr. John Borget, Provo City, on how to present the budget to the State as required and how the contingency account #9200 should be listed as a fund balance. The second page lists the budgeted amount for 2008 and the projected expenses for 2008 ending in June. There is a column for the proposed budget for each account of the budget for 2009. Next month there will be a tentative proposed budget presented and a date will be set for the public hearing. The final budget will be approved at the June Governing Board meeting.

Mr. Blohm requested Mr. Price to give some specifics on what might be classified under the Special Projects Account which has a budget of \$45,000 for 2009. Mr. Price answered that those funds are anticipated for grantsmanship opportunities and that account may be used to match funds. Mr. Mike Donohue, who Mr. Cox mentioned earlier, will be helping the Commission to find grants. Mr. Price has been in contact with one group called Partners for Conservation and Development which is a department of Natural Resources that has some possibilities for grants for phragmites removal along the Lake which will require matching funds. Phragmites removal is the one project on the schedule right now but as the Master Plan process progresses there will probably be other opportunities for grantsmanship. Projects will be presented as they materialize.

Mr. Buehler reviewed that the tamarisk beetle which had been discussed in an earlier meeting has been introduced around Utah Lake. They have had a lot of success with this beetle down in Moab by Castle Valley. The tamarisk is virtually dead now in that area. This may be a potential project that will need assistance.

Once the tamarisk dies it becomes a fire hazard. If the beetle is as effective around Utah Lake it may be another project for the Commission. Once the tamarisk is dead it will need to be removed and the area burned to prevent it from returning.

Mr. Buehler questioned how the 11.7% contribution was delegated to the State Agencies in the budget projection draft on Page 3. Mr. Price explained that the rate structure is that half of operations is funded by municipalities and the county and half is funded by Central Utah Water Conservancy District and the state. The State Agencies' 35% portion is then divided into three portions amongst the Department of Natural Resources, Forestry, Fire and State Lands, and the Department of Environmental Quality, making each of those agencies responsible for 11.7%.

Mr. Baker requested clarification on the municipalities' portions of contributions for 2009. Some of them showed a decrease. Mr. Price explained that there were new members added during the year and so the distribution of the contribution for each municipality in some instances showed as a decrease, mostly in the original existing members. Some municipalities were pro-rated when they joined. Mr. Baker suggested we look for additional state members.

Mr. Greg Beckstrom pointed out that the 2008 budget was \$300,000 making the municipal contribution \$150,000. The document shows that \$166,270.55 was the total of the municipalities' contribution for 2008. The \$16,270.55 was due to the additional members that came in after the adoption of the 2008 budget. Chairman Billings summarized that the document presented today is for the Governing Board's review. In May Mr. Price will present a tentative budget that will be open for public review and formal comment for thirty days and then a formal budget will be adopted at the June Governing Board meeting.

9. Other Business.

Chairman Billings stressed that the time is sensitive today due to the Visioning Workshop. He invited Board Members to raise any questions or comments. He continued and said that previously the Quality Growth Commission and the State Legislature created a fund named after the prominent, late Senator LeRay McCallister. This fund provides grant money that is open right now to conserve lands and he encouraged all to check on the possibility of applying for those funds or let Mr. Price know they are interested. They also have a web page.

Mr. Buehler commented that in the newest edition of the Master Plan Preliminary Draft he noticed some needs for amendments. Mr. Price commented that they are aware the document will need to be corrected as the process goes along.

Mr. Densley said that he has had three people in his office asking about the causeway. He questioned whether the money that has been allocated by the Legislature would include funds for that project. Mr. Price replied that it is his understanding that Representative Sumsion who sponsored the legislation was able to allocate three million dollars to UDOT for investigation into the feasibility of a transportation corridor that affects Utah Lake. The Commission will be intricately involved in the process. UDOT will help to determine if the need is there, and if the need is there what type of structure that would be and the possible location of the structure.

Mr. Densley asked if there is a timeline to those studies. Chairman Billings stated that UDOT is in charge and that there is a lot of energy for it to be prompt. Representative Morley confirmed that UDOT received the money with the intent for an environmental study of the Lake and all the other issues that would involve a crossing structure. As far as a timeline, the money has been appropriated and UDOT will go forward as soon as they identify the key people who will be involved. Chairman Billings complimented the orchestration of the funding of these studies and commented that it was a very impressive piece of work which even included funding of UTA. Mr. Buehler emphasized that it is a transportation study and not just a causeway study. Chairman Billings suggested that it may be of interest to have a representative from UDOT come to a Commission meeting and report on the progress of the project.

Mr. Price added that the transportation issue was a hook to obtaining the funding, but the studies will provide a lot more information about the Lake in other areas.

There was discussion about the different types of beetles that are being used in killing tamarisk and that would be another topic of interest for the Board to be informed about.

Senator Margaret Dayton addressed the Board and expressed her appreciation of the work that is being done by the Commission as public servants. As a Senator she represents a lot of concerned citizens and there is lake shoreline in her district. She also sits on the Natural Resources Committee in the Senate and she is very interested in what is going on. She works closely with Dick Buehler. She said she was very happy to attend the meeting.

Dr. James Westwater, Utah Valley Sierra Forum, asked if he could obtain a copy of the Commission's financial statement. His group would like to learn more about the process of carp removal from the Lake and its effect on the ecosystem. He questioned if there might be a responsibility for health issues if the carp is going to be harvested for consumption. He also asked about meaningful public input for the development of the Master Plan.

Mr. Price responded saying that a copy of the financial statement would be made available to Dr. Westwater. He then referred him to Mr. Reed Harris who can best address any questions about the carp removal.

Mr. Price stated that it is his understanding that the removal of the carp from Utah Lake will enhance the ecology of the Lake. In reference to the subject of possible responsibilities the Utah Lake Commission might have in regard to potentially contaminated carp for consumption he informed Dr. Westwater that there is a discrepancy between the Department of Health standards and the Food and Drug Administration's standards. The Food and Drug Administration's is less stringent which allows commercial fishing of the carp. The levels in the carp are barely in the standards issued by the Department of Health but are far below the standards set by the Food and Drug Administration. That is also why any commercial fishing that the Commission would use would be allowed on the open market.

Mr. Stephen Schwendiman added that the Utah Lake Commission is not the authority that issues the warnings. The Commission is an advisory board and any decisions would go through the Department of Natural Resources as the authority board. The Commission can give support but it doesn't have any legal authority. The Commission would therefore not have any legal responsibility.

Chairman Billings added that these issues have not been discussed lightly but that many hours have been spent in forums with expert consultants. There is quite a lot of information available. The minutes from all the Utah Lake Commission meetings are posted on the website. There has been a lot of work discussing how the carp can be removed and that the process be productive.

Mr. Price added that the public has several opportunities to contribute to the development of the Master Plan. Two Open Houses have already been held that the public was invited to attend and written surveys from those open houses were disseminated. The public ideas that were expressed at those Open Houses and information collected from the surveys will be incorporated at the Visioning Workshop along with the suggestions and ideas of the members of the Utah Lake Commission Board and its' committees. There will be additional workshops after the Vision has been created and Opportunities and Constraints have been identified and those will be presented in another Open House format and public comment will be encouraged. The public will also be invited to comment on the first draft of the Master Plan. Other mechanisms that are available include the website that people can email their suggestions and comments to Mr. Price. There is also a questionnaire on the internet.

Dr. Westwater questioned how the public could be more involved in the development of the Plan and not just asked to comment after the document had been written.

Mr. Price confirmed that he felt the Commission was providing ample opportunity for the public to be involved all through the process. Also the public can come to the workshops. He has met with people one on one in his office and personally answered every phone call.

Chairman Billings commented that not every interested party can sit at the table. Another option for the public is to contact their mayor who is representing them on the Governing Board. He stated that as Mayor of Provo he represents masses of people but would be willing to give anyone input who would approach him in a timely manner. He feels all the mayors in the Commission would do the same.

10. Confirm that the next meeting will be held at the Historic Utah County Courthouse Ballroom on Thursday, May 22, 2008 at 7:30 AM.

Chairman Billings confirmed the next Governing Board meeting for Thursday, May 22, 2008.

11. Adjourn.

Mayor Dain moved to adjourn to the next meeting next door. Mayor Johnson seconded the motion. The meeting was adjourned at 8:39 A.M.