

**Utah Lake Study Committee Meeting
June 22, 2006
Utah Lake State Park Visitor's Center Conference Room
4400 West Center, Provo Utah**

ATTENDEES:

Members

Mayor Lewis Billings, Provo
Mayor Heber Thompson, American Fork
Mayor Gene Mangum, Springville
Mayor Howard Johnson, Lehi
Mayor Jerry Washburn, Orem
Clyde Naylor, Utah County

Other Interested Parties

Greg Beckstrom, Provo
Robert West, Provo
Chris Keleher, Dept. of Natural Resources (DNR)(JSRIP)
Reed Harris, (DNR)
Kris Buelow, CUWCD (JSRIP)
Dan Nelson, MAG
Dave Grierson, DNR (Forestry, Fire and State Lands)
Ty Hunter, Utah Lake State Park
Steve Kroes, Utah Foundation
Steve Densley, Chamber of Commerce

1. **Welcome and call to order** by Mayor Billings. Minutes of the boat tour were distributed for review and approval at the next meeting.
2. **Review and approve minutes of May 4, 2006.** Motion to approve the minutes as written was seconded and passed unanimously. A question was raised about the numbers used regarding the carp population. Those will be reviewed and corrected as needed.
3. **Reports.**

Technical Committee. Paul Hawker, Utah County, will address current and future trail systems around and near the lake at the next technical committee meeting. The committee is planning to meet with Dave Wham to discuss the TMDL report which is expected in the next few weeks. Participation by each entity in the technical committee is encouraged. The committee was also asked to review the interlocal agreement draft document.

Carp Management Project. About 25 tons of carp were caught from the lake over six fishing days. This was only 10-20% of the catch needed on a daily basis, but gives an idea of what can realistically be done. The pilot study will be completed within the next two weeks. The fish have moved to the Tamarisk trees that are now covered with water which makes them harder to catch with nets. Removing the Tamarisk would improve fishing, is something done in other areas and may be considered here later. Alternative methods of carp removal will be reviewed. Manual removal would require five crews on a daily basis. The fish seasonally change locations and cooler temperatures might increase the catch. Non-carp catches amounted to 1-2% of the total catch. Many phone calls have been received from people who have ideas on what to do with the carp once removed from the lake. It is hoped that higher water levels will kill Phragmites and the Tamarisk trees. The carp removal pilot study was set up for only 10 days so the fishermen have been trying to maximize the catch by choosing the best possible fishing days. **Around the world, i.e., China, carp is used for human consumption and is not bad tasting. PCB tests will continue to be conducted on Utah Lake carp.**

Utah Lake Tour. The main purpose of the tour was to identify management responsibilities of the different agencies that have authority over the lake. Interactions with different groups will help to manage more holistically the lake and the shoreline. The consensus was that the tour was beneficial and much was learned.

4. **Review and discuss "First Draft: document establishing the Utah Lake Management Commission by Interlocal Cooperation Agreement.** This is a draft document and a good place to start. The document should be reviewed closely and feedback given so that everyone will understand the proposal and the recommendation for a commission.

Mr. Naylor said two challenges were issued: 1) to develop a draft document based on the commission concept, and 2) to form a committee of technical people to review the draft. The committee consists of Clyde Naylor, Utah County; Robert West, Provo City Attorney; Kevin Bennett, American Fork City Attorney; Cort Griffin, Utah County Deputy Attorney; and Steve Schwendiman, Office of the State Attorney General. An e-mail from Mr. Schwendiman indicated he had read the draft, circulated it to other state agencies, and it waiting for responses. The draft is a work in progress and will be modified as feedback is received and accepted. Each organization needs to thoroughly review the document.

Mr. West said there are four parts to the interlocal agreement: an index for reference, the text of the agreement, signature pages and appendices that will include the Utah Lake Master Plan Study Area, a list of voting members of the commission and a list of ex officio members of the commission. The signature pages require approval of the interlocal agreement by the legislative/governing body and the director/mayor of each entity. At the State level, approval would be required by both the legislature and the director of the agency. A document the group can support should be formulated prior to sending anything to legislators for their input/support. The procedure to authorize and create the commission needs to be reviewed with Mr. Schwendiman, i.e., whether or not legislative approval is needed to authorize/create the commission.

Comments included the critical status of the Master Plan Study Area map (the Technical Committee was asked to come up with recommendations for the map), a needed provision to allow membership of any new communities established along the lake, and a time line for completion of the review. **After the review by key people, any comments/suggestions/recommended changes should be given to Clyde Naylor and Robert West by July 21.** A meeting will be held with Mr. Schwendiman to receive the State perspective of the agreement.

Mr. West briefly reviewed each section of the agreement.

Article 1: Definitions. Please review carefully.

Article 2: Purposes. Get recommendations for any additional purposes to Mr. Naylor and Mr. West.

Article 3: Terms of agreement. 50 years as mandated by law.

Article 4: Creation. The commission will be a separate legal entity and will assume its own liability.

Article 5: Parties to the agreement. This section addresses membership and how entities can either join or leave the commission. Include any newly created communities in this area.

Article 6: Voting Rights of Members. A majority vote of the full membership is needed for any change.

A quorum must be present to conduct business. Clarify language of Article 9.8.

Article 7: Powers and Responsibilities. This gives all powers allowed for an interlocal agreement.

Article 8: Liabilities and Obligations. Members do not waive any governmental immunity. Bonding is provided for as a commission and not as individuals.

Article 9: Governing Board. Appointment procedures, terms, compensation, meetings, minutes, etc.

Article 10: Powers and Duties. Appointment of an executive committee, bylaws, rules, etc. All records are subject to the Government Records Access and Management Act (GRAMA).

Article 11: Technical Advisory Committee. Provides for appointment and terms of appointment. The wording alternating the terms of the governing member and the technical committee member needs to be reviewed.

Article 12: Funding, Budget, Accounts and Financial Records. Provides for fidelity bonds, and annual audit and executive director responsibility to insure funds are accounted for correctly. Financial contribution per entity is not specified. The MAG model may be a good one to consider.

Article 13: Dissolution of the Commission. Identifies how this would be done if needed.

Article 14: Filing of Interlocal Agreement. The agreement will be filed with the Official Recorder Keeper and made available for public inspection.

Article 15: Miscellaneous Provisions. Includes confidentiality, severability, etc.

Discussion included the following items:

- How to involve cities that don't border on the lake, possibly as ex officio members, and financial obligations for these entities. Consider two levels of ex officio members.
- Support or "backlash," feedback and input from Salt Lake County and Salt Lake City water user groups, particularly the Jordan Valley Water Conservancy District that might possibly represent the interest of the Salt Lake area entities, and how to include these users and the CUP in the organization.
- Success of the commission lies in voluntary support and not mandated or forced actions.
- The State initially proposed that Utah County entities control Utah Lake. If this group of 10-12 cities can agree on a proposal, support from other entities should be easier to obtain.
- Salt Lake water user interests will be better served with any improvement in Utah Lake. They appear to have no intent to control what happens at the lake so long as their concerns of quantity and quality of water are met.
- Salt Lake County interests own almost all of the water in Utah Lake. Put water ownership on a future agenda.
- Work done for the commission by municipal employees would be done through a contract approved by the jurisdiction and the commission.
- Add top five items to promote under Article 2: Purposes, i.e., shoreline preservation, trails, etc.
- It was suggested that those to attend a meeting with CUP and Jordan Water District to introduce this concept be Mayor Billings, Clyde Naylor, Robert West, Chris Keleher, Reed Harris, and Mike Styler or Robyn Pearson.
- Circulate the draft agreement and get comments to Mr. West and Mr. Naylor by July 21. Mayor Billings will put out a letter to other cities with a copy of the agreement, inviting their involvement in some manner, and advising of the date for the first comment period. With participation comes responsibility.
- Discuss this proposal at the next COG meeting to inform other cities.

Comments from individual committee members were as follows:

- How the State will be represented, how the mission and vision will relate to the Public Trust Doctrine, the land under the high water mark, sovereign lands, and management for the good of the public.
- Inclusion of towns not fronting the lake.
- Inclusion of business community key people on the board for business input, perhaps a representative from the Provo/Orem Chamber of Commerce.
- Representatives from categories such as recreation, business, water users, etc.
- Spanish Fork has a tremendous interest in the lake and should be included. The Spanish Fork River is a major feeder and has impact on the lake.
- Extending membership to non-lake front communities should include a financial assessment of some amount
- The process from here will be to have a first comment period that ends July 21. The Technical Committee will meet on Monday to review the document and give feedback. The Technical Committee will also work on the Master Plan map and have something to present by the August 3 Committee

meeting. Clarification and input are needed from Mr. Schwendiman on the state legislative process and from others to whom he has distributed the information.

- DEQ has an interest in being represented on the committee. They will be kept informed.
 - Options to include new towns. Include in the time line an opportunity to visit with CUP and Jordan Valley.
 - A letter through COG to inform and welcome other interested cities.
5. **Other discussion.** The second Utah Lake Symposium will be held at UVSC on September 22. More information will be forthcoming.
 6. **Public comment.** None.
 7. **Set date, place and time for next meeting.** August 3, 2006, Utah Lake State Park, 7:30 AM.
 8. Meeting adjourned at 9:10 AM.