



Governing Board
Thursday, May 27, 2010, 7:30 A.M.
Utah County Health and Justice Building, Room 2500
151 South University Avenue, Provo, Utah

ATTENDEES:

Dick Buehler, Utah Division of Forestry, Fire, and State Lands
Representative Mike Morley, Utah State Legislature
Mayor John Curtis, Provo City
Mayor Randy Farnworth, Vineyard Town
Chris Finlinson, Central Utah Water Conservancy District
Mayor James Hadfield, American Fork City
John Hendrickson, Eagle Mountain City
Councilman James Linford, Santaquin City
Councilman Dean F. Olsen, Springville City
Darin Bird, Utah Dept. of Natural Resources
Mayor Jerry Washburn, Orem City
Mayor Bert Wilson, Lehi City
Richard Nielson, Utah County

INTERESTED PARTIES / VISITORS

Dee Chamberlain, Saratoga Springs Home Owners Association
Richard Nielson, Utah County
Aaron Eagar, Utah County
James O'Neal, Provo
Todd Frye, Bonneville School of Sailing
Dan Bolke, American Fork
Michael Mills, JSRIP
Gene Shawcroft, CUWCD
Donna Sackett, Senator Bennett's Office
Wade Garatt, Congressman Chaffetz's Office
Chris Keleher, DNR
Greg Beckstrom, Provo City
Steve Densley, Utah County Chamber

ABSENT:

Lindon City, Genola Town, Mapleton City, Highland City, Utah Department of Environmental Quality, Saratoga Springs City, Pleasant Grove City, and Town of Woodland Hills.

1. Welcome and call to order

Vice Chair, Mayor Jerry Washburn called the meeting to order at 7:30 a.m. He welcomed members of the Governing Board and visitors. He excused Chairman and Commissioner Larry Ellertson from the meeting secondary to a business trip.

2. Review and approve the Utah Lake Commission Governing Board minutes from April 23, 2010.

There was no discussion, corrections or questions for the minutes of April 27, 2010. Motion from Mayor James Hadfield to approve the minutes; it was seconded; and motion carried.

3. Review and approve the monthly financial report of the Commission for April 2010.

Mr. Price gave the results of the Financial Report for April 2010. On April 30, 2010, 20 percent of the fiscal year remained. At the end of April, the Zion's checking account balance was \$1,112.75; Zion's Money Market account balance was \$196,602.25, and the UPTIF balance was \$30,114.70. The annual rate of return for the accounts is indicated at 0.85 percent for Zions and 0.56 percent with UPTIF. Transfers to the checking account were made on April 7 in the amount of \$7,500 and on April 21 in the amount of \$7,000 to cover expenses. Interest earned in April was \$169.55 with a year-to-date interest of \$2,034.69. Expenses for the month of April were listed on the report. An uncommon expense was the lunch for the bus tour, which came from the foods and meals account. He explained the balance of all accounts in the general fund is \$60,464.10 or 28 percent of the budget. He stated 20 percent of the fiscal year remained and Utah Lake Commission was under budget. Mr. Washburn said the Executive Committee had a thorough review of the budget from the report and felt it was in order. There were no questions or discussion. Motion to approve by the budget by Mr. Dick Buehler; seconded by Mayor Hadfield; and motion carried.

4. Report from the Technical Committee.

Technical Committee Chairman, Greg Beckstrom reported on the activities of the Technical Committee. He stated updates of the carp removal efforts and phragmites removal would be reviewed by Mr. Price. He reported the Committee was devoting time to the model ordinance development. A half-day kick-off meeting resulted in gathering important data. The second meeting is scheduled for June 8. The goal is to create a model ordinance to be used by the communities to incorporate into their zoning development ordinances, can promote protection for part of the shoreline, open space areas, and the critical habitat areas along the boundaries of Utah Lake. The Committee is looking forward to presenting an ordinance to the Governing Board later in the year.

The second significant area the Committee is working on is evaluating criteria in consideration of a generic bridge proposal across Utah Lake. He reviewed the history of RFP's submitted to the state for a portion of the sovereign land over Utah Lake. The state had received two proposals: one to build a bridge and the other for a no-build option. The state determined additional information was needed from both proposals and was in the process of receiving the information with the deadline scheduled in the next few weeks. The state will be making a determination which one or neither of the proposals to consider for formal application. The Technical Committee is evaluating what criteria needs to be considered under a generic proposal. After the Committee's review process, data will be compiled and submitted in a report to the Governing Board. The report will be a summary and baseline for serious consideration for either the current proposals or any proposals that may be submitted in the future.

5. Report from the Executive Director.

Mr. Price reported the Utah Lake Festival would be held on Saturday, June 5, at the Utah Lake State Park. With plans being finalized, it appears to be a bigger and better event than last year. It is a free family activity to come and enjoy the lake. The public festival is held from 10:00 a.m. to 2:00 p.m. at the Utah Lake State Park located at the west end of Center Street in Provo. Activities for families, kid booths, and information booths about the Commission, state agencies, and other interested groups relating to Utah Lake will be included. The Commission is sponsoring free hot dogs, Santaquin is supplying apples, Springville is providing popcorn, Provo is giving away cotton candy, and American Fork is providing drinking water. The kid booths are sponsored by Provo, Orem, and American Fork with anticipated long lines.

A Sailboat Regatta, part of the Utah Summer Games, is held at the Utah Lake Festival. Typically, over 20 sailboats are on Utah Lake for a series of races. Because the openness and frequent wind conditions, Utah Lake is a great place to sail. Mr. Todd Frye, of the Utah Lake Commission Public Advisory Group, leads the event. As part of the Utah Lake Festival, the Commission has invited members from the Governing Board, mayors and councils from the municipalities, and representatives of organizations to participate and experience the lake. A VIP tour and continental breakfast will be held early that morning. Jim Cross, who is a lake contractor, will provide boats to take the Governing Board and family members on the VIP tour around Utah Lake. He invited everyone to RSVP as soon as possible.

As historical background, the June Sucker Recovery Implementation Program, in an effort to showcase the lake, began the Utah Lake Festival six years ago. The goal was to help the public gain an appreciation for the lake and learn about the endangered June sucker species. The Utah Lake Commission joined forces with JSRIP. The event fit with the Master Plan goal of gaining an appreciation for Utah Lake and educating the public.

Mr. Price felt the bus tour in April was a success despite the cold, rainy weather. He acknowledged and thanked Mr. Dick Buehler's commentary concerning his experiences and understanding of Utah Lake. The tour was beneficial to see the problems facing the lake and how the Commission is trying to address these concerns. A main issue of the Commission is phragmites removal. Mr. Aaron Eagar pointed out removal efforts initiated on the west side of the lake near Saratoga Springs. Mr. Price said an opportunity to work with the private sector might become available to develop different treatment methods.

The model ordinance process, which is identified in the Master Plan, is moving forward. The kickoff meeting at the beginning of May was well attended by all the cities that border Utah Lake. Those participating have a keen interest in a unified recommendation pertaining to what types of regulations should be established around the lake. Through this process, it is hoped the ordinance will establish appropriate buffers, discuss trail ordinance requirements for developers, trail standards, and create flood-based restrictions. The group was engaged and responsive to the consultants. A draft product may be ready by late summer or early fall.

Outreach efforts of the commission for the next fiscal year will be detailed during the budget discussion.

6. Presentation on long-term removal efforts of phragmites on Utah Lake.

Mr. Price introduced Aaron Eagar, Utah County Weed Supervisor, to present the progress and additional information on the phragmites removal. Mr. Eagar outlined the areas of his presentation. First, he would explain the pilot project for phragmites that began two years ago. Second, he would address the sections designated in the master plan with the achievements/success. Third, discussion of the equipment used with the limitations and the successes. Fourth, the future equipment needs with a brief discussion of plans to move forward through the seven sections of the lake. Fifth, he would explain the UPCD grant application, the results, and then answer questions.

The pilot program setup incorporated 156 acres from the Lindon boat dock to Gammon Lane. Originally, it was 112 acres but 40 acres were added which were not treated; however, firebreaks were created and established to become part of the test pilot program. In December 2008, the initial work was begun on the pilot project with creating firebreaks 50 to 100 feet wide along the entire shoreline. The section was divided up and the firebreaks created were pushed into the frozen lake so equipment could go across the ice.

The firebreaks were created by a vehicle called a Ranger, which is a six-wheeled ATV. In creating the firebreaks, some areas were successful and others were not. Because the Ranger is light, it had a hard time mashing the phragmites, and so it would stall. Another problem is the Ranger does not have a high ground

clearance, so as the phragmites was pushed underneath the vehicle, and it would get stuck. The Ranger worked well in the upland areas, and was able to make breaks quite a distance away from the shoreline.

Mayor Washburn asked if the breaks were made by just running over the phragmites and mashing it down with the Ranger. Mr. Eagar confirmed the statement. However, using the Ranger was a long process as it could only do a small area at a time. On the pilot area, hand equipment was used in some locations to cut the whole area out to protect trees or other areas. Mayor Bert Wilson asked if it was too marshy to use a piece of equipment in that location. Mr. Eagar felt it was difficult to get close to the plants with large equipment, so it was best done by hand.

The other piece of equipment used was a Bobcat, which is heavier, and had more success creating firebreaks when the lake was completely frozen, especially in winter months. However, it was difficult to maneuver the Bobcat. The Ranger and the Bobcat have open cabs, and the staff suffered the cold, especially when temperatures went to below zero. Creating the firebreaks utilized the Bobcat, Ranger, and hand equipment along the entire shoreline with a 50-foot break cut into the lake.

All of the firebreaks were established beginning in winter 2008. In April 2009, when new shoots were starting to grow, the entire area was sprayed with the chemical, Habitat, which stays in the soil. It prevents the plant from growing all the way out and the plant is held to a three-foot level hampering the plant's ability to create a seed head. They sprayed in April 2009. In August 2009, an air spray was completed. The goal for success was for 70-80 percent eradication. At present, the 2010 weather has been wet and cold. The phragmites is not up, but on an initial walk-through the area, it appears to have been successful.

The initial UPCD grant was awarded to do the pilot project, and some of the money was used to buy chemicals for years two and three. These chemicals will pick up the other 20 percent. The area was re-sprayed for the 20 percent growing back and the chemical is sufficient to pick up what little may grow. After destroying one type of invasive weed species, another kind may grow as noted the Canada thistle was starting. But, with removing the phragmites, it is hoped native flora will soon be re-established and multiply. He stated the pilot program appears to have been a success.

Mayor Washburn asked if the program looked promising for the broad application on the phragmites around the lakeshore. Mr. Eagar replied from the initial results, it is very promising. He said the lake was divided into seven sections from 800 to 1000 acres each, with work on the first section beginning in December 2009. Each area brings its own set of problems, but the removal program is working.

Mr. Price said Utah Lake is a unique environment for phragmites. As the project moves forward, learning experiences will occur and treatment methods will continue to be tweaked or changed as needed.

Someone asked if thistles were taking over once the phragmites was removed. Mr. Eagar said patches of Canadian thistle had popped up; but they were trying to re-establish the native species and not allow the invasive species to take over. Mayor Washburn asked if the chemical Aquatic Round-up was used and when using the chemical if it would penetrate the surface and go down into the water. Mr. Eagar said glyphosate was used and clarified it had an aquatic label approved to spray over water. Multiple chemicals can be used which have an aquatic label, but in a wetland environment there are limitations placed on the type of chemical and it has to have an aquatic label on it. The Habitat has a different profile chemical and a different mode of action. These two chemical profiles both have the aquatic label and the Department of Agriculture has given approval to use them on the lake. Mayor Washburn asked if the aquatic chemical is called Rodeo. Mr. Eagar said most of the brands have a 47-52 percent of glyphosate with multiple name brands including Aquiline, AquaMaster, Rodeo, or others, but AquaMaster was used for the Pilot Project.

The state fire crew and Utah County fire crew did a test burn of 15 acres, which went very fast and efficiently. Mr. Price commented burning is not an eradication or elimination method, but removes the dead mass and allows earlier treatment of the new phragmites growth. Mr. Hendrickson asked if any evidence of wildlife had been impacted by the burn and Mr. Eagar said no.

Mr. Buehler said because FFSL has a lot of projects that includes burning, the Division was evaluating a piece of equipment called the Green Dragon. The equipment can be mounted on the back of a pickup, ATV, or boat. It shoots a small ball of chemicals that reacts and ignites after 15-30 seconds. The Green Dragon can work on Utah Lake as well as Great Salt Lake.

Mr. Buehler said in order to burn; there is a specific window, which requires the right humidity, temperature, and wind. Fire may not seem like a scientific element to some people, but it is scientific. Mr. Eagar said the burn he witnessed appeared scientific as they managed the fire in a short time period. He cited the various areas where firebreaks were made and the burn was successful.

In establishing the firebreaks, Mr. Eagar said two pieces of equipment the county owns were available to use and had been utilized to the maximum. The Ranger was good for spraying after the firebreaks were established. The Ranger's negatives include being lightweight, low ground clearance, not enough power, and the time involved for only a small section at a time. The Bobcat is a better piece of equipment but cannot be used until the lake is solidly frozen, but because of its weight, it is limited to where it can go.

Part of the UPCD grant for 2010-2011 would have been used to buy a piece of equipment built to work in the Utah Lake environment. He reported on a vehicle called the Soft Track, which has an ultra low footprint of 22 inches ground clearance, and is built to work in a marsh/wetland environment. With a turbo diesel motor, it has enough power to push through the phragmites. Other accessories are also available, such as sickle blades and a full range of vegetation management for cutting equipment. Randy Berger used the Soft Track successfully in Farmington Bay near Ogden and was pleased with its performance. The drawback of the Soft Track is the price tag costing about \$105,000.

Another piece of equipment different from the Soft Track is called the Land Tamer. It has an ultra low footprint and 22-inch tracks. It can go straight off land into the water being amphibious. It has its own propeller on the back and can go six miles an hour in the water with 2000 pounds on the back. Both vehicles come with closed cabs, which would protect the staff. A key benefit of the Land Tamer over the Soft Track is the ability to transition from dry land to completely floating, allowing the staff to go out on the water and spray the phragmites. The Land Tamer could cruise right through the phragmites. The cost of the Land Tamer is \$60,000, and so is definitely cheaper than the Soft track. Both of these pieces of equipment work in the Utah Lake environment, which is a huge asset. When pursuing the UPCD grant to fund these pieces of equipment, we were hoping to push the phragmites even further out. In the 2010-2011 UPCD grant application, we requested \$215,179.00 with \$150,000 for equipment purchase and \$65,179 for chemicals, and covering the airplane to spray. After refusal, Mr. Price and Mr. Eagar revised the grant application due to the budget cuts. After discussing the situation with the grant administrator they explained to him the amount of work already completed with the creation of firebreaks. They told the administrator if they lost the firebreaks, it would push the project back one year; but, if they received enough monies for the chemical, they could stay on schedule for the phragmites removal. They asked for a minimum of \$20,000 to maintain the current work. They were told the Utah Lake phragmites removal was the top priority for the unused grant funds from last year. The administrator was confident he could allocate \$60,000 to keep section one on course or \$20,000 to maintain the level of work.

In the discussion, Mr. Price and Mr. Eagar identified a shortfall in the program with budget cut-backs. With the entire lake involved, and a three-year phase for each section, it totals about a 15-year plan. It was decided to reach out to other funding sources from organizations and/or investigate other grant opportunities in order to have a broader range to draw funds from and to complete the removal efforts of the identified sections. Long-term funding from private industry, multiple groups, and possibly from the legislature would broaden the pool of funds to draw from.

Mr. Buehler commented FFSL was considering purchasing the Land Tamer. He made a commitment to approach the state legislature for funding to purchase two Land Tamers. He felt partnering with different areas such as the county, the commission, cities, other departments, or organizations would be more

beneficial. He said if there were partners, the appropriations committee might consider the funding. He believed with combined efforts, one or two of the Land Tamers could be purchased. With two vehicles, it would accomplish more work and be safer. Mr. Eagar concurred. He and Mr. Price studied and believed if funding was more diversified, and then support for the phragmites removal would be ongoing. Mr. Buehler stated with 2200 miles of shoreline the state manages, the equipment could be used in Bear Lake, Great Salt Lake, Utah Lake, and other bodies of water. Funding would be more successful in a joint effort if groups partnered. He also said \$50,000 could be used from the sovereign lands projects budget.

Mr. Price said a long-term stream of funding for the chemicals was needed. He suggested that he and Mr. Eagar be present when approaching the state appropriation committee to explain the Utah Lake problem. They could explain the work completed, where the UPCD grant was utilized, and try for long-term funding for the future phases. Mr. Buehler said the Commission and other joining entities would comprise a unified voice of reason from the community leaders and legislatures. He suggested Representative Mike Morley recommend to members of the appropriations committee the need for funding. He publicly thanked the county for efforts in providing man-power and resources to create the firebreaks and move the phragmites eradication forward.

7. Discuss and approve a tentative budget for Fiscal Year 2011.

a. Set date for a public hearing and final approval of the FY2011 budget.

Mr. Price presented the Fiscal Year 2011 tentative budget to the Governing Board. After going through the budgeting process for several years, Mr. Price assessed where the Commission's funds were needed. The budget was divided into three sections including the general fund, capital projects funds, and membership responsibilities.

The General Fund. The proposal for total budget expenditures and revenues is \$282,250 of which \$269,750 comes from the membership dues and \$2500 in earned interest. The unused consultants' fees for the model ordinance from 2010 will be rolled into the 2011 budget to pay a portion of the bill. The total revenue required is \$282,250. On average, membership dues went down by 3.1 percent. The total revenue compared to last year was down 1.8 percent, an almost two-percent decrease in the general fund budget for 2011.

Expenditures. The expenditures column is divided into several categories. The 1000 category for employee wages shows an increase for the insurance for 2011. As a two-person office, it is difficult to determine the future. The wages and insurance showed secondary to the insurance requirements from \$159,000 in 2010 to \$164,000 in 2011, which is a 3.1 increase.

In the 2000 category accounts, there is a 10.3 percent decrease. The 3000 account only has the accounting services, showing an almost 17 percent decrease. The Commission requires a financial review rather than an audit, so Mr. Price recommended \$2,000 to be budgeted for this purpose, same as last year. The 5000 account budgeted shows a 12.5 percent increase due to insurance, not knowing exactly what the insurance rates will be.

The 6500 accounts are for the Master Plan projects. The projects are for public outreach and ideas to accomplish the goal. One project is the Utah Lake Festival with an increase from \$4,000 to \$5,000 to keep up with the growing demand.

Category 6520 is a new expenditure. This is for creating a school curriculum to be incorporated into the 4th and 7th grade curriculum in the three school districts around Utah Lake. By teaching the young children, they will understand the value of Utah Lake and begin to teach the parents the value of Utah Lake. The funding of \$10,000 is proposed to create the school curriculum. The three school districts, Provo, Alpine, and Nebo, are excited about the opportunity and have several teachers willing to help create the curriculum. The money would fund development and/or materials and would partially fund the instructors

as they use personal time to create the curriculum. The June Sucker Recovery Program has done significant ground work and already provided great resources for the project.

Another public outreach effort is a web site redesign. The redesign would make the site a little more user-friendly, modern, and interactive. The budget for the web design is appropriated at \$7,500.

Account category 6540 is for an editorial plan with a budget of \$10,000. An editorial plan is a constant stream of information coming from the Utah Lake Commission offering messages about Utah Lake, updates of what is going on, and then disseminating them to the different social medial network areas. The Utah Lake Commission has a Facebook and Twitter page, which is not being used effectively at present. These technologies need to be used to our advantage with the efforts being tracked. After evaluation, the Commission can scale up if effective or can scale down efforts if they prove not to be as effective.

The contract for the model ordinance will have \$8,000 expended by the end of June 2010 and the remaining \$17,000 is budgeted for the fiscal year 2011.

The phragmites eradication program needs a minimum of \$20,000 for chemicals to maintain the significant work the county has completed and maintain the firebreaks. Although funds were not received from the grant, Mr. Price hoped DNR could help find \$60,000 to allow continuation of the process. Mayor Washburn asked even the grant was not awarded, if \$20,000 was still needed. Mr. Price said yes.

Capital Projects Fund. The final aspect of the budget presented by Mr. Price included a contribution of \$20,000 to the capital projects budget. When the Executive Committee reviewed the proposal, they did not understand why the capital project fund was created, how it was to be used for and why it was funded. Mr. Price said the capital projects fund was created to begin storing money for future capital improvement needs. Because of the limitations of special districts only being able to hold 25 percent in the general fund, more money needed to be stored for other purposes in order to accomplish the wide range of goals and objectives set forth in the master plan. Therefore, a capital project fund was established with monies donated each year. The first year \$30,000 was allocated and \$70,000 in 2010. At the end of this fiscal year, there will be \$110,000. Mr. Price recommended \$20,000 be added to the capital project fund for future use.

If the \$20,000 amount were approved, the balance in the capital project fund would be \$130,000. If the Commission teams up with Mr. Buehler and the state as suggested, he can approach the appropriations committee for equipment funding. As a group of unified municipal governments, county government, and state agencies monies could be put toward this. This recommendation is not for the equipment, but for \$20,000 to go towards the capital project fund.

Mr. Price recommended the Governing Board approve spending up to \$65,000 from the Capital Projects fund on equipment that will facilitate the phragmites removal effort. The Commission would look to leverage the funds with other sources, such as the one Mr. Buehler will be approaching. If the entire amount were spent, the balance of the Capital Projects fund would be \$65,000.

Membership contributions. The total membership contribution of each municipality is based on a formula including the community's population, the shoreline miles, and the total geographic area. Mr. Price received the updated population numbers from MAG. The member contributions decreased 3.1 percent on average from the prior year. If the individual city's membership dues did not decrease, it was secondary to a population increase. The most significant increase was with Utah County, which had a population increase of 10,000 because they were miscounted. He noted each city's membership dues and asked each city to contact their budget administrator to report the required funds. Invoices will be sent out in July.

Mayor Washburn asked if the figures included the \$65,000 needed for the recommended equipment purchase. Mr. Price replied in the affirmative. Mr. Hendrickson asked if funding was obtained through the state for two Land Tamers, and then only part of the \$65,000 would be needed rather than the entire amount of \$65,000. Mr. Price concurred stating he was asking for full equipment purchase price so the

budget would not need to go through the same process again. Mr. Buehler said one Land Tamer would be dedicated to Utah Lake and the other would be available as scheduled for Utah Lake and/or other state-managed bodies of water. Mr. Washburn believed it was a sound idea for the purchase. Mr. Price was willing to partner and work with the state agencies for equipment purchases. Mayor John Curtis expressed appreciation of the budget as it reflected the county's economic situation. He complimented Mr. Price for the holding pattern of the wages and the careful application of funds. He motioned to approve the preliminary budget with a public hearing to approve the final budget for fiscal year 2011 at 8:30 a.m. on June 24; seconded by Mayor Hadfield, and motion carried.

Mr. Jim Linford asked for a year-by-year basic breakdown of the funds instead of year total, which he could send to his council. Mr. Price said he would comply.

8. Other Business:

Mayor Washburn asked if there was additional business and/or information. He also asked if there was any public comment for the Governing Board. Mr. James O'Neil, of Provo, recommended a public hearing on the budget be held at night rather than morning stating 8:30 a.m. eliminates the people who work. Mayor Washburn stated public hearings are generally held during the regularly scheduled Governing Board meeting, and the budget public hearing would be held at the proposed time.

9. Confirm that the next meeting will be held at the Historic County Courthouse Ballroom on Thursday, June 24, 2010 at 7:30 AM.

The Governing Board approved the next meeting to be held at the normal location on Thursday, June 24, 2010 at 7:30 a.m.

10. Adjourn.

Mayor Hadfield motioned to adjourn the meeting seconded by Mayor Randy Farnworth, and motion was unanimous. The meeting was adjourned at 9:04 a.m.