

UTAH LAKE COMMISSION  
July 26, 2007, 7:30 a.m.  
Utah County History Ballroom  
51 South University Avenue, Provo, Utah

ATTENDEES

Members

Mayor Lewis Billings, Provo  
Commissioner Larry Ellertson, Utah County  
Michael A. Vail, Genola  
Bob Fisher, Woodland Hills  
Art Adcock, Santaquin  
Chris Finlison, Central Utah Water Conservancy District  
Mayor Jim Dain, Lindon  
Walt Baker, Department of Environmental Quality  
David Grierson, Forestry, Fire, and State Lands  
Mike Styler, Department of Natural Resources  
Steve Clark, House of Representatives  
Mike Morley, House of Representatives  
Mayor Howard H. Johnson, Lehi  
Mayor Gene Mangum, Springville  
Nathan Riley, Vineyard  
Deon Giles, Pleasant Grove  
Steve Densley, Provo/Orem Chamber  
Mayor Jerry Washburn, Orem City

Clyde Naylor, Interim Executive Director  
Reed Price

Other Interested Parties

Helen Anderson, Utah Valley Homebuilders Assoc.  
Dave Wham, Division of Water Quality  
Richard Butler, URS Corp.  
Reed Harris, June Sucker Recovery Program  
Rich Hansen, Div. of Wildlife Resources  
Barry Tripp, Forestry, Fire & State Lands  
Robert West, Provo  
Greg Beckstrom, Provo  
Leon Harward, Utah Crossing  
Diane Simpson-Colebank, Logan Simpson  
Jim Carter, Logan Simpson Design, Inc.  
Russ Fotheringham, Economic Development Corp. of  
Utah  
Sarah Sutherland, Central Utah Water Conservancy  
District  
Kris Buelow, June Sucker Recovery Program

A sheet (ballot) with four logo options was distributed for review, comment and vote.

1. Welcome and call to order.
2. Review and approve the Utah Lake Commission minutes from June 28, 2007. The motion and second to adopt the June 28, 2007, Utah Lake Commission minutes as written was unanimously approved.
3. Review and approve a resolution appointing Reed Price to the position of Executive Director of the Commission. The interview and selection process was explained, and Reed Price, the candidate unanimously recommended by the selection committee, was introduced. The selection committee consisted of the Executive Committee and representation from the Technical Committee. Mr. Price has a “passion” for the Lake as evidenced by several technical reports he authored concerning the Lake on behalf of Orem City, his employer for the last nine years.

Mr. Price said he was excited to have an opportunity to work as the Executive Director of the Commission, and to work with Commission members and other stakeholders in Lake development to make it once again a place where families will love to go to have fun. He understands the challenge of the position, has a passion for water related issues and wants to work toward making the Lake a community treasure and resource.

Other members of the interview committee commented on their reasons for supporting Mr. Price as

the first Executive Director of the Utah Lake Commission. Comments included his passion for the Lake, his technical background as well as his MPA degree, his ability to bring Utah State entities, private stakeholders and local entities together on this project, and the statement Mr. Price made during the interview process that “a shovel fits well” in his hands. Other comments included the following: The future of the Commission with Mr. Price will be bright; he is technical yet approachable; he won’t intimidate stakeholders; he won’t “put off” those who want to discuss Lake issues; and he will push forward with things that are appropriate and right. He will be the “face of the Utah Lake Commission” to legislative committees, the public and other civic organizations. There will now be someone to get out of bed every morning to represent the interests of the Commission and the Lake.

The motion to adopt the following resolution was seconded and unanimously approved.

### **RESOLUTION 2007-3**

#### **A RESOLUTION OF THE UTAH LAKE COMMISSION APPROVING THE APPOINTMENT OF REED S. PRICE AS EXECUTIVE DIRECTOR FOR THE UTAH LAKE COMMISSION.**

The Commission office is located at 51 South University Avenue, Suite 109. The phone number is 851-2900.

#### **4. Review and approve a resolution appointing Clyde Naylor as the Assistant Executive Director of the Commission.**

Mr. Naylor has agreed to serve as the Assistant Executive Director for a time, if approved, and the County has agreed to allow Mr. Naylor to do this as part of his other duties at no cost to the Utah Lake Commission. This will provide an opportunity to share information that otherwise may be lost. Mr. Naylor will continue to serve as the County Engineer. The Executive Committee unanimously recommended approving this appointment.

Comments regarding Mr. Naylor included the tremendous amount of work he has done to this point, his championing of Utah Lake, and his passion for the Lake, the valley and mountains of Utah County. As a “quiet soldier” he has done wonderful things for this area, is a “gem of the valley,” and will help “jump start the Commission.” He “stands head and shoulders” above anything the papers have ever printed about him.

The motion to adopt the following resolution was seconded and unanimously approved.

### **RESOLUTION 2007-4**

#### **A RESOLUTION OF THE UTAH LAKE COMMISSION APPROVING THE APPOINTMENT OF CLYDE NAYLOR AS ASSISTANT EXECUTIVE DIRECTOR FOR THE UTAH LAKE COMMISSION.**

#### **5. Review a proposed format for the monthly financial report of the Commission.**

A proposed format for the monthly financial report was distributed, noting that information provided was not for a full month, but was presented as an example only. The form identifies the balances of the two accounts—checking and money market at 5.08 % interest. Contributions have been received from all entities but Pleasant Grove, Highland and the Department of Environmental Quality (in the mail). No checks have been issued yet, but will be soon to pay invoices for public notices, computers, printers etc. Each entity was encouraged to review the form and make any input to Mr. Price within the next seven days. It may be helpful to include the percent of budget spent by category. One-third of the State allocation comes from the

Department of Environmental Quality and two-thirds from the Department of Natural Resources.

6. Review and approve the proposed benefit's resolution.

The proposed resolution authorizes the Executive Director to 1) enter into a personnel staffing and employee management agreement with Teamworks Professional Services, 2) work with Teamworks to draft a personnel handbook and policies and procedures for the board's approval, 3) establish a compensation and benefit plan, 4) apply for the State Retirement System if desired by the employees, and 5) obtain insurance bids for workers' compensation, liability, etc. After final negotiations and clarifications, the plan will be presented at the next Commission meeting. A good benefit package is essential for the employees, and the one proposed approximates the benefit package previously received by Mr. Price. Using the State Retirement program should insure the money will be set aside to be available for retirement benefits.

The motion to adopt the following resolution was seconded and unanimously approved.

**RESOLUTION 2007-5**

**A RESOLUTION OF THE UTAH LAKE COMMISSION AUTHORIZING THE COMMISSION'S EXECUTIVE DIRECTOR TO ENTER INTO A PERSONNEL, STAFFING AND EMPLOYMENT MANAGEMENT SERVICE AGREEMENT WITH TEAMWORKS PROFESSIONAL SERVICES, INC.; ESTABLISH A COMPENSATION AND BENEFITS PLAN AS OUTLINED BY THE BOARD; FILE AN APPLICATION WITH THE UTAH RETIREMENT SYSTEM TO PARTICIPATE IN THE EMPLOYEES' NONCONTRIBUTORY RETIREMENT SYSTEM AND DEFINED CONTRIBUTION PLANS, OBTAIN INSURANCE BIDS FOR WORKER'S COMPENSATION, GENERAL LIABILITY, DIRECTOR'S AND OFFICERS LIABILITY; AND AUTHORIZING THESE INSURANCES TO BE UPDATED TO KEEP THEM CURRENT AS CONDITIONS CHANGE IN THE UTAH LAKE COMMISSION; AND AUTHORIZING AND REQUIRING THESE INSURANCE AND RETIREMENT PLAN AGREEMENTS OF THE UTAH LAKE COMMISSION TO BE APPROVED AND SIGNED BY EITHER THE CHAIR OR THE VICE-CHAIR OF THE UTAH LAKE COMMISSION.**

7. Authorize the Executive Director to hire an Executive Office Assistant.

The position of an Executive Office Assistant has been advertised and closes tomorrow. Selection for this position will be made by Commission staff.

The motion to authorize hiring for this position was seconded and unanimously approved.

8. Report from the Technical Committee.

The Technical Committee heard a report from Kris Buelow on the carp issue. A private firm has expressed interest in harvesting the carp for fish meal and fish oil, but the removal schedule would need to be faster than the seven-year program previously discussed. Federal funding will be solicited for carp removal. Dave Wham presented the TMDL report, which is on the Commission agenda today.

A significant item is the draft Request for Proposal (RFP) prepared to solicit a consulting professional service to prepare the Master Plan for Utah Lake. The Master Plan will serve as a guiding document and foundation to fulfill many of the objectives of the Interlocal Agreement. The RFP was prepared by Mr. Naylor and reviewed by a subcommittee of the Technical Committee. The proposed time line for the RFP is to advertise immediately with a requested response by August 27. Specific interested firms will be sent an

RFP. A review would narrow the submissions to three that would then be scheduled for oral presentations in September with a report and recommendation ready for the Commission at the September 24 meeting. The Notice to Proceed would be issued in late September/early October with completed draft master plan and associated hearings by June 2008. While this is an ambitious schedule, they believe it is possible. One or two members of the Commission should probably be involved in the process from start to finish. All stakeholders need to receive the RFP and have an opportunity for input prior to releasing the RFP. Lists of interested parties will be provided to the Commission staff to make the necessary mailings and contacts. While this will slow the process, a balance is needed between expediting the process and insuring that everyone has an opportunity for input. The Commission would not need to approve the document before it is advertised. Feedback should be provided to Mr. Price in two weeks (August 9) who will then work with the Technical Committee on comments received. Each entity has submitted Master Plan information which is included in the County Utah Lake library along with other documents which will give a consultant a good base from which to start. The website can be used to help make this information available. Feedback from potential consultants will help to set a realistic date for completion of the work in the RFP, which could result in a modification. Because the Commission will be teamed with the consultant for some time, it is important to also give the consultant enough time after receiving the RFP to provide an adequate response. With feedback received by August 9, the Technical Committee could review the comments at its August 13 meeting and report to the Commission on August 16 for release the following week. The document will be amended to reflect the time line changes. A plea was made for every entity to be involved at the Technical Committee level in providing feedback on the RFP.

Mr. Naylor suggested the Commission begin looking for its own legal counsel as provided in the budget. The Bylaws Team could begin looking at that with Commission staff.

#### 9. Presentation by Dave Wham on the TMDL Study (Total Maximum Daily Load).

Mr. Wham made a presentation covering the following points. (The complete slide presentation is included in the packet on file at the Utah Lake Commission Office.)

- Utah Lake Water Quality Impairment (303(d) list of impaired waters, fisheries, irrigation)
- Other Utah Lake Concerns (Carp, June Sucker, turbidity, development pressures)
- Phase I TMDL Report (loading assessment, impaired fisheries/agricultural use assessment)
- Lake Pollutant Loading Assessment (update water budget, characterize significant loading sources)
- Results - Phosphorous Loading
- Results - TDS Loading
- Fishery Impairment Assessment
- Fisheries Beneficial Use Assessment
- Fisheries Impairment
- Algal Assessment
- Unique Utah Lake Features (shallow, lack of stratification, low light penetration, lack of aquatic vegetation, carp, constant re-suspension of sediments)
- TMDL Considerations
- Proposed TMDL Approach
- Agricultural Impairment Assessment
- Class 4 Beneficial Use Assessment
- Proposed TMDL Approach (Agricultural Use Impairment)
- Summary (leave Lake on 303(d) impaired list, delay moving forward with establishing TMDL endpoints, conduct additional studies, work with stockholders to remove biological phosphorous in the watershed.)
- Next Steps (stakeholder briefings, public meeting on August 1, 3-5 p.m. at Utah Lake State Park, public comment period.) Questions can be answered at this meeting.

Mr. Wham can be contacted at [dwham@utah.gov](mailto:dwham@utah.gov), phone 801-538-6052.

As communities grow, there is added phosphorous to the Lake and Mr. Wham encouraged working with the Commission and communities to move toward removal of biological phosphorous. Wastewater treatment plants are doing an excellent job in meeting the requirements for adding pollutants to the Lake, but they don't remove phosphorous from the wastewater. Mr. Wham said an example of reducing phosphorous is Heber Valley which had significant periods of high phosphorous. The reduction was a result of good management, working with the agricultural community, and the transition for agricultural uses to "summer homes." A good data set is not available on phosphorous levels at Utah Lake 50 years ago for comparison to today's levels. However, phosphorous is a growing problem with the growing population. The time line for the TMDL will depend on carp removal and the result of other studies. It could be delayed based on the impact of the carp removal and June Sucker Recovery programs.

10. Presentation by Barry Tripp on the Phragmites problem.

Rich Hansen, Wildlife Manager of the habitat at Farmington Bay, was present to identify steps they have taken to reduce the Phragmites problem at Farmington Bay on the Great Salt Lake. He explained what Phragmites is, what it looks like and how it grows and spreads. There are five genotypes of Phragmites dating back 3000 years. Good qualities include providing animal forage in early growth, nesting and cover for wildlife, soil stabilization and providing building material, thatch, textiles, etc. Bad characteristics are that it creates a monoculture that overtakes its environment eliminating noninvasive and native plants, creates a fire hazard, is a poor wildlife food source, excludes human and wildlife movement, and has high water consumption.

Successful control efforts included annual aerial spraying of dike lines and then ground spraying of the acres aerial sprayed the previous year. Chemical, mechanical, herbivores and water management are methods to contain the Phrags at acceptable levels. They have identified about 11,000 acres of Phragmites that need to be sprayed over 15 years. They started last year with 2000 acres, which will be ground sprayed this year, and will aerial spray an additional 800 acres this year. He showed aerial pictures taken before and after spraying to show the effectiveness of the process. Control methods include mechanical, i.e., mowing in August and September and consecutive years of mowing, discing in the summer(not recommended because each rhizome can start a new plant), and possible dredging at least 5 feet deep. Physical control includes water level controls (water 12-20 inches deep contains expansion). Burning is not advised unless the area was sprayed the previous year. Drying out the area during the growing season will stunt the growth and allow other beneficial species to re-vegetate. Prescribed burns can be used. Biological control includes grazing of cattle, horses and goats, which is very effective. Insect and biological control have not been approved in North America. Chemical control is most effective, if treated in late August and September, but is also expensive. Several photos demonstrated the need to regularly spray for control or the plant will return. Because the Phragmites will never be eradicated, reduction and containment are the objectives. About 1/3 to 1/2 of the 95 shoreline miles around Utah Lake, particularly on the east shore, is covered with Phragmites, and, if not controlled, will create more biomass and fires will be much harder to control. The cost per acre to aerial spray is about \$30-\$40/acre. Ground spraying costs are greater than that.

11. Other business.

A. A logo for the Utah Lake Commission. An informal vote was taken on ideas presented for the logo.

B. Review a draft proposal of revisions to the bylaws. This amendment clarifies the bylaws regarding the Executive Committee and states that the Technical Committee will elect a Chair and Vice

Chair. The Bylaw Committee will review the draft and bring a proposal to the Commission to be considered for a vote. Any comments should be directed to staff.

Contacting Utah Vision regarding a similar thing for the Jordan River may be helpful. Information was provided to staff to make the contact.

12. Confirm the next meeting will be held at the Historic County Courthouse ballroom on Thursday, August 16, 2007 at 7:30 a.m.

13. A motion was made, seconded and unanimously approved to adjourn. Meeting adjourned at 9:30 a.m.