



Monday, October 25, 2010, 8:30 a.m.
Historic Utah County Courthouse–Suite 212
51 South University Avenue, Provo, Utah

ATTENDEES:

Ann Merrill, Utah Division of Water Resources
Ben Bloodworth, Division of Forestry, Fire, and
State Lands (FFSL)
Chris Keleher, Utah Department of Natural
Resources; Vice-chair
Chris Tschirki, Orem City
Doug Sakaguchi, Division of Wildlife Resources
Greg Beckstrom, Provo City; Chairman
Deon Giles, Pleasant Grove City
Lee Hansen, Saratoga Springs City

ATTENDEES:

Mike Mills, JSRIP
Ty Hunter, Utah Division of Parks and
Recreation
Reed Price, Executive Director

VISITORS:

Dee Chamberlain, Saratoga Springs HOA
Jim Price, Mountainland Association of
Governments (MAG)
Jim McNulty, Saratoga Springs City Planner
Jim Carter, Logan Simpson Design

ABSENT:

American Fork City, Genola Town, Lehi City, Mapleton City, Utah Lake Water Users, Santaquin City, Springville City, Central Utah Water Conservancy District, Army Corps of Engineers, Vineyard Town, Woodland Hills Town.

1. Welcome.

Mr. Greg Beckstrom called the meeting to order at 8:34 a.m. He welcomed the members of the Technical Committee to the meeting, noting there were no new members or visitors.

2. Review and approve minutes from the August 23, 2010 meeting.

Mr. Beckstrom asked for comments, corrections, or discussion of the minutes of August 23, 2010. Mr. Chris Keleher had a question concerning the minutes, quoting from the bottom of the third paragraph, "if the proposal were not chosen, many questions were answered for prospective future proposals because a crossing is identified in MAG's long-vision transportation plan." He asked if this is the plan MAG has or not. Mr. R. Price said a bridge was part of a plan, but more of a conceptual idea, but not part of their 30-year plan.

Mr. Beckstrom said the proposal was formally adopted as part of the 30-year plan, but noted MAG was presently working on their 2040 year plan. Those that don't see it on the document argue that it is not part of the official adopted MAG plan, but then they do have what they call the visioning concepts and projects that go beyond that 2030 year plan. Mr. Adam Cowie agreed stating it is not part of the 2030 plan, but is a vision project. MAG is currently working on their 2040 plan, which is to be adopted in the spring with two or three different alternatives for a lake crossing, and the Technical Committee and Utah Lake Commission should stay aware of the plan. Mr. Jim McNulty commented Saratoga Springs had been working with MAG. They received an extension on the Mountain View Corridor, Eagle

Mountain has the Cedar Valley Freeway, and Springville has ideas. Utah County is working on the Goshen and Elberta area, which will be addressed in the 2040 plan. A bridge idea shows two crossings, one on the north and one on the south. Mr. Beckstrom believed the difference between the official plans versus the visionary plan is the MAG's visionary plan is not formally eligible for funding. As part of the 20-year plan, the projects are eligible for prioritization. Mr. Cowie concurred saying MAG has allocated funds for the projects in the 20-year time frame.

Mr. Beckstrom then asked for specific comments, corrections, or discussion of the minutes of August 23, 2010. There was no discussion. Mr. Lee Hansen motioned to approve the minutes, seconded by Mr. Chris Tschirki, and the motion was unanimously approved.

3. Update on June Sucker Recovery Implementation Program (JSRIP).

Mr. Mike Mills informed the Technical Committee about the progress of the June Sucker Recovery Implementation Program. He said on October 12, JSRIP hosted the Utah Lake Symposium at Utah Valley University. It went well with good attendance. He thanked members for coming to the event and acknowledged help from the University. There was positive discussion and great presentations. Mr. R. Price gave an update on the Utah Lake Commission's activities.

JSRIP recently finalized the contract to conduct a NEPA analysis on habitat improvements on Hobble Creek on the east side of I-15. The improvements will involve diversion modifications to allow fish passage, focus on spawning habitats, and possible-stream structures. This restoration project is not as extensive as the west side of I-15, but on the east, side of Hobble Creek will have improved conditions for June sucker. It was asked who the contractor was, and Mr. Mills replied JUB Engineers.

The carp removal project is proceeding. He said efforts started at the end of July when fishing started to pick up, but the success hasn't been continuous. JSRIP has been doing carp removal for over a year, and since September 19, 2009, over 3 million pounds of carp have been removed from Utah Lake. Under the current contract, the effort has been continuous except for some weather issues. About two million pounds have been removed since February 2010 and removal efforts will continue. Storms have caused problems. He said when the storms occur, fish usually scatter, re-congregate, and it takes a few days to find the fish again. Efforts will continue as JSRIP has money to keep it going, but funding is presently in place.

Mr. McNulty asked what the uses for the harvested carp were and how long it would last. Mr. Mills explained most of the fish were used for local meat farms who fed them to their animals, and others were taking the fish for various reasons. He said there were no plans providing for any kind of monetary returns. The plan is to continue removal of the carp for six years, and JSRIP is seeking further funding.

Mr. Beckstrom stated the goal was to have five million pounds removed between February 2010 and February 2011 under the current contract. Mr. Mills confirmed his statement. Mr. Beckstrom asked if the funding went beyond the current contract. Mr. Mills said funding for state matches and other funds might be available to go further. JSRIP is also pursuing grants from the Fish and Wildlife Service, similar to the grant they are presently operating under, which would provide more funding.

4. Update on the review process of the bridge application.

Mr. Beckstrom delayed Agenda Item 4 stating they would wait for Mr. Ben Bloodworth from FFSL to come and update the Committee on this item.

5. Update on phragmites removal efforts

Mr. R. Price reported on the progress of the phragmites removal efforts. The Governing Board approved the purchase of the Land Tamer, an eight-wheeled, amphibious vehicle to allow the workers to get out on the lake to spray from anywhere off the shoreline. The Land Tamer can smash down

phragmites to create fire breaks along the shoreline. It can be used on the ice as well. It is presently on order with a deposit with delivery anticipated close to Thanksgiving.

The Phragmites Removal Project (PRP) has secured funding from a grant to enable them to continue treatment along the shoreline. Other areas will be treated where phragmites grew back, which was expected in the pilot project area. As part of the grant, they wanted PRP to remove other invasive species as well. Driving along the east side of Utah Lake, between the Lindon Boat Harbor and Vineyard near Utah County Beach, PRP removed significant amounts of Russian olive and Tamarisk. PRP's goal is to open the area up for people to see what the lake looks like and how beautiful without the invasive species blocking the view. County crews have gone out and treated the phragmites again. Hard-stem bulrushes from parts of Provo Bay were transplanted to vegetate the area. PRP plans to do shoreline re-vegetation in small areas to see how successful shoreline re-vegetation is. Other invasive species are quite abundant and PRP wants to keep them in check. Treatment has occurred on the west side of Utah Lake in Saratoga Springs in anticipation of future funding for larger scale removal efforts. With the much-needed machinery on order, PRP feels they will be more successful. PRP's efforts being made are now noticeable, but visibility of the success will increase as they move forward.

Mr. Lee Hansen asked if the Tamarisk beetle was being used because it was successful in some areas. Mr. R. Price said it had been released, and had been self-promulgating. There was no manpower used to spread them faster. From prior information given by Mr. Ben Bloodworth, it was illegal to move them by hand but they can move on their own, and the beetles are still working.

Mr. Dee Chamberlain asked if there were detailed plans for phragmites treatment at Saratoga Bay during the fall. Mr. R. Price said Mr. Aaron Eager does the scheduling for the areas, but he was aware the location had been hand-sprayed.

Mr. McNulty asked if the vehicle had been purchased. Mr. R. Price said 60 percent had been put down and the remainder is due upon delivery. Mr. Adam Cowie asked the total cost. Mr. R. Price stated \$75,000, although the original estimate was \$70,000. After investigating discounts given to governments, the Commission received a four percent discount. Upon recommendation of Mr. Ty Hunter, a winch was added, as well as an air conditioner, and other beneficial equipment.

Mr. Hansen asked how the crews dealt with downed trees and other hurdles. Mr. R. Price said the staff would figure out how to remove or go around all obstacles including trees, cars, cement blocks, and other debris. The vehicle is not fast in the water, but is propeller-driven and has a hydraulic propulsion system attached to the back. He noted FFSL was approaching the legislature for additional equipment. The phragmites problem was being attacked by getting all the necessary tools in place.

6. Review draft version of the model Utah Lake Shoreline Ordinance

Mr. Beckstrom explained the Model Ordinance Committee (MOC) has been working to accomplish specific land-use related goals identified in the Master Plan. A few documents had been provided to the Technical Committee for their review. The different documents dated 10/19/2010 pertain to the draft of the ordinance. The first was a summary document entitled Utah Lake Shoreline Protection Overlay Zone Draft, the second was the ordinance itself, and the third was Utah Lake Standards and Guidelines for trails, and the single page with cross section drawings for trails. The Technical Committee was to review the documents for any questions, concerns, or proposed modifications. He hoped a conclusion could be reached for a recommendation to the Governing Board for approval of the document in the revised format. He asked Mr. Jim Carter to explain the procedure and process of the ordinance.

Mr. Carter said the companion document to the overlay zone was an explanatory document created to accompany the draft overlay zone of the model ordinance so city councils and county commissions could understand the intent and background of the overlay zone.

The ordinance identifies the area of the overlay zone, using a quarter mile as a starting point. The provision states a quarter mile from the settlement boundary, which may be too far or not far, enough

in some areas with extensive wetlands, is the overlay zone. The purpose of the overlay was to identify an area in each community with lake-related natural resources on it. The second item was a buffer zone, which the steering committee recommended to be 50 feet up from the settlement boundary. In the 50 feet, there would only be structures for recreational-related structures, trails, trailheads, etc. Creating the space between the settlement boundary, presumably from the water's edge, and the first permanent construction would allow access for recreational purposes, managing invasive species, flooding and wave action, and other things. The buffer would provide a publicly accessible shore around the lake at least 50 feet back from the settlement boundary.

Mr. Carter said an additional section was created after the Committee received the previous documents addressing the non-motorized trail that circumnavigates the lake. Mr. Carter provided copies of a document of language that could be inserted into the Overlay Zone document under a new section for trails.

Mr. R. Price explained the land-use sub-committee specialists, who were primarily city planners, were the steering committee who created the document. Mr. Beckstrom added it had taken several meetings to create the present documents.

Mr. Beckstrom said the overlay zone would be an area to overlay the individual communities underlying zones and regulations. The ordinance itself is what the Commission is recommending communities along the shoreline of Utah Lake consider adopting and incorporating for local development and zoning regulations.

Mr. R. Price said it should be emphasized this is the recommendation of the Committee and may require special considerations from the various municipalities. It is not expected each community take the ordinance as it is written, but have the ability and right to change it to fit what their land use goals and objectives are. He hoped to have a recommendation from the Committee to the Governing Board for the November 18 meeting to approve the ordinance after questions and revisions are complete. Additional fine tuning would be completed by Mr. Beckstrom, Mr. Keleher, Mr. Carter, and Mr. R. Price before submission to the Board, with one final review by the Technical Committee. Mr. Beckstrom called for questions, concerns, modifications, or revisions on the documents.

Mr. Hansen said the ordinance addressed existing communities and their planning councils, but questioned if it addressed future municipal developments. Mr. Beckstrom said the intention of the model ordinance was to be adopted by Utah County and would be applied to any unincorporated area along the shoreline, such as Mosida. As written, each individual incorporated community or the county will insert their name into the ordinance and then fine tune it according to the cities' planning commissions' land-use regulations.

Mr. Doug Sakaguchi asked if county planners were on the Land-use Sub-Committee. Mr. R. Price replied Brandon Larson participated in steering committee. Mr. Carter said the overall intent was to compose a model ordinance the city planners could take to their elected and appointed officials they could adopt. After approval of the Governing Board, the hope is the members of the governing Board would take it to their respective municipalities.

Mr. Beckstrom said the companion document, page 3 in the area of the overlay application, at the end of that second paragraph, the purposes and intent include three outlined primary objectives of this overlay zone. (1) Protecting the shoreline of Utah Lake; (2) Protecting the natural and cultural resources and features adjacent to the lake; and, (3) Providing for and protecting public ownership and access to the lake. He suggested inserting it as a second paragraph in the introduction on the first page. Mr. Keleher asked if it's important enough to identify the purposes for the space of the trail and specifically identifying the requirements. Mr. Beckstrom agreed it should be included as a separate purpose with trail ordinance addendum providing protecting alignments for the Utah Lake Shoreline trail.

Mr. Beckstrom stated on page 3 of the companion document, under the section subtitled “The Buffer,” the second paragraph, currently reads, “the ordinance also recommends that ownership or control of the buffer area is public in order for public access to trails, public access, invasive species management purposes.” He suggested softening the ordinance language of “recommends that control of the buffer area provide for...” those objectives through public ownership or other methodologies. Mr. Carter said the language on the ordinance document on page three could read, “Ownership and management of the buffer area shall be determined on a case-by-case basis, leaving open the possibility that it may be privately-owned but all required buffer areas should be open to public access.” The title could be private but there at least needs to be an easement. He would make sure the two documents read the same.

Mr. Keleher commented on this section as well where it states there should be a minimum of 50 feet between the lakeshore and the adjacent residential/nonresidential development. He asked if it could be clearer to state that this ordinance creates a buffer with a minimum of 50 feet inland of the lake settlement boundary for recreational access, safety, flood protection, invasive species management and resource protection. Mr. Beckstrom agreed with the recommended statement. He stated in the definition section under settlement boundary is also referred to as the lakeshore in the ordinance. Lakeshore and settlement boundary are synonymous in the documents. Mr. Carter asked for clarification of the recommended changes. Mr. Keleher repeated to scratch “between the lake shore and adjacent residential and non residential development” and insert “inland from the lake settlement boundary” in its place. Mr. Beckstrom concurred and added, in the section titled “Adoption” the first sentence on the bottom of page three should remove the reference to the Utah Lake Commission’s objectives and refer to the Master Plan’s objectives instead. It should read, “The Utah Lake Shoreline Protection Overlay Zone is offered to the communities that abut Utah Lake as a means to achieve the *Master Plan’s objectives*.” He did not want to create a perception of superiority of the Commission to the local municipalities.

Mr. Beckstrom on page four, with the continuation of the same paragraph, where it stated, “The ordinance is offered as a model and it is anticipated each community will make adjustments and modifications to suit both the characteristics of the Utah Lake Shoreline and their area, and the structure and implementation of their land-use regulations.” He felt it was confusing with the word “implementation.” Mr. Carter said implementation would be synonymous with permitting process. Mr. Beckstrom suggested inserting the word “policies” in place of the word implementation.

Mr. Chris Tschirki had a general question regarding how settlement and shoreline boundary are defined. Mr. Beckstrom said the settlement boundary is the actual boundary of Utah Lake, though that boundary is disputed in some areas around the lake. The shoreline or settlement boundary separates the sovereign land owned by the state of Utah, including the bed of Utah Lake, from the contiguous private lands, of private property owners around the edge of the lake. Mr. Tschirki asked if the settlement boundary followed a set elevation. Mr. Beckstrom said it is as a legally described property line around the lake between the state of Utah and the contiguous property owners. The boundary has been determined for about 90 percent more or less of the circumference of Utah Lake. Mr. Tschirki asked if it is based on parcel-by-parcel and Mr. Beckstrom replied in the affirmative.

Mr. Tschirki asked if the 50-foot buffer was supposed to be a dedicated area by a private land owner. Mr. Carter replied it would be public ownership, from the settlement boundary in 50 feet would be owned by a public entity, through purchase, donation, or some other means. Mr. Keleher asked if the ownership could be a “take over.” Mr. Carter explained it was against the law to condemn land for trail purposes. Mr. Beckstrom said the ideal would be encouraging public ownership and fulfillment of the objectives. Each community would determine an alternative method in either the form of an easement or private ownership of a homeowners or property owners association with covenants. Mr. Tschirki asked if Utah County would then maintain it. Mr. Carter said the policy stated the trail would be

accessible to the public and maintained by a public entity either city, county, or home owners, or some other means. Mr. Beckstrom believed the trail would fall under the same policy of county roads, where it would be maintained if it were in unincorporated portions of the county. If the trail is annexed into a municipality then the governing entity assumes maintenance of the trail. Mr. Jim Price said either the county has direct ownership of the facility or by agreement, the county maintains the facility along with the communities. The Utah Lake Trail is a Utah county priority, and the county would prefer to operate and maintain it conjunction with the cities, but ultimately they are responsible for maintaining it as a county facility.

Mr. Dee Chamberlain, Saratoga Springs Home Owners Association, said his group had some structures and private land within the 50-foot buffer. He asked about his entity's responsibility. Mr. Carter explained the Model Ordinance Committee (MOC) decided on 50 feet as a starting point. In a footnote, the ordinance acknowledges 50 feet may not fit with the individual governing agencies. MOC researched and found Utah County has standardized trail cross sections with a 20-foot right-of-way and a ten-foot travel surface. Presumably, the city wouldn't have the buffer be any narrower than 20 feet. The challenge in creating a model ordinance was to try and accommodate every type of circumstance and trying to focus on the purpose. The goal is a public space between the backyard fence and water's edge with room for people to get to the water. Mr. Beckstrom added MOC wanted to give local communities a tool to fulfill these objectives, purposes, and intent without doing it in such detail to suggest the Commission orders the same methodology in all communities around Utah Lake.

Mr. Tschirki inquired who would maintain the other 80 percent of the 50 foot buffer and if it would be a native vegetation trail. Mr. J. Price said the buffer or trail might be under different management entities. Mr. Tschirki questioned if MOC was trying to create uniformity across the board or on a case-by-case with each city. Mr. Beckstrom said uniformity was making sure there was a trail and finding a way of achieving the stated objectives. Mr. Chamberlain stated the HOA constructed two miles of the lake trail, and maintained it for several years. He wondered if HOA could turn it over to the county for maintenance. Mr. Hansen, Technical Committee representative for Saratoga Springs, said from prior discussion with county authorities the answer would be no, because it does not meet the standards laid out by the county for the trail. Most of the trail was just a bulldozed dirt trail. Mr. Chamberlain concurred stating the trail needed to be brought up to standards. The roads needed to be brought up to standards also. The Association, city, and county needed to have a discussion concerning the streets and the trails. Mr. Beckstrom said Provo City had the same experience with planned developments who want the city to take over maintenance. If Saratoga Springs or HOA were to improve the trail to the standard or close thereto, the county may be willing to take it over.

Mr. Carter said a little more detail about the acquisition for easement or right-of-way should be put in the whitepaper. These issues should be discussed and conscious decisions made of who is going to own, who is going to maintain, and who is going to pay. Mr. Hansen said the first question would be who will pay to bring it up to standards and maintain it. Mr. Beckstrom replied with the exception of the trail, there is a belief that the best way to maintain this stuff is to leave it alone, which is not a terribly expensive methodology. Mr. Hansen concurred, saying listing it in the document by "leaving the land in the natural state may be the best way to maintain the buffer trail."

Mr. Beckstrom wanted to address the ordinance document. Mr. Carter wanted to plug his addition after section 8.000 design standards, but the paragraphs applied to the overlay zone rather than the buffer. Mr. Beckstrom said he envisioned the paragraphs being a section itself, but did not know where it should be placed.

Mr. J. Price asked if public safety was addressed in the model ordinance. Maintenance and trail construction but no public safety was addressed. He wondered who was responsible for patrolling the trail, what phone numbers would be on the signs along the trails. For emergencies, 911 should be on the signs. It was stated the county has good Interlocal Agreements with the seven cities along the

Murdock trail and addresses the majority of the questions raised about maintenance, types of allowed landscape, safety, and patrolling the trail. The agreement for the Murdock canal trail would be a good example for the Utah Lake Model Ordinance.

Mr. J. Price mentioned inconsistencies between the text of width of shoulder and width outlined on the cross section listing two feet in text and one foot on the cross section. Both should say two feet, with the shoulder having two feet width clear on each side.

Mr. Carter said sections nine and ten discuss the ownership of open land. The place to talk about trail ownership, maintenance, and patrolling should be with those sections. The best way to address the section would be to modify section nine to discuss ownership of open lands and the trail, or public lands, buffer, and maintenance, which is section ten. Section 10 is discussion of who is going to pay, how it is going to work, and is focused currently on lands being left open because of subdivision design or other development design process. He said he would rework the sections to include the new paragraphs.

Mr. Beckstrom said, the policy requiring and promoting the trail corridor and the improvements with developments that occurs along the shorelines, if the trail is not already in place, should not be buried. This item needs to stand out as a clear significant policy and as part of the ordinance.

Mr. Tschirki asked about the right-of-way with the required buffer measurements on each side. He said trails are typically five to ten feet on each shoulder side. There is a requirement of barbed wire on each side and he felt this would cause a safety hazard, i.e., someone falling off of a bike. He asked if the Commission wanted a fence on each side for only 20 feet in width. Mr. Carter said these were established county design standards to keep livestock off of the trail. A fence would not be required on the lake side. Mr. J. Price said there were other design details not addressed. Mr. Carter asked where he could get the trail standards and other information to help finalize the draft of the ordinance. Mr. J. Price offered to get him the information pertaining to designs used by MAG for the Murdock Trail.

Mr. J. Price said there are no fencing standards in the Murdock Canal Trail. Mr. Hansen said he read there is a minimum fencing standard of a three-rail wood. Mr. Beckstrom said the fence requirement is to protect the natural vegetation. Mr. Tschirki asked how people would gain access to the trail or lake. He wondered if it was through gates, and said the barbed wire fence could cause a lot of problems if the bikers lost control. Mr. J. Price said there is no need for a fence, especially on the lake side. The other area MOC needs to consider is the risk management of the fence. The need for a field fence, barrier fence, or a barbed wire fence, or a barrier fence, obstruction or safety issues need to be addressed. Mr. Carter said the Commission might want to attach a caveat saying, "These standards are generally accepted, but design your trail segment specifically to address your municipalities circumstances."

Mr. Beckstrom said he understood the Utah Lake trail standard guidelines and detail documents were FYI documents. Mr. Carter explained the ordinance discusses a paved trail for biking or jogging, not a dirt-path. Mr. J. Price had concerns stating once the trail is built it becomes a major public facility. The trail should be built to standards and maintained for three reasons: (1) maintainability, (2) safety, and (3) usability. The user wants to have a set surface and width to prevent problems. Mr. Carter proposed incorporating the text of the ordinance provision everyone agrees should be standards, every municipality should adopt the standards with the design and other aspects can be advisory. The standards are only the minimum. Other things to address are surfacing. Mr. Keleher stated the Utah County standards should be included as part of the ordinance. Mr. Beckstrom expressed his desire the communities adopt the Utah Lake Ordinance and have language incorporating the Utah Lake trail standards and guidelines by reference, using the standards provided by MAG. If the county modifies the standards, and it is adopted by reference, then the modifications continue without the individual community having to revise the ordinance. Mr. Carter suggested giving them a copy of the standards as they are in 2010.

Mr. Hansen suggested the communities with existing trail segments that don't meet the county standards, set it as a priority to improve the trail to the accepted standards. Mr. Beckstrom agreed with

the objective, but was unsure a land-use regulation was the appropriate place to implement the policy. Mr. Hansen said this was an opportunity to present verbiage that existing construction be moved toward the goal and standards. Mr. Beckstrom suggested the best place was in the companion document, not the ordinance itself. Mr. Hansen said the language might include if the trail already exists, and it is done wrong or not up to the standards, that as the opportunity arises, it should be moved towards meeting the standards. Mr. Carter said it would be placed to enhance the discussion of meeting the objective to have a trail all the way around perimeter of Utah Lake that meets the standards. Some of the segments in existence are substandard and it should be encouraged to meet the standards as the opportunity arises.

Mr. Tschirki asked if the established trail through the Saratoga Springs development was private or public, and if it met the present standards. Mr. Chamberlain said it was dedicated to the public and did not meet the standards. Mr. McNulty said there was an access easement because Mr. Dick Buehler had been involved on the state level. Mr. Beckstrom asked Mr. Chamberlain if it was on property or sovereign lands. Mr. Chamberlain replied mostly on sovereign lands, but some property lines go to the middle of the trail. Someone stated there are sections that wouldn't meet the suggested standards with the 50-foot requirement on the lakeside of the settled boundary, and there are others where it runs through neighborhoods.

Mr. Hansen said under the 3.000 of the trail document, it says every XX miles, and asked if the entity would fill in the unknown number. He also said under access, he would like to include unpowered water craft, such as kayaks, etc., can access the lake. He believed the lake has very few access points. He asked who would travel the trail to monitor it on a regular basis for hazards or misuse, etc. In his opinion, monitoring was different from maintenance, safety, or other factors. Mr. J. Price said it was covered under maintenance. It is defined by the Inter-local Agreement, but the county has expressed desire to operate and maintain the trail. Mr. Beckstrom said monitoring would be extremely limited or monitored by the city in which it lies, but for the most part, it will be the county.

Mr. Carter said that with all the discussion there would be a substantial update and revision to the trail standards to match the ordinance and the Utah County Standards.

Mr. Beckstrom said on 6.200, page 3 on the lake buffer, he believed there was implied policy the shoreline of Utah Lake, including the private side of that shoreline, is being protected for public use and there would effectively have no private shoreline frontage around the shore's circumference. Some leaders or citizens may not be entirely comfortable with that policy. Mr. J. Price said it was a buffer frontage. Mr. Carter said this ordinance was not to allow an individual owner to obstruct access along the shores of Utah Lake. There may be stretches of the trail that goes on sovereign lands because there is not enough distance where the buffer is and it is less critical than other areas. People may want to build right up to the sovereign land and try to get a dock for fishing. Mr. Beckstrom said there are no private docks around Utah Lake. Mr. J. Price said ways to deal with the dock issue, which are not addressed in the ordinance, would allow for public access around the lake, and privately-controlled access from private ground to the lake.

Mr. Carter reminded the committee the draft document is a model. The stated objective is to have a trail around the lake near the water's edge. Mr. Beckstrom said if there is a 50-foot buffer, with a public trail, access, and use, it would be difficult for a private dock to satisfy control, and security issues by private property owners. Mr. Tschirki said it would be privately-owned land with an easement, but they still have their own public access.

Mr. Ty Hunter informed the committee there was a state organization-sponsored boating access field trip around the lake where constituents from across the country dealt with motor boat access. Those who attended were in awe with Utah Lake with no development, houses or cottages built up to the lake level, each with their own private dock, nor a dock on every parcel of land around the lake. They were amazed and said we have something going for us and we need keep it the way it is. He said

the Commission needed to look at their perspective. Looking at lakeshore property on the eastern portion of the United States and the pains of their lakes' maturity level of development Mr. Beckstrom said this ordinance was an implied policy that may create issues in the future. Mr. Bloodworth said Utah Lake is sovereign land, and no one can build a boat launch without state permission and, no one can build a dock unless it is for the public good. The only privately maintained facilities on the lake still serving the public are marinas, and they get to charge a use fee. The marinas pay a lease fee for use of public lands. No one will be allowed to build a private dock or boat ramp at any point if it is not the best use of public lands.

Mr. R. Price asked if language needed to be added which allows a municipal government the flexibility allowing a large-scale resort to be built. Mr. Beckstrom said the language for flexibility was in place and did not need formal language. Mr. J. Price asked with the sovereign land policies, how could the Commission integrate their policy with the policy of private development on the shores. Mr. J. Price questioned the purpose of the development of a structure to the buffer zone because if it was not to have access to a dock and/or the lake. Mr. Beckstrom said the coordination is taking place with the state sovereign lands directors being involved in the creation and preparation of the model ordinance and the commission would be involved or have an opportunity to review any submitted permits for use of sovereign lands around the Utah Lake shorelines.

Mr. Beckstrom stated the final draft of the Model Utah Lake Shoreline Ordinance would be forwarded to the Technical Committee for evaluation. This will be prior to the Governing Board for their consideration. He called for a motion to recommend the document, after final evaluation, for adoption of the ordinance. Mr. Cowie asked if things were not being rushed with the issues cited during the Committee meeting. It was decided not to act, but to get the next draft from the consultant and review it at the next Technical Committee meeting on November 15, hopefully to recommend its approval to the Governing Board at their meeting on November 18.

4. Update on the review process of the bridge application.

Mr. Beckstrom inserted the postponed agenda item until Mr. Bloodworth arrived. He asked him for an update on the bridge proposal from Utah Forestry, Fire, and State Lands. Mr. Bloodworth asked Mr. R. Price to give the initial explanation as Mr. Dick Buehler explained the situation to the Executive Committee. Mr. R. Price said Mr. Buehler from FFSL met the previous week with the Executive Committee explaining the state made a decision. They selected Leon Harward's Utah Crossing proposal to move forward in the application process. The "No-build" proposal application was rejected and determined not viable because the requested additional detailed financial information was not provided. Also, the outcome of Mr. Harward's proposal could still end up as a "no-build" which is what the opposing project proponents were suggesting.

Mr. McNulty asked if the Utah Crossing proposal had been accepted for further review. Mr. R. Price answered in the affirmative. He said FFSL would continue as the decision-making agency to conduct the review process using primarily state resources including UDOT, Divisions of the Department of Natural Resources, Department of Environmental Quality, Endangered Species, the Commission, and others. The Review Team will look at all different aspects in order to answer many questions, which have been raised. The Commission has been asked to participate in the background, because they want it to be a state decision. FFSL has formed a review committee, which will be meeting and reporting to FFSL. The process could be done in as little as six months or it could be much longer, depending on what is happening. They emphasize although Mr. Harward has jumped a hurdle, a final decision is still in the distant future. The Commission maintains its neutral stance.

Mr. Bloodworth said further review will be carried out and FFSL will maintain the records. FFSL is utilizing a greater scoping knowledge wanting to know every aspect and everything about it. Mr. R. Price said part of the list includes representatives from UDOT, DEQ, Endangered Species, and a specialist

contracted through Zion's Bank to review the financial viability, which most want to have to answer the financial questions. Mr. Bloodworth continued positions for various aspects of the research were open and would be filled by volunteers as the state couldn't afford to pay and hoped those on the committee would serve as volunteers.

Mr. R. Price said in the effort to follow the rules and keep the public involved, FFSL is holding a public open house meeting in the rotunda of the Historic Court House on November 18. It will be an evening meeting. This date coincides with the Governing Board meeting, which is held in the morning. Mr. Bloodworth stated the official 45 days of public comments begins on November 15, 2010.

Mr. Hansen asked how much of the information gathered by the studies would be public. Mr. Bloodworth said at the end, all information would be public. But, during the information process, he did not know how public the information would be. Mr. Beckstrom asked if the application was currently on the web site. Mr. Bloodworth did not know.

Mr. Beckstrom said the Commission anticipates the application of Utah Lake Crossing will be on the FFSL website in the near future. He encouraged the members to look for the information on the website. He said the mayors of the county anticipated MAG having some response of how the crossing fits into the overall planning transportation for Utah County. He believed the process would take some time with the technical issues, geology, wetlands, financing, UDOT compliance, and other information is gathered. The local leadership is more concerned with understanding if it fits in with the local transportation plan.

Mr. J. Price said MAG was underway with revising the long-range plan. MAG is addressing the need for a crossing facility in the future. The revision draft would go to the regional planning in November and to the public in January. Mr. Hansen asked if it would address the location of a bridge. Mr. J. Price said MAG is not suggesting a location but addressing the public need.

Mr. Beckstrom reminded the Committee of their preliminary work evaluating the bridge concept in general. He again encouraged members to read the application on line. Prior to FFSL's final decision the Governing Board will be asked to take a position. Prior to their decision, the Governing Board will turn to the Technical Committee for feedback, analysis, and a recommendation. Mr. Beckstrom would like discussion at the November 15 meeting on the Committee's role in supporting the Governing Board.

Mr. J. Price stated MAG was having open houses and working with each community. He offered to inform the Technical Committee what is being proposed in MAG's draft plan and asked for an hour to present the information. The committee agreed Mr. J. Price would arrange to have MAG's staff available at the next Technical Committee meeting.

7. Confirm that the next meeting will be held at the Historic County Courthouse Suite 212 on Monday, November 15, 2010 at 8:30 AM.

Mr. Beckstrom confirmed the meeting of the Technical Committee with the members for Monday, November 15, 2010 at 8:30 a.m. in room 212. He asked the Committee to plan on extra time for the meeting with the two main agenda items of the MAG presentation and discussion of the model ordinance.

A. Other business: Mr. Beckstrom asked the Technical Committee members if meeting on the 3rd or 4th Monday morning at 8:30 a.m., prior to the Governing Board monthly meeting, was convenient because Mr. R. Price was submitting the room schedule. It was unanimously agreed to keep the meeting calendar for 2011 on Monday prior to scheduled governing board meetings as previously scheduled.

8. Adjourn.

Mr. Beckstrom adjourned the meeting at 10:20 a.m.