



GOVERNING BOARD MEETING
Thursday, September 25, 2008-7:30 A.M.
Historic County Courthouse Ballroom – 3rd floor
51 South University Avenue, Provo, Utah

ATTENDEES:

Lewis K. Billings, Chairman
Larry A. Ellertson, Vice-Chair
Reed Price, Utah Lake Commission
Brent Arns, Payson
Walt Baker, UT Dept. of Environmental Quality
Don Blohm, Highland
Mayor Laurel Brady, Mapleton
Mayor Jim Dain, Lindon
Chris Finlinson, Central UT Water Conservancy District
Bob Fisher, Woodland Hills
David Grierson, Forestry, Fire & State Lands
Reed Harris, UT Dept. of Natural Resources
Mayor Howard H. Johnson, Lehi
James Linford, Santaquin
Mayor Tim Parker, Saratoga Springs
Mayor Heber Thompson, American Fork

Other Interested Parties

Stephen Schwendiman, Attorney General's Office
Clyde Naylor, Utah County
Bruce Chesnut, Orem
Gene Shawcroft, Central UT Water Conservancy District
Dave Wham, UT Dept. of Environmental Quality
Michael Mills, JSRIP
Sarah Sutherland, Central UT Water Conservancy District
Rick Cox, URS, Inc.
Marsha McClean, Visions of Utah Lake
Laurie Snow Nelson, Utah Valley Sierra Forum

ABSENT:

Eagle Mountain, Genola, Orem, Pleasant Grove, Provo/Orem Chamber of Commerce, Springville, UT County Legislature, Vineyard.

1. Welcome and call to order.

Chairman Billings opened the meeting at 7:35 A.M. and expressed appreciation to everyone for their diligence in attending the meeting. He acknowledged that some members had asked to be excused from the meeting, but in most cases had arranged for a representative to come in their place.

2. Review and approve the Utah Lake Commission minutes from August 28, 2008.

It was reviewed that all members should have received all the documents needed for the meeting. Commissioner Ellertson moved to approve the minutes from August 28, 2008 and the motion was seconded by Mayor Heber Thompson. The minutes were approved unanimously.

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

Mr. Reed Price reported that the Checking account balance for the end of August was \$3,492.63. The Money Market account balance was \$286,853.33. A new addition to the Budget Report is a Petty Cash account. Upon consulting with some accountants they recommended showing this account on the monthly report.

The Petty Cash account balance was \$46.46. There were two money transfers during the month of \$7,500.00 and \$50,000.00. Interest earned in August was \$745.51 and the Year-to-date interest earned was \$1073.21. Expenses for August were \$56,172.22 which included a \$43,761.10 payment to the Master Planning consultants. Mr. Price pointed out the Year-to-date transactions as listed with the %Left for each account for the year and the balance remaining in each account.

Mr. Price noted that all the funds had been received from all the organizations in the Utah Lake Commission for the 2008-2009 fiscal year.

The financial review process has begun and a final review should be presented next month.

It was moved by Mayor Dain to approve the August financial report as presented. It was seconded by Mr. Walt Baker and approved unanimously.

4. Report from the Technical Committee/Update on Master Planning Process.

Mr. Price introduced the report from the Technical Committee. He said it had been a busy month for the Technical Committee as they have been preparing for the Governing Board meeting. They have been working with the consultants in reviewing and editing the Vision Statements and the Specific Vision Statements.

Three weeks ago the Steering Committee met to determine whether or not the general idea of the Specific Vision Statements helped to achieve the Broad Vision Statements which were approved by the Governing Board at the August meeting. The Steering Committee met to try to wordsmith the statements. At the regularly scheduled Technical Committee meeting they tried to make sure to appropriately capture the vision that the Utah Lake Commission hopes to achieve. Mr. Price expressed his confidence in the product which will be presented to the Governing Board today. The most recent version that was approved by the Technical Committee was placed at each member's seat for this meeting, dated 9-22-08, differing somewhat from the 9-18-08 version that was provided to them earlier. He then turned the floor over to Mr. Greg Beckstrom, Vice-Chair of the Technical Committee, to present the Specific Vision Statements and preside over discussion.

As background, Mr. Beckstrom reviewed that the Specific Vision Statements will become the goals of the Master Plan. Their purpose is to help fulfill the Broad Vision Statements and each of the five major elements of the Master Plan including Land Use, Transportation, Natural Resources, Recreation, and Public Facilities. He pointed out that after each title of the Specific Vision Statements there are, in parentheses, letters that refer to the Broad Vision Statements that are associated with that Specific Vision Statement i.e. , Fishery (R,N). Once these statements are acted upon by the Governing Board and approved, they will be evaluated in detail by the consultants and subsequently, by the Technical Committee. He reminded the Governing Board that any action taken today is a tentative approval that will provide guidance for preparation of the final Master Plan document. The Technical Committee is a facilitator for the planning process. The Technical Committee provides recommendations, but the Master Plan is the policy of the Governing Board. The Governing Board is welcome to provide additions or modifications on any of the Vision Statements.

Mr. Beckstrom suggested that for the purpose of discussion the statements be considered in groups of ten. He proposed that he would review the changes that were made from the 9-18-2008 version to the 9-22-2008 draft version. Any modifications to a specific statement can then be suggested. Following discussion a single motion to approve the statements would be appropriate.

a. Review and approve Specific Vision Statements/Goal Statements for the Master Plan

Statements #1 - #10

In Statement #4 the words "and legal" were added to the phrase "with appropriate and legal private property crossings..."

Statement #8 was significantly rewritten, not in terms of substance, but in terms of clarification. It now reads, “The fish community is proactively managed to include a healthy sport fishery, the recovery of June sucker and the control of undesirable or incompatible species (e.g., carp).” Mr. Beckstrom stated that the rewritten statement provided clarity and focus to the intent of the item.

In Statement #10 – Educational Opportunities, the words, “and cultural resources” were inserted following the phrase, “biological uniqueness.”

Chairman Billings invited comments on the first ten Vision Statements. He also asked if the term, “pocket park” would be a clear concept. Mr. Beckstrom reported that within the recreational community it is a familiar term. Others voiced agreement that it was understood as presented.

Statements #11 - #20

In Statement #13 the word “ongoing” was inserted into the statement to read “Public perception of Utah Lake is improved by ongoing and effective public outreach...” It was inserted to indicate that something was not a one-time event but a continuing practice of communication and public outreach to the general public. A change of terminology was the major change in Statement #16. The word “vandalism” was replaced with the words “illegal activities” both in the title and the text. The title of the Statement is now “Illegal Activities and Misuse of Resources.” In the text, “Vandalism and misuses of lands...” was altered to “Illegal activities and misuse of resources...” This was done to broaden the focus of the vision and not limit it.

In Statement #17 the word “level” was inserted after the word “lake.” It now reads, “...recognizing that the lake level is controlled by natural hydrology.” In reference to the compromise agreement and other potential agreements that may have significant impact moderating the level of the lake that are not related to hydrology or Utah State water rights, the phrase “and legal agreements” was added to the end of the Statement.

The word “stormwater” was inserted in front of the word “detention areas” in Statement #19 for purposes of clarification. At the end of the Vision Statement the language was changed to read “are pursued consistent with the Utah Lake Master Plan.” This replaced the prior language to broaden the focus.

Statement #18 was deleted as it was determined to be similar to item #28 in language. Item #28 was modified to include Item #18 into a single vision statement. Questions were then welcomed for Items #11 through Item #20.

Ms. Chris Finlinson remarked that in reference Statement #17 in regard to the lake level the Technical Committee had discussed the word “pursued.” She stated that in her organization, CUWCD, there has been concern with that word as they perceive it as a very active word. They feel that it implies that the Commission will be actively involved in a pursuit. She said that the CUWCD would be more comfortable if the phrase “are considered” could replace the word “pursued.” That change was supported by Mr. Linford. Mayor Tim Parker stated that if that change was made then, likewise, a similar change in Statement t #19 should be made in order to be consistent. Discussion continued about the strength of the wording and concerning the active/passive connotation and other suggestions were made. A compromise was reached and it was agreed to change the word “pursued” to “actively considered.”

Mayor Howard H. Johnson moved to replace “pursued” with “actively considered” in Statement #18 and it was seconded by Commissioner Ellertson. Ms. Finlinson requested to reserve the right to address the issue later if required. The motion was approved by a majority with Mr. Blohm opposed.

After discussion Mayor Parker moved to approve Statement #19 with a change of replacing “pursued” with “actively considered.” The motion was seconded by Ms. Finlinson.

Chairman Billings asked Mr. Beckstrom as representative from the Technical Committee if he had any comments. Mr. Beckstrom noted that these are changes of nuance and policy. He did comment that in the discussion of this statement in the Steering Committee and the Technical Committee there was a greater level of enthusiasm for taking a more proactive approach.

Mayor Dain stated that with the title being Proactive Enhancement that he supported “pursued” as being his choice of language. Mr. Blohm expressed his agreement and commented that the Master Plan is a plan that needs to promote activity. Mayor Johnson commented that the County is actively pursuing the notion of taking care of stormwater, flooding, etc. and Mayor Johnson had suggested to the County in another, prior meeting that the lake level be included in their control program. He invited Mr. Naylor to respond. Mr. Naylor voiced his opinion that attention needs to be paid to stormwater in an active form. He said he didn’t see that it mattered which of the words was used and believed both suggestions would work. Mr. Beckstrom added that one perspective, at this point, is to remember that not all the visions necessarily are equal. A value judgment is not being made at this time but simply an evaluation should be made if the Statement is a good statement and helps move towards the Broad Vision Statements that have been approved. A later phase in the process will involve the prioritization of the statements and that is when the value step will come into effect. Mr. Cox added that though the Vision Statements will become goals it does not mean that the Commission has to implement all of the objectives to see that the goals are accomplished. Mayor Parker commented that in consideration of some of the points made in the discussion he withdrew his motion.

Mayor Parker commented that in Statement #20 the phrase “high quality water” should be reworded. He felt it is too optimistic. Mr. Beckstrom replied that the Vision Statements are ideals and some of the Statements will be harder to achieve than others however, they are still appropriate goals to have. He stated that at this point the statements should be goals that the Commission would like to have happen regardless of the technical impediments.

Mr. Baker stated that some may seem to be lofty goals. The term “high quality water” is in the standards and would be defined as water that would not allow any discharge of a pollutant. He felt the Commission should be sensitive to the fact that these waters are not of such a high quality of water that they could be used for drinking water without treatment. There are different tiers of “high quality water.” He said there should be some focus on the other uses of the lake including agriculture, recreational, habitat and other beneficial uses when discussing high quality. There was further discussion on rephrasing the Statement.

Mayor Dain noted that the term “municipal water” can be defined in many ways of usage. Commissioner Ellertson suggested that the phrase, “for its beneficial uses” might be compatible language.

It was moved by Mr. Baker to keep in the term “high quality water” and to remove from the last sentence, “(proper management) as a potential source of municipal water.” That section would be replaced with “and suitable for its beneficial uses.” It was seconded by Mr. Dave Grierson. There was discussion about the word “deleterious” and it was decided to leave that word in.

The motion carried with Mr. Linford opposed.

Mayor Johnson clarified that upon approval the deleted statements would be removed and the statements renumbered.

Statements #21 - #34

In Statement #21 the word “facilitated” replaced the word “led”. It now reads, “Coordinated management and protection of Utah Lake results from institutional arrangements facilitated by the Utah Lake Commission.”

Statement #23 was deleted and, essentially, incorporated into Statement #29.

Also deleted was Statement #24 because it was considered more of an objective than a vision.

The word “public” was deleted in Statement #27 from the phrase “public buffer”.

Statement #28 was reworded to incorporate the language in Statement #18. It now reads, “Coordination and communication for land-use planning proposals affecting Utah Lake are established through the use of model ordinances, which provide consistency and compatibility among jurisdictions.” In the title the word “Planning” replaced the word “management” and “planning proposals” replaced the word “managers.”

Statement #29 was reworded to incorporate some of the language from Statement #23 as a single vision statement. The word “expanded” was added to the second line to read, “...wetland areas are acquired, expanded, and/or protected for public use...” The phrase “potential mitigation purposes” was also added at the end of the statement.

The language in Statement #30 of “that respects the ecological integrity of Utah Lake” was changed to read, “that are consistent with the Utah Lake Master Plan.”

Statement #32 was also significantly rewritten. The substance and the tone is essentially the same but the re-writing more articulately expresses the intent. Mr. Beckstrom read the new statement.

Statement #33 was deleted as it was felt that it was redundant of Statement #19.

Statement #34 is a new vision statement that was requested by the State and composed by the Technical Committee to more adequately address the issue of public safety.

Discussion was opened.

Mr. Dave Grierson suggested that in Statement #29 the language of “critical lands” be added to read, “Shoreline, open space, critical lands and wetlands...” He stated that “critical lands” are more stated to wildlife habitat and open spaces are more recreational use and wetlands are more ecological oriented. There was some discussion. It was moved by Mr. Grierson to add “critical lands” to this statement and seconded by Mayor Dain. Motion carried unanimously.

Mayor Thompson requested the motion be repeated. A re-vote was taken and the motion carried.

Commissioner Ellertson commented on Statement #31 if the intention included any and all transportation on the lake. Mr. Beckstrom clarified that the intent was for transportation to and around the lake. The potential of transportation across the lake is addressed in Statement #30.

Chairman Billings welcomed a motion to adopt the document with the agreed changes. Mayor Thompson so moved and Mayor Johnson seconded. Mr. Price requested that the motion be to approve the document rather than state it as adopted. The motion to approve the draft in its modified form was accepted and the second accepted the alteration. The motion was approved unanimously.

It was requested that the new draft would be sent to the members tomorrow.

Mayor Johnson moved to commend the Technical Committee and thank them for their good work and it was seconded by Commissioner Ellertson. All approved the motion.

5. Report from the Executive Director.

Chairman Billings noted that Mr. Price has been interviewed recently in a couple of magazines.

Mr. Price stated that included in the packet mailed to the members was a copy of the amended By-Laws from the last Governing Board meeting.

He reported that there have been extensive Steering Committee and Technical Committee meetings and he expressed his gratitude for the extensive hours in reviewing the documents and the efforts made in capturing all the visions for the future.

In reference to the UDOT study that is being performed that has the potential of impacting Utah Lake he said that he has been involved in the selection process of contracting a consultant. UDOT has been negotiating with the applicant in regard to a draft of their work plan. They anticipate that by the end of the year they will begin their public involvement to determine purpose and need. Mr. Price will continue to represent the Commission and suggested that the communities that may be affected with this study consider sending a representative specific to their interests as well.

Another study that is in the process is the Provo-Nebo study. They are holding a series of meetings to discuss two roadways that will affect Utah Lake. One is drafted to be on the East side of Provo Bay, west of I-15, as well as one that crosses Provo Bay where it enters the lake.

Mr. Price has also been involved with another group, Utah Partners for Conservation & Development (UPCD). It's a group of statewide agencies and stakeholders that try to reclaim wildlife habitat. Utah Lake is an ideal

spot and falls within the focus area where there can be a focus on reclaiming habitat, specifically for phragmites removal. Mr. Price will be working with Craig Searle, County Weed Abatement Manager to see how the Commission can work together with the county to show that phragmites can be eliminated. They will also be working with state agencies.

An update on the carp removal process will be given by Mr. Mills following Mr. Price's report. He met with Mr. Harris and Mr. Mills to see how the Commission can help to garner support or to help obtain grants or funding. He volunteered the services of the Commission to help them move this process forward.

Earlier in June Mr. Price and Ms. Carol Mausser were involved in the Kite Spectacular held in Spanish Fork. The Commission teamed with the CUWCD to help promote both organizations' interests.

Along with Mr. Rick Cox, Mr. Price represented the Commission in St. George at the American Waterworks Association Conference where he was invited to give a presentation on the Master Plan. The session was well attended and there was a lot of interest.

Today he will be speaking at the Sundance Summit where he will be able to give another presentation.

Recently he has become involved with the Blueprint Jordan River Implementation Committee being conducted by Salt Lake County. They are basically creating a lake-to-lake Master Plan for a for the Jordan River. Many of their questions are ones that the Commission already has answered. Mayor Parker added that Saratoga Springs has been actively involved in this organization as well.

At the last meeting there was a question raised about the Bear Lake Resort. In contacting them he received some information about that project. It began about four years ago when Bear Lake was approached by a couple of developers who originally were planning to build a few hunting cabins. They returned a few years later with a larger scale plan called The Bear River Resort. They now have a plan for approximately 2200 acres that include a ski jump, zip line and other amenities. This is the kind of plan that the Commission could be approached with in the future.

Applications for the Public Advisory Group which was approved by the amended By-Laws will, hopefully, be ready for approval at the next meeting.

In regard to Agenda Item #4 there was to be a report on the Master Planning Process. Mr. Price requested that the Chairman ask Mr. Cox for that report.

4. Report from the Technical Committee/Update on Master Planning Process (continued).

Mr. Cox reported that the consultants re-submitted a draft final of the Current Conditions Statement. This will be going back to the Steering Committee and the Technical Committee. Chapters 2, 3, and 4 of the Master Plan have been submitted. These are the introductory chapters. The consulting team is actively working on goals, objectives and policies. They are also working on a map that will show the participating management classifications for the lake and special areas around the lake that need protection. They anticipate having some open houses at either the end of November or first part of December. After that there will be a draft of the final Master Plan.

6. Report from the June Sucker Recovery Implementation Program.

Mr. Harris stated that he wished he had more to report on the carp removal. The June Sucker Recovery Implementation Program (JSRIP) continues to have a great deal of interest in the carp once they come out of the system. The problem is communicating with people in Chinese.

JSRIP hasn't had much contact with Mr. Cross who has benchmarks that have to be met the first part of October in regard to the fishing process. If they don't hear from him soon the JSRIP will probably go back to their RFP and perhaps initiate work with Mr. Loy. This is the time to remove carp and there needs to be time to make plans towards the removal. The JSRIP will be making some major movements in the next few weeks. Hobble Creek has a lot of work actively going on. For the last four weeks through the cooperation of UTA, JSRIP, Division of Wildlife and Forestry, Fire and State Lands they are just about ready to move Hobble Creek

out of its present course which will take it into a new channel that will go directly into Utah Lake. Hopefully, this will provide a new spawning area for June Sucker, provide for water that will come down into the Utah Lake system and provide for a new fishery in the Springville area. He stated that they are very happy with the cooperation of UTA, Springville City and others. The project should be completed in three to four weeks and as the vegetation starts to grow and water is back in the springs it will be a beautiful tributary to Utah Lake.

Commissioner Ellertson said he has a referral for someone he knows who speaks Chinese. Mr. Harris said they are talking directly to some people who are interested in removing the fish and do need a translator.

7. Other Business.

8. Confirm that the next meeting will be held at the Historic Utah County Courthouse Ballroom on Thursday, October 23, 2008 at 7:30 AM.

9. Adjourn.

Mayor Dain moved to adjourn the meeting and it was seconded. The meeting was adjourned at 8:48 A.M.