



TECHNICAL COMMITTEE MEETING
Monday, February 14, 2011, 8:30 A.M.
Historic Utah County Courthouse, Suite 211
51 South University Avenue, Provo, Utah

ATTENDEES:

Greg Beckstrom, Provo City
Ben Bloodworth, Forestry, Fire, and State Lands
Adam Cowie, Lindon City
Deon Giles, Pleasant Grove City
Dr. Lee Hansen, Saratoga Springs City
Jim Hewitson, Lehi City
Chris Keleher, Department of Natural Resources
Mike Mills, June Sucker Recovery
Steve Mumford, Eagle Mountain City
Richard Nielson, Utah County

ATTENDEES:

Reed Price, Utah Lake Commission
Douglas Sakaguchi, Department of Natural Resources
Sarah Sutherland, Central Utah Water Conservancy District

VISITORS:

Dr. LaVere Merritt, Emeritus Professor
Jim Price, Mountainland Association of Governments
Dee Chamberlain, Saratoga Springs Home Owners Association

1 **ABSENT:**

2 American Fork City, Division of Water Quality, Genola Town, Highland City, Mapleton City, Orem City, Utah
3 Lake Water Users, Santaquin City, Springville City, Utah State Division of Water Resources, U.S. Army Corps
4 of Engineers, Utah Division of Parks and Recreation, Vineyard Town, and Woodland Hills Town.
5

6 **1. Welcome.**

7 Technical Committee Chairman, Greg Beckstrom, called the meeting to order at 8:34 a.m. He
8 welcomed the Technical Committee members and visitors in attendance. He stated Mr. Jim Price was
9 joining the meeting via conference phone while he was en route to the meeting.
10

11 **2. Review and approve minutes from the January 24, 2011 meeting.**

12 Mr. Beckstrom asked for discussion, comments, or corrections of the minutes for the meeting held
13 January 24, 2011. He had one correction. On Page 3, fifth paragraph, the word should read approves, not
14 adopts. No further corrections were mentioned. Mr. Richard Nielsen motioned to approve the minutes of
15 January 24, 2011, seconded by Ms. Sara Sutherland. The motion was unanimously approved.
16

17 **3. Discuss Utah Lake Commission position regarding the proposed bridge across Utah Lake.**

18 Mr. Beckstrom said the Technical Committee would discuss a 14-page document with brief
19 background summary and information concerning the Committee's four-month history in 2010 when
20 discussing a potential bridge across Utah Lake. The first page was unnumbered and was a draft of a
21 possible position statement the Utah Lake Commission Governing Board may take concerning the bridge

1 proposal that is before the Utah Division of Forestry, Fire, and State Lands (FFSL). The Executive Committee
2 will discuss and forward a revised version to the Governing Board for their consideration at the scheduled
3 meeting on February 25.

4 The Utah Lake Crossing lease proposal document for a specific bridge was 1.5 inches thick when
5 printed. Mr. R. Price said he had identified what he thought were the most pertinent sections of the
6 proposal. The 14-page document will help the Technical Committee focus on the major factors.

7 Mr. Beckstrom said the Technical Committee would review the prepared summary document with the
8 intent to forward it to the Governing Board. The cover page was a document neither supporting nor
9 opposing the bridge proposal. It provides the Governing Board the benefit of the Technical Committee’s
10 expertise pertaining to the identified issues considered important during the review process. The question
11 asked of the Technical Committee concerning the bridge review process is, “Does it accurately identify the
12 issues reflected in the document? Are there issues that may surface and ought to be added to the
13 document?”

14 Mr. R. Price said the 14-page document is a brief history of what the Technical Committee has gone
15 through pertaining to the bridge. It entails background information explaining the reasons for the Utah
16 Lake Commission as defined in the Interlocal Agreement, and identifies the purposes and different
17 elements of the Utah Lake Master Plan, which is a guiding document for the Commission’s actions.
18 Because the bridge is a transportation-related issue, the Commission policies should be followed
19 specifically pertaining to transportation.

20 Transportation Policy One says the Commission will consider transportation projects based on whether
21 or not they are consistent with the goals and objectives of the Master Plan. Transportation Policy Two
22 states the Commission will be a proactive participant in monitoring and influencing transportation efforts
23 affecting Utah Lake shorelines or access to the lake. The Technical Committee has considered the bridge
24 and has been trying to identify issues to see how the proposal is consistent or inconsistent with the
25 objectives and goals of the Master Plan. This focus of the Governing Board is recognizing the Commission
26 needs to be more engaged with FFSL than they have in the past, particularly at the Governing Board level.

27 Mr. Price felt Transportation Goal Two, which is a high priority goal identified in the Utah Lake Master
28 Plan, states Utah Lake has a significant role in transportation planning resulting in solutions consistent with
29 the Utah Lake Master Plan while accommodating population growth and demographic changes in the area.
30 Transportation Goal Three, identified as a medium priority goal, states transportation corridors to and
31 around the shore serve multiple functions including access to lake destination points and scenic byways as
32 well as commuting and mass transit. An objective of that goal, T3.2, states the Utah Lake Commission will
33 consider studies to determine a need for and the feasibility of cross-lake transportation corridors. The
34 objective was included because a cross-lake corridor was suggested during the Master Planning Process.
35 The idea of a cross-lake transportation corridor was put aside. Constraints to be considered with any
36 future proposals included NEPA compliance, sovereign lands permitting issues, Army corps of engineers
37 approvals, costs, funding requirements, etc. and these were addressed by Technical Committee.

38 Giving historical background, Mr. Price said prior to the Master Plan being approved, the Utah Lake
39 Commission was approached by a Utah State Legislature representative. His constituents wanted to
40 determine if a corridor/bridge across Utah Lake was needed. So, the 2008 state legislature appropriated \$3
41 million to UDOT to begin an environmental impact statement. Although the Commission was not
42 supportive of building a bridge, it endorsed funding to determine if a bridge was needed and the best
43 possible location. UDOT moved forward and selected a consultant to conduct the study, but funding was
44 pulled due to the deflating economy. When funding was withdrawn, the Commission felt the discussion
45 was dead. In June 2009, the Utah Lake Master Plan was adopted. In August 2009, Mr. Harward
46 approached FFSL with a nomination for permission to construct a bridge across Utah Lake’s sovereign
47 lands. This caught the Commission by surprise because MAG identified a structure in its vision plan for the
48 distant future.

1 Mr. Harward gave a presentation to the Commission in August 2009. The developer of Utah Crossings
2 explained he expected the U.S. Army Corp of Engineers would claim no jurisdiction over the approval
3 process due to the bridge’s design and not having any impact to the wetlands. In October 2009, the Corp
4 of Engineers did send a letter to FFSL stating they did not have jurisdiction in the review process, and the
5 requirements to review the proposal fell to FFSL. The review process with FFSL was initiated including a
6 meeting with the Resource Development Coordination Committee (RDCC), which is a committee of state
7 agency representatives who reviews projects in Utah. Mr. Harward presented to the RDCC on September
8 8, 2009, and this was followed by a public commenting period ending in November 2009.

9 The Commission hosted a public hearing on October 29, 2009 at the request of FFSL. Over 150
10 attended and 28 citizens spoke directly to the Governing Board with 13 expressing support or indifference
11 about the bridge, 15 were against the bridge, and six written comments were submitted to FFSL. Another
12 public meeting was held at Saratoga Shores Elementary school in November 2009, with nearly 50 people
13 attending. FFSL also created a website to receive written comments. 95 were against the bridge, 25 were
14 supportive, and five had no stated position.

15 FFSL had the option to accept the nomination as presented by Utah Crossing or go a different route
16 requesting competing bids or uses for the area, which they did in March 2010. One competing bid was
17 received from the Utah Chapter of the Sierra Club, in joint membership of other organizations, a proposal
18 to leave the lake alone. Mr. Harward also submitted his proposal.

19 On October 18, 2010, FFSL accepted Utah Crossing’s application for formal consideration and rejected
20 the other because of incompleteness and noted that if construction of the bridge were denied, then the
21 opposing bid of no-build would be the result. FFSL formed a Resource Specialist review team to conduct a
22 review of all feasibility issues and impacts to the land and lake. Utah Lake Commission’s Executive Director,
23 Reed Price, Technical Committee Chair Greg Beckstrom, and Vice Chair Chris Keleher serve on the review
24 team. There was another 45-day comment period between November 18, 2010 and January 2, 2011.
25 More information including the proposal documents became public and another commenting period was
26 initiated on January 27.

27 In February 2010, the Technical Committee began discussing how and if the bridge proposal helps or
28 inhibits Utah Lake Commission to accomplish the goals and objectives as outlined in the Utah Lake Master
29 Plan. The first meeting was not focused and many issues were addressed. In March, the Committee
30 addressed the high priority goals of Utah Lake Commission, as well as state agencies or municipalities, to
31 determine if such a structure would assist or inhibit the goals. Members of the Technical Committee voted
32 whether they believed a goal would be supportive or inhibited by a lake crossing. After voting, the goals
33 were prioritized and the Technical Committee focused on the major issues in subsequent meetings. Over
34 four months, the issues were addressed, which were mainly technical issues in opposition or in support of
35 the Master Plan.

36 Mr. R. Price noted other issues fell outside the responsibilities of FFSL and the Utah Lake Master Plan.
37 Additional issues not falling under one specific entity dealt primarily with planning, toll roads, maintenance,
38 financing, additional environment questions, etc. The responsibility of the Governing Board is to determine
39 if and how the Commission would be involved in addressing the concerns. They want to become more
40 proactive in the process and help address many of the politically-based issues that fall outside the
41 responsibilities of FFSL.

42 Mr. Beckstrom opened discussion asking for comments, questions, corrections, or issues that ought to
43 be modified or added to the summary document before it was forwarded to the Governing Board.

44 Mr. Mike Mills said he understood the document was not a position statement. Mr. Beckstrom
45 concurred. Under the Technical Committee discussion on page 7, it says, “The identification and discussion
46 of issues relating to the proposed bridge do not necessarily represent the opinions of all, or in some cases
47 even a majority of the Technical Committee membership.” He said people might perceive the document to
48 be negative and antagonistic listing all the issues needing to be addressed or if the perceived hurdles could

1 be easily mitigated or accomplished. Mr. R. Price said Mr. Harward was aware of the Technical Committee
2 discussions after he request the minutes. He reviewed them, and responded with a six-page letter feeling
3 the application answered many of the questions raised. His specialist, BioWest, analyzed the Utah Crossing
4 over the lake and gave their findings and results in a 15-page document, including four pages about water
5 quality. Mr. Harward felt the report adequately addressed the Committee’s and other questions.

6 Mr. Mills said he wondered if the title should be revised on the first page from stating “position
7 statement” of the Utah Lake Commission. Mr. Beckstrom explained the front page was a proposed
8 statement for the Governing Board and the other 14 pages was an attachment and for information. Mr. R.
9 Price said the proposal statement was something for the Executive Committee to address.

10 Mr. Mills asked why the Governing Board needed to take a position now. Mr. R. Price said the
11 Executive Committee felt the Commission should to be more proactive and broaden its role in the bridge
12 review process. The Commission and MAG have been trying to determine what organization would best
13 address the other issues and make sure it is done correctly. Mr. Beckstrom said two issues were forcing the
14 timing. First, there may be proposed legislation addressing the bridge in the current session. Second,
15 Robyn Pearson of the Department of Natural Resources (DNR) cited significant and legitimate policy issues
16 associated with this proposal, which is beyond the issues FFSL is authorized to deal with in the context of
17 the bridge application. Mr. Pearson asked for an appropriate forum to address the public policy questions
18 beyond the issue of sovereign lands and impacts on Utah Lake, including alignment, private toll facility, etc.
19 FFSL is not in a position to address issues beyond sovereign lands. The urgency is creating mechanisms and
20 forums to address public policy issues and questions. The Governing Board needs to decide if the Utah
21 Lake Commission wants to expand and be a more proactive participant in monitoring and influencing the
22 transportation efforts affecting Utah Lake, its shorelines, access to the lake, and the impact on surrounding
23 communities. As a Technical Committee, the role has been more focused on compliance with limited
24 transportation policies.

25 Dr. Lee Hansen questioned the accuracy of the data of the proponent’s data and if a forum was
26 available to discuss public policy issues. Mr. Ben Bloodworth of FFSL said the public comment process
27 addressed his concern. Dr. Hansen said the information was not available before the comment period. Mr.
28 Bloodworth said with information now being available, a new comment period was opened. FFSL has
29 gathered the comments and categorized them from the first comment session. The review team addressed
30 the questions to send back to the proponent. Mr. Beckstrom said review team members have technical
31 expertise in the areas being evaluated for accuracy and completeness of the information the proponent
32 submitted. Mr. Bloodworth and FFSL anticipated whatever the Technical Committee discovered had
33 already been addressed by the review team. The process is continuing through the second comment
34 period.

35 Mr. Steven Mumford said the Technical Committee originally reviewed a “generic bridge” proposal and
36 comments related to the exact location. He asked if the Executive Committee and Governing Board were
37 focusing on the specific proposal or as a generic. Mr. R. Price said if the decision is for denial, a concern is
38 the same criteria would be used to judge any future crossing proposal. Pertaining to the present proposed
39 alignment, whatever restrictions, or requests are put in place will also need to be applied to other
40 alignments. Mr. Beckstrom said alignment has an impact of raising or lessening the significance of specific
41 issues, but the issues would be raised irrespective of the alignment. MAG has identified one possible
42 alternative in their visionary planning. The question the Governing Board is wrestling with is whether to
43 become involved in an alignment discussion and if they are not, who is it. The MAG Board Transportation
44 Committee or some entity of MAG has been suggested as possible alternatives. It has also been suggested
45 the state legislature should do something. Mr. Mumford understood the intent is that if another bridge
46 were proposed in the near future, the Commission would not do an entire repeat of what has been done.
47 Mr. Beckstrom confirmed his statement.

1 Mr. Mills complimented Mr. R. Price on trying to identify all the different points of discussion. He
2 struggled with the written statements because they were not his opinion. He asked after review of the
3 statements if that is what the Technical Committee wanted to give the Governing Board. As an example,
4 he cited the issue of water quality and the various opinions of what it should be. Mr. R. Price said the
5 purpose was to let people see both sides or look at it from another angle. Dr. Merritt said to take an anti-
6 degradation stance on anything will usually come back to harm you in the end. All members have
7 conflicting feelings concerning the water quality and alignment. Based on the present perspective, it is
8 hard for the Committee to anticipate what future developments might occur, innovations that might come
9 forward, or other bigger issues that might arise. His engineering training taught him to look at the pros and
10 cons, and then make a decision based on what is the wisest decision at the time. But in 50 years, the
11 decision might be looked at as being horrible, and something that cannot be anticipated. He complimented
12 the Technical Committee for identifying the major issues and putting a few of the pros and cons in
13 evaluation.

14 Dr. Hansen said the document is a very good history, but it needs to be made clear it is simply a
15 discussion of the pros and cons. Mr. Beckstrom said the document's intent was to report the history and
16 the discussion without taking an advocacy position. He gave two reasons. First, was recognizing that
17 differences in opinion were strong regarding the significance of some of the issues. The Technical
18 Committee would have a difficult time to make a decision now with a lack of information. The second thing
19 is the summation of issues not directly related to the Utah Lake Master Plan, but are public policy
20 discussions that technically will be surmounted or they will not. The intent is to give them baseline
21 information without definitive conclusions; stating here are the issues, the questions discussed in the
22 context of the issues, and issues that have to be resolved one way or another before a final decision is
23 made. The other issues relating to policy are significant but there is not a well-defined structure to resolve
24 them. He stated that within the context of the Technical Committee discussion and the review team FFSL
25 put together, before the process is finalized, there would be definitive answers to almost all of the
26 questions. Those that are not technical issues are the ones bothering the decision-makers, a lot of the
27 political leaders in the county and communities around Utah Lake. Without a definite process, they are
28 looking for any process that will adequately address the public policy questions and technical issues.

29 Mr. Adam Cowie asked Mr. J. Price if MAG was planning to take an official stance or submitted anything
30 to FFSL. Mr. J. Price said they had not taken a specific position for or against, and they have not been
31 directed to by the Regional Planning Board but would do so, if directed. The position MAG has right now is
32 based on the modeling, which is as far as MAG can go at this point. MAG cannot tell if it is a good idea or
33 bad idea. He felt a detailed environmental impact study should be done. Mr. Cowie said that much hasn't
34 been given as an official comment. Mr. J. Price said the official comment is the proposed alignment and
35 facility as it stands, has very little impact on transportation, no impact on air quality, which is what MAG
36 has been asked to provide to FFSL. Mr. Cowie said the two main organizations that should take a stance on
37 the bridge issue is Utah Lake Commission or MAG, but both are neutral, and therefore, any application
38 whether good or bad, are receiving no stance from the organizations he felt should take a stance. Mr.
39 Keleher said there have not been adequate studies to take a stance.

40 MAG says there are no real negative impacts of air quality with transportation modeling, but it is
41 premature in their planning context to give any serious consideration. When MAG identified priorities in
42 the next two to three decades, and the bridge didn't fit in the planning window, so would not give it
43 consideration. Mr. Bloodworth said MAG has said the proposed alignment would create future
44 chokepoints on I15. Mr. J. Price said the conclusion was based on modeling alone and not based on an
45 environmental document that considers alternatives. On that issue alone, it is not enough for MAG to take
46 a stance for or against the project; but is enough to say there is a concern. Without a lot of further study,
47 MAG cannot say whether it is a good project. Mr. Beckstrom said MAG's interpretation from Mr. Andrew
48 Jackson is from transportation/modeling standpoint, the present alignment raises some issues, questions,

1 and red flags relative to an alternative alignment. The ideal alignment raises bigger environmental red
2 flags, the question of a NEPA-type alternative analysis, if the transportation modeling benefits going to
3 outweigh the greater environmental impacts and the expense of the bridge. Other things considered are a
4 privately-funded toll bridge at the present time without costs to the taxpayers or put in a public bridge in
5 the distant future with public funds at a greater cost to the taxpayer.

6 Mr. Cowie said the final issue to him was financial and felt there was not enough information available,
7 so a neutral stand could apply. He believed with the in-depth discussions, the Committee still did not have
8 the courage to say the Commission doesn't have enough information, we don't think this is a valid proposal
9 with the lack of information. There are still financial and environmental issues needing addressing.
10 Through his perspective, the Technical Committee should at least take some stance and stick their neck out
11 more than MAG and the Commission is able to do. From the votes identified in the goals and guidelines
12 there are definite concerns from the Committee.

13 Mr. Beckstrom understood Mr. Cowie was saying the Technical Committee should take the advocacy
14 position of recommending to the Governing Board that no proposal, including the Utah Lake Crossing's
15 proposal, should be given favorable consideration, until a detailed alternatives analysis follow up or NEPA-
16 like alternative analysis process has taken place. Mr. Cowie said his assessment was a fair statement.

17 Dr. Hansen said Utah Lake Crossing was not giving the citizens a bridge and it was not free, but was a
18 toll bridge and the only motivation was to make money. Mr. J. Price said that it was because it is a
19 business. Mr. Beckstrom said in that context, Dr. Hansen was correct it was not free. Dr. Hansen said he
20 felt the proponents were over-estimating how many they felt would be paying a toll. Mr. Beckstrom said it
21 was a separate technical financial question. Dr. Hansen concurred. Mr. Beckstrom said if a financial
22 expert's analysis shows it is not financially viable, it becomes the deal killer. Another issue includes the
23 geotechnical design for earthquake analysis. If the bridge does not meet federal highway standards,
24 UDOT's standards, or conventional design standards for geotechnical design of bridge structures, it can
25 either pass or fail on that basis.

26 Mr. Beckstrom said Utah Lake Commission Technical Committee has not taken a strong advocacy
27 position to the Governing Board because there are questions and issues without enough definitive answers
28 or information. The Governing Board needs to decide if Utah Lake Commission wants to take a broader
29 role or if they want the MAG Governing Board, the legislature, or FFSL to handle it without any policy
30 direction by the Utah County local government elected officials. At the present, FFSL has an application,
31 and with their process, they do not have the legal authority to ask for a NEPA-like alternative analyses
32 process; they only have a specific proposal for a specific location and have to say yea or nay to it.

33 Mr. J. Price said because it is governed by existing law, which is inadequate for this proposal, it does not
34 mean they can deny, because they have to base their process on existing law. Whether the Commission
35 takes a stand for or against the project, by law, FFSL is the deciding body on what happens. Input can be
36 given to FFSL, but the decision is based on current law and current administrative procedure, not based on
37 what the Technical Committee would like it to be. In their purview, FFSL's evaluation criterion is largely
38 restricted to the impacts and benefits to the sovereign lands.

39 Dr. Hansen said the question is should the Utah Lake Commission take a stance of some kind on this
40 issue or not. Mr. Beckstrom concurred. Dr. Merritt said he was encouraged with the exchange of
41 information, and the increased sensitivity each member had to the various points of view and the difficulty
42 of trying to reach conclusions on many of the issues. The discussion represents a significant investment the
43 group had talking about these things with the joint knowledge. The information received is broadening the
44 understanding of the group and worth the efforts, even with the frustrations.

45 Mr. J. Price questioned if the Technical Committee was frustrated with the inability to make a decision
46 or frustrated in the inability to take a stand against the proposal because Technical Committee is not
47 comfortable with what hasn't been done and is not required by law in this instance. He said a possible
48 stand to take is there needs to be some thorough changes in procedures and in law to avoid this in the

1 future. Mr. Beckstrom said the answers to a lot of these questions and challenges the Technical Committee
2 was dealing with at the technical level would be more than adequately addressed in the NEPA process.
3 Without the exorbitant cost, there should be an alternative way to do the process. The alternatives are
4 NEPA, nothing, or trying to find something in between to receive reasonable answers to legitimate
5 questions.

6 Mr. Jim Hewitson asked what the NEPA process was. Mr. Beckstrom explained it was the
7 environmental impact statement. Mr. Hewitson said he had questions about the number of freeway lanes
8 and the stages the bridge would be built. Mr. Beckstrom explained the first phase would be two lanes, and
9 second phase would be another parallel bridge when warranted with three lanes in each direction.

10 Mr. Chris Keleher said if the alternative spectrum was nothing versus NEPA or something in between,
11 he did not know of anything. The closer to the nothing end, the higher the risk is of permanently damaging
12 something. That is why the federal government instigated a NEPA process when it passed the law in the
13 1973. Mr. Beckstrom said he was not taking an advocacy position either for or against NEPA, but felt it
14 would be beneficial to have questions answered without a lengthy and expensive process. Mr. J. Price said
15 everyone is used to a very involved, very intensive process. He believed the NEPA process is very useful,
16 expensive, and time-consuming, especially in impact kinds of situations. All that is available at present is
17 the FFSL process. Although the Committee is obviously not comfortable with that, there will not be a NEPA
18 document. Mr. R. Price said Mr. Harward submitted a potential impact analysis, which is 11 pages long.

19 Mr. Hewitson said the proponents needed to pay off the bridge. They are starting a 50-year loan at
20 four percent.

21 The Executive Committee will address the one-page position statement document. The Executive
22 Committee may modify it very little or significantly, and it was expected that a version will be forwarded to
23 the Governing Board at their meeting with the 14-page attachment. Mr. R. Price said if the Executive
24 Committee feels it is polished enough and they understand the issues, they are ready to discuss and debate
25 the issue publicly.

26 Mr. Richard Nielson asked they address to the Governing Board what direction they want the Technical
27 Committee to take. Do they want the Committee to take an approval or non-approval stance or would
28 they like the Committee to go item by item and state if it is good or bad. He questioned what level of
29 involvement the Governing Board wanted from the Technical Committee. Dr. Hansen said he was bothered
30 with staying in the neutral position. He felt it should be worded with stronger language such as, “the
31 Commission will take a stance once the information is available.” Mr. Hewitson concurred and said the
32 Technical Committee was here to take a stance. Mr. J. Price said if even a stand was taken, it couldn’t
33 legally govern whether or not the bridge is built. He advocated changes should be made to the current
34 review process.

35 Mr. Beckstrom said he did not necessarily advocate the position, but believed in arguing for the critical
36 and important resources of Utah Lake. If the state were to commit to the construction of a bridge across
37 Utah Lake, and if Utah Lake Commission supports such a facility, the Commission should make sure it is the
38 best possible alignment. If for some reason we believe it is not the correct alignment, it would be
39 inconsistent with the Utah Lake Commission Master Plan and FFSL’s management plan for the lake. Mr. J.
40 Price said if the Commission has legal weight with the decision-making process, it would be incumbent for
41 the Committee to make a decision of where it stands and make that recommendation for the Board to
42 consider. Mr. Beckstrom said the concerns with the present alignment are largely environmental. If the
43 time and resources to evaluate alternatives were used then another entity should suggest alternative
44 alignment that is environmentally sensitive and less environmentally impactful from the proposed one.

45 Mr. Keleher said there is always a no-action alternative to NEPA. Ms. Sutherland said no one has
46 stepped up and questioned who should step up. Mr. Beckstrom said the real debate focus of the Technical
47 Committee is from an environmental standpoint. Dr. Hansen reiterated the Commission should take the
48 stance they will not make a decision on it until the information of public policy issues are settled or

1 addressed. Mr. R. Price said the draft says that, but suggested putting more emphasis on the need to
2 address those public policies questions. Mr. J. Price said his concern with the statement is that the
3 Technical Committee take no stance based on the fact not enough information is available.

4 Mr. Beckstrom said Mr. R. Price’s verbiage was protecting the interests of the Utah Lake Commission
5 and the Governing Board to be as influential in the process as possible until at such point in time as it
6 decides to take a position. Dr. Hansen suggested stating, the Commission wants to take a stance but
7 cannot now due to lack of available information. Mr. R. Price asked if Dr. Hansen wanted to remove the
8 neutral position statement and say, “at this time the Utah Lake Commission will not take a position until
9 the necessary information is available.” Dr. Hansen said he would want to make it stronger by saying they
10 would like to take a stance but they cannot. Mr. Cowie said there are positive impacts and clear negative
11 impacts of the bridge on both sides, and with the lack of needed information, the Commission cannot make
12 a pro stance; the Commission is not saying they oppose it, but the Commission cannot support it either.

13 Mr. Hewitson asked what the Governing Board was looking for the Technical Committee to do. Mr.
14 Beckstrom said he believed the Governing Board, DNR, and the Technical Committee knows there are
15 public policy questions that need to be answered and what is the best way for it to be accomplished. Mr.
16 Hewitson wondered if the Governing Board was looking to the Technical Committee for policy and Mr.
17 Beckstrom said no, nor should they. Mr. J. Price said the Governing Board would be looking to the
18 Technical Committee for answers as to what is the best thing to do and what is the next best step. Mr.
19 Beckstrom said there are three positions:

- 20 1. The Utah Lake Commission Governing Board can volunteer to represent the local communities of Utah
21 County surrounding Utah Lake. They can be the entity representing the communities in addressing and
22 taking a position on the public policy questions.
- 23 2. The second alternative is the Utah Lake Commission Governing Board could take the position that MAG
24 or some other entity really ought to take the lead as representing the Utah County communities on public
25 policy decisions. As articulated, the MAG governing body consists of many of the same people as the Utah
26 Lake Commission Governing Board but some people think it may be better coming from MAG rather than
27 Utah Lake Commission.
- 28 3. The third alternative is the Commission may wait and see how the process plays out with FFSL and the
29 state legislature in wrestling with the public policy questions to the best of their ability.

30 Mr. Hewitson added his concerns over the banking and financial position stating he was afraid of seeing
31 a half-built, bankrupt bridge with the taxpayers having to take over and pay for it. Mr. Beckstrom
32 reassured him stating the FFSL process will adequately address that there is a form of bonding and financial
33 guarantees. He does have faith in the process so it will be avoided.

34 He asked Mr. Cowie if his questions were answered. Mr. Cowie said he wanted to be told what was
35 expected and asked if the Technical Committee were making changes to the document to go to the Board.
36 Mr. Beckstrom said the Governing Board would benefit from the discussion of the Technical Committee
37 discussing the pros and cons.

38 Dr. Hansen said he moved the position be left in the hands of the Executive Committee. Mr. Beckstrom
39 accepted the motion. He asked for anything else the Technical Committee wanted to get the focus and
40 attention of the Executive Committee and the Governing Board. Mr. Cowie cited if the bridge application
41 came to him as a city planner or to the planning department, it would not be granted due to lack of
42 information. He asked why the Commission would act differently than any city organization. Mr. Cowie
43 says the recommendation should be the Commission doesn’t have a clear direction for a position. Mr. R.
44 Price said the Technical Committee should recognize FFSL was going through the process of gathering
45 information from the project proponent to allow for the decision. Mr. Beckstrom alluded part of the
46 reason for moving forward was expectation the legislature may have a bill coming. The Governing Board
47 wants to posture itself to have a position anticipating something from the legislature, even with a neutral
48 statement because there are a lot of issues the Utah Lake Commission feel are important.

1 Mr. J. Price asked if the leadership of the Technical Committee advocated a specific position to vote on.
2 Mr. Cowie asked what the next step would be when the current commenting period closed. Mr.
3 Bloodworth said the comments would be divided, categorized, reviewed by the review team to see if
4 anything new came forth from the comments. Until these questions are answered, the application is not
5 complete because of lack of information to work with until the questions are answered. Mr. Mumford
6 asked if this was the opportunity as a Commission to take a stance or if there were other opportunities to
7 make any more comments. Mr. Bloodworth said he was not sure. Mr. J. Price said even though the
8 comment period closes, FFSL would still take comments. Whatever decision is made in the end, the
9 decision will have to go back to the RDCC, and another commenting period would open. Mr. Bloodworth
10 said they have been going by the rules and they have taken as much information as they can along the way.

11 It was asked when an anticipated decision would be made. Mr. Bloodworth said it depended on when
12 the applicant got the information back with answers to the questions of the review team. After the
13 proponent gets the information, the review team will review them to see if the questions were actually
14 answered to their satisfaction. Mr. Keleher asked if the questions would be made public and Mr.
15 Bloodworth said no. Mr. Cowie asked whether additional information would be made public. Mr.
16 Bloodworth said it depended if the information was proprietary, which was the initial issue why
17 information was not given out. Mr. Cowie asked if the financial information was considered proprietary.

18 Mr. Beckstrom said it would be the process of FFSL and the proponent to work together to get answers
19 to the questions that are asked. Ultimately, Dick Buehler of FFSL will make a decision based on whether
20 adequate information is received. Mr. Cowie said he didn't want the two years of discussion by the
21 Technical Committee to end up with a neutral position and appear as if Technical Committee didn't care.

22 Mr. Beckstrom said Utah Lake Commission could give a position at any time. Mr. Keleher said the
23 decision needs to be consistent with the Master Plan or litigation would follow. Mr. Beckstrom said the
24 Utah Lake Commission Governing Board could take a negative position due to lack or inadequate submitted
25 information, and it is not consistent with the Utah Lake Master Plan. If the Commission formally adopts the
26 position by resolution and forwards it to the state, it will make it very difficult for the state to approve the
27 project. The Commission and Governing Board will still have the opportunity for significant influence on
28 the decision.

29 Mr. Keleher said some things the Executive Committee and Governing Board need to be concerned
30 with are whether it is the role of the Utah Lake Commission to take a stand. He said that was why the
31 Commission had been formed and it is important for the Commission to posture itself to take a position
32 one way or the other on the bridge. Second, it is obvious from the discussion the Technical Committee is
33 not comfortable taking any sort of position because of the lack of information. Third, the Technical
34 Committee needs to know what the Governing Board is looking for from the Technical Committee. Does
35 the Technical Committee venture into policy stuff; focus on the technical stuff, and do they want a list of
36 information necessary to make a decision of whether or not the bridge is consistent with the Master Plan?
37 The Technical Committee needs to be given directions.

38 Mr. Beckstrom said what Mr. Keleher said the Technical Committee cannot answer everything, but can
39 identify what is missing and what needs to be done. Identifying those needs would be decided. Mr.
40 Keleher focused the question as to the supportive role the Technical Committee's magnitude of
41 responsibility and role in the process for the Commission and Governing Board. It is a policy decision
42 pertaining to the role the Governing Board will play.

43 Mr. Bloodworth said with the legislative session everything could change with a possible bill. The close
44 of the current public comment process is March 12. Mr. Cowie asked if the closing date was advertised.
45 Mr. Hewitson said it is assumed in the process that irrespective of what decision FFSL makes, they will be
46 sued by the unsatisfied party. If they deny it, they will be sued by the proponent and if approved, they will
47 be sued by some entity opposed to the bridge, thus judicial proceedings begin. Whatever decision FFSL
48 makes, there will be some legal appeal process, which will take place. This explains to a certain degree why

1 FFSL has been meticulously careful, so the appeal is substantiated and not procedural, and that they
2 followed the established process as astutely and conspicuously as possible to assure future legal judicial
3 discussion focuses on the substance of the issue and not a procedural mistake.

4 Dr. Hansen said if a decision is not made, they leave it to the courts to make the law. Mr. Beckstrom
5 said there are several political influences in the process. These include the traffic impact analysis. Mr. J.
6 Price said the effects of tolling were important. Mr. Nielson said if Pioneer crossing had not been built, that
7 would have a significant impact.

8 Mr. Beckstrom said having been involved in the Resource Specialist Team meeting in November the
9 group was focused on the environmental and technical issues associated with the impacts of the lake. The
10 policy issues coming to the forefront are the issues the FFSL process may not be able to address adequately
11 due to legal restrictions. Mr. J. Price asked if the policy issues would be or hope to be addressed. Mr.
12 Beckstrom said from his observance of the process, they will be addressed.

13 Mr. Keleher said better verbiage should be used to clarify the stance of the Commission. He asked if
14 others had information to provide to get it to Mr. Price within the next day or so.

15
16 **4. Review and discuss the bridge application posted on the FFSL website.**

17 Due to lack of time for discussion, Mr. R. Price encouraged members of the Technical Committee to
18 read through the information online to understand the issues and attempts by the project proponents to
19 address the issues.

20
21 **5. Other discussion items.**

22 Mr. R. Price showed the Technical Committee some pictures of the Land Tamer being maintained by
23 the county. It has been tested on the ice at Utah Lake. Mr. Neilson had not been out on the Land Tamer,
24 but said it has broken through the ice, tried in the water, and is working well. Mr. R. Price said the valve
25 stems on the two front tires stuck out and the ice broke them off. After they broke, the tracks came off,
26 and they had to work hard to get the tracks on. The County maintenance has now welded covers over the
27 stems and they will not break off again. The Land Tamer is able to break through the ice and power up to
28 the shore again. This vehicle was a long-awaited and much needed tool for the phragmites removal efforts
29 around Utah Lake, and they are now making great progress.

30
31 **6. Confirm that the next meeting will be held in Suite 212 of the Historic Utah County Courthouse on**
32 **Monday, March 21, 2011 at 8:30 AM.**

33 Mr. Beckstrom reminded the members the next meeting is scheduled for Monday, March 25, 2011 at
34 8:30 a.m. in Room 211. He invited those members of the Committee who could to attend the Governing
35 Board.

36
37 **7. Adjourn.**

38 It was motioned by Mr. Keleher motioned to adjourn the meeting, seconded by Mr. J. Price, and the
39 motion passed unanimously. Mr. Beckstrom adjourned the meeting at 10:47 a.m.