



## Governing Board

Thursday, October 25, 2012, 7:30 A.M.  
Historic Utah County Courthouse, Ballroom, 3<sup>rd</sup> Floor  
51 South University Avenue, Provo, Utah

### ATTENDEES:

Chairman /Mayor Jim Dain, Lindon City  
Vice Chair/Mayor Bert Wilson, Lehi City  
Mayor James Hadfield, American Fork City  
Mayor John Curtis, Provo City  
Mayor James Evans, Orem City  
Councilwoman Rebecca Call, Saratoga Springs City  
Mayor Randy Farnworth, Vineyard Town  
Councilman Ray Walker, Woodland Hills Town  
Commissioner Larry Ellertson, Utah County  
Robyn Pearson, Dept. of Natural Resources (DNR)  
Leah Ann Lamb, Utah Dept. of Environmental  
Quality (DEQ)  
Dick Buehler, Utah Division of Forestry, Fire, and  
State Lands (FFSL)  
Reed Price, Utah Lake Commission

### INTERESTED PARTIES / VISITORS

Chris Keleher, Technical Committee Chairman  
Henry Maddux, Utah DNR  
Bob Trombly, Provo City  
Dee Chamberlain, Saratoga Springs Owners Association  
Greg Beckstrom, Provo City  
Garrick Hall, Farm Bureau  
Emil Knutson, Realtor  
Lee Barnes, Lehi City  
Kent Sundberg, Utah County  
James O'Neal, Citizen

### ABSENT:

Central Utah Water Conservancy District, Mapleton City, Santaquin City, Springville City, Utah State Legislature

1 **1. Welcome and call to order.**

2 Chairman, Mayor Jim Dain called the meeting to order at 7:35 a.m., noting a quorum was present. He excused  
3 Councilmen Dean Olsen of Springville and Ryan Farnworth of Mapleton. He welcomed members of the Governing  
4 Board, municipal leaders, and public visitors.  
5

6 **2. Review and approve the Utah Lake Technical Committee minutes from meeting of August 23, 2012.**

7 Mayor Dain asked for discussion, comments, or corrections for the minutes of the meeting held August 23,  
8 2012. There were none. It was motioned by Mayor James Evans to approve the minutes of August 23, 2012; it  
9 was seconded by Councilman Ray Walker. The motion carried and it was unanimously approved.  
10

11 **3. Review and approve the monthly financial report of the Commission.**

12 Mr. Price gave the August and September 2012 monthly financial reports:

1 **August:** The financial report for the month ending August 31, 2012, shows 83.3 percent of the fiscal year  
 2 remaining. The Zions checking account balance was \$1,797.61; the money market account balance was  
 3 \$61,359.79; with an annual rate of return at 0.37 percent and the Public Treasurers Investment Fund balance was  
 4 \$281,570.65 and received an annual rate of return of 0.78 percent. There were two transfers to checking for  
 5 \$7,000 on August 8, and \$10,000 on August 22, 2012. Interest earned in August was \$169.02, bringing year-to-  
 6 date interest earned to \$324.53. The expenses for the month are listed in the middle totaling \$16,310.46. There  
 7 was a payment for the annual financial review in the amount of \$1,250 on August 22. The General Fund Budget  
 8 Report is listed at the bottom, showing account balances and percents remaining in each of the budgeted  
 9 accounts. There is an overall General Fund balance of \$230,056.37, showing 88 percent of the general fund  
 10 budget remaining.

11 **September:** The financial report for the month ending September 30, 2012, shows 75 percent of the fiscal  
 12 year remaining. The Zions checking account balance was \$1,423.82; the money market account balance was  
 13 \$24,529.48 with an annual rate of return of 0.35 percent. The Public Treasurers Investment Fund balance was  
 14 \$321,761.88 received an annual return of 0.78 percent. There were two transfers to checking for \$11,000 on  
 15 September 5, and \$13,000 on September 19, 2012. Money was transferred from the money market to the PTIF  
 16 account that received a better rate of return in the amount of \$40,000 on September 18. Interest earned in  
 17 September was \$204.31, bringing year-to-date interest earned to \$528.84. The expenses for the month are listed  
 18 in the middle totaling \$24,373.79. Of note, in there are the payment to Olympus Insurance which is the liability  
 19 insurance premium which we pay annually in the amount of \$3,458. On September 19 to FLW, LLC for Utah Lake  
 20 Collegiate Fishing Tournament hosting fee in the amount of \$5,000. The General Fund Budget Report is listed at  
 21 the bottom, showing account balances and percents remaining in each of the budgeted accounts. There is an  
 22 overall General Fund balance of \$205,682.58, showing 79 percent of the budget remaining.

23 Mayor James Hadfield moved the financial reports for August and September 2012 be approved as presented;  
 24 it was seconded by Commissioner Larry Ellertson. The motion carried and the voting was unanimous.

25 **a. Review the completed financial statements of the FY12 financial review.**

26 Mr. Price said all governmental organizations go through either a review or an audit based on budget  
 27 criteria. The Utah Lake Commission budget is less than \$350,000, so a review was conducted. Squire Company  
 28 accounting firm has conducted the Commission's review for several years, and completed it in September. The  
 29 review is divided in four different sections. First, is a letter from the accounting firm; second, is the management  
 30 discussion and analysis, which is a narrative overview of the financial activities; third, are statements showing the  
 31 activity during the year (page 6-12); and fourth, are notes of financial statements (pages 13-17).

32 The letter describes reviews include primarily applying analytical procedures to management financial data,  
 33 making inquiries of the Commission's management with the objective to express an opinion regarding financial  
 34 statements as a whole. Criteria applied assured the Commission was complying with the rules appropriately.

35 The fourth paragraph in the letter stated based on their review they are "not aware of any material  
 36 modifications that should be made to the company's financial statements in order to be in confirmation with  
 37 accounting principles generally accepted in the U.S.," meaning the Commission is doing a good job reporting  
 38 activities of the Commission.

39 Pages 2-5 are the management discussion and analysis; a narrative of the financial activities. On page 6, the  
 40 total net assets were \$190,930. On page 7, the changes were highlighted, showing a change of net assets of  
 41 \$16,244. The increase came from the health insurance premium holiday received earlier this year of over \$10,000  
 42 and the rollover from the Utah Lake Festival unspent money. Page 8 shows the Utah Lake Commission unassigned  
 43 fund balance is \$86,749, which is slightly above the 25% limit allowed. We assigned \$40,000 to 2013 budget to  
 44 make sure we were in compliance. It also shows a capital funds project balance of \$103,661. Page 10 is the  
 45 statement of revenues and expenditures; a different way to account for finances. There are government-wide  
 46 statements and statements of revenue. When looking at the total governmental funds, net change in fund  
 47 balance is \$20,042. There was a general fund contribution of \$18,672 to the capital projects fund. There were no  
 48 capital expenses/purchases during the year. Notes to the basic financial statements start on page 13 and explains  
 49 how Utah Lake Commission accounts for its financial activities and the various things in which the Commission  
 50 participates. He called for questions.

1 Councilwoman Call asked what three cities withdrew from the Commission. Mr. Price said Genola, Highland,  
2 and Eagle Mountain. She asked if Utah Lake Commission belongs to the Utah Retirement Services (URS). Mr. Price  
3 said there are two retirement funds through URS, a 401K, where the Commission matches an employee's  
4 contribution up to four percent, and the noncontributory retirement fund. Ms. Call confirmed there is a 401K and  
5 noncontributory. She asked the difference of the assets listed on page 3 and why the majority of assets were in  
6 unrestricted. Mr. Price said unrestricted fund balance is the general fund balance and the capital projects fund  
7 balance combined.

8 Mayor Hadfield moved the financial review completed by Squire & Company dated September 11, 2012 be  
9 approved as presented; it was seconded by Councilwoman Call. The motion carried, and the voting was  
10 unanimous. Mayor Dain complimented Mr. Price on a job well done.

11  
12 **4. Review and approve the meeting schedule for next year.**

13 Mayor Dain reviewed the 2013 meeting schedule for the Governing Board, Technical Committee, and the  
14 Public Advisory Group with changes noted for holidays. Meetings will be held only if needed. Mr. Price likes to  
15 reserve the dates, but believed meetings would be held six-seven times in 2013.

16 Mayor Evans moved the meeting schedule for 2013 be approved as presented; it was seconded by Mayor John  
17 Curtis. The motion carried, and the voting was unanimous.

18  
19 **5. Report from the Technical Committee.**

20 Technical Committee Chairman Chris Keleher gave the report of the Technical Committee. He introduced Mr.  
21 Henry Maddux, the new Species Recovery Program Director for the Department of Natural Resources, who is a  
22 great addition to the Department and is pleased he is part of the program.

23 The Technical Committee reviewed and approved the minutes. Mr. Mike Mills reported to date carp removal  
24 was over nine million pounds. A new contract was facilitated from funds of the Bureau of Reclamation with the  
25 commercial fisherman for \$500,000 for carp removal and projected funding would last through 2013. The county  
26 crews are working in two phragmites project areas, one at the north end near Saratoga Springs and the other  
27 down just west of Provo City at the state park and Provo Bay. They are putting in fuel breaks and working with  
28 FFSL on a burn plan sometime this winter before the inversion season. Burning is not feasible near the airport  
29 because of obvious safety issues. Mr. Price is initiating the grant processes for funding to continue the program.

30 Mr. Price worked closely with the organizers of the FLW fishing tournament. The film crew was impressed  
31 with the closeness of the lake to the metropolitan area as other hosting lakes are not usually that close. The  
32 contest will be broadcast on NBC Sports Channel on Sunday, November 4 at 11:00 a.m. MST. The tournament was  
33 won by a team from Long Beach, California. The largest bass was 5.5 pounds with an average of 2-3 pounds.  
34 Anglers were impressed with Utah Lake. It has been great for the Lake to get positive attention.

35 Mr. Price presented a proposal to the National Park Service (NPS). The proposal addresses a goal of the  
36 Master Plan for a nature center/research facility on the lake. The grant is not for funding but for facilitation  
37 services to help the process of looking at a research facility or a nature center near the lake. From the grant, NPS  
38 would facilitate and promote multi-partner involvement and develop a conceptual design. Mr. Keleher, Mr. Price,  
39 and other specialists met with NPS. The end-product is a conceptual design to solicit funding and support, as  
40 there are a lot of stakeholders interested in such a facility. Mayor Dain asked if the location would be analyzed.  
41 Mr. Keleher said yes. Mayor Dain reiterated it would be location and conceptual design. Mr. Keleher said a key  
42 factor of the location is connection to the trail system around the lake. It would be important the center be easily  
43 accessible for people and it would then get more use. Mayor Dain asked if it would be conceptual and not a  
44 specific design. Mr. Keleher concurred. NPS will work with stakeholders to get input on what they think the  
45 facility should include and base the design on input. The conceptual design would be used to involve stakeholders  
46 in what they are doing. Mr. Price said the idea for a facility is a medium priority goal in the Master Plan, one not  
47 actively being pursued, but if an opportunity presents itself, it will be pursued. He had heard about the  
48 opportunity; felt we would have a good chance. Once the conceptual design/idea is completed and on paper, it  
49 then becomes something tangible to take to other lake stakeholders and request they team up with Utah Lake  
50 Commission to make it become a reality.

1 Mr. Dave Wham reported the Department of Water Quality (DWQ) had been busy on the lake collecting  
2 monthly algal and standard water quality samples from 18 routine sites. They partnered with BYU and Central  
3 Utah Water Conservancy District to sample 19 inflows into the lake. This data will be used to help update existing  
4 models on nutrient loading. Mayor Bert Wilson asked if the total inflows for Utah Lake were 19 or if it was the  
5 amount they monitor. Mr. Keleher said it was the majority of inflows to the lake. They have been working on a  
6 sediment study with the University of Utah evaluating sediment oxygen demand and nutrient fluxing. Data is  
7 currently being analyzed. They will present the report in the spring. They deployed multi-parameter water  
8 quality probes focused in Provo Bay to get a handle on what is occurring in the nutrient rich-area of the lake. They  
9 are planning on partnering with the USGS on a real-time water quality station beginning next summer. Mr. Wham  
10 said he had about two years of funding available and the Commission had matching funds. Algae sampling will  
11 continue in the future.

12 Mayor Wilson asked if the two teams working on the lake with phragmites worked full time on the project or  
13 doing other county work. Mr. Price said two crews are working in the areas as an in-kind manpower labor grant  
14 match from the county and they juggle county work as well. During their slow time, they are able to devote more  
15 time on the lake. Commissioner Ellertson said Mr. Aaron Eagar, weed supervisor, is having his staff do the work.  
16 When they are not working on phragmites they are spraying other weeds. Councilwoman Call asked how far  
17 south they were taking the treatment in Saratoga Springs. Mr. Price said they did not go further south than Eagle  
18 Park, but has plans to treat again in the future. Commissioner Ellertson said they did Saratoga Bay a year ago with  
19 initial treatment and follow up treatment this past fall.

20 Councilwoman Call asked if the figures for the economic impact from the fishing tournament were known and  
21 if so, would it be a feasible opportunity to solicit for other years/events. Mr. Price said FLW wants to come back.  
22 They provided their own estimates of what the economic impact might be. He could work with the Utah Valley  
23 Visitor's Convention Bureau possibly to measure the fiscal impact. The Commission probably won't get the  
24 discount again, but it will be negotiated as much as possible. The real benefit is exposure obtained by being  
25 broadcast throughout the country. Currently, no one knows Utah Lake is there, but thousands will. She asked  
26 how Utah Lake compared to other locations for bass fishing. Mr. Price said 5.5 pounds is a big fish. The winning  
27 sack was about 23 pounds. Some episodes had 23 pounds as the winning sack and others had 40 pounds. There  
28 are better fisheries in the US but Utah has a colder weather climate. Mr. Dick Buehler said Utah Lake is large,  
29 shallow, and felt it was good for Utah Lake considering size and depth, and variety of other fish in the lake. Mayor  
30 Dain said having a five pound fish in any lake is a good. Mr. Keleher said there might be better fisheries in the  
31 nation, but nothing has the potential Utah Lake does in terms of fisheries as the lake revitalization is started.

32 Ms. Laura Ault from FFSL explained meeting with Saratoga Springs about private boat dock proposals. FFSL is  
33 looking at community docks. The rules state private boat docks need to be associated with the upland landowner  
34 who is the Saratoga Homeowners Association. A community dock makes more sense. A proposal is forthcoming  
35 in the next few months on how to proceed. About a year ago, FFSL asked Utah Lake Crossing for supplemental  
36 information on the bridge proposal and have not received anything back nor have they put in an application into  
37 the Transportation Commission as required by state legislation. FFSL has also been approached with two other  
38 bridge proposals but they are not serious enough to move forward.

39 Members discussed the Utah Lake Restoration White Paper and the general agreement in the Technical  
40 Committee was the paper was the right way to go, but carp removal should be put into a broader context of the  
41 Master Plan instead of standing alone. There was discussion about carp processing on the lake as a viable  
42 business versus a means to an end in terms of restoring the lake. Long-term funding for the Master Plan was  
43 evaluated. The Commission has had a Master Plan but implementation has been piece-meal through grants and  
44 other mechanisms; there is no long-term funding stream or long-term strategy planning to implement it. Different  
45 options were presented.

46 The Utah Lake Symposium was rescheduled for January/February 2013 at Utah Valley University. People will  
47 be notified when it is finalized. The Technical Committee meeting will be cancelled and, if necessary, the next  
48 meeting will be scheduled for December 17.

49 Councilwoman Call said the HOA has possession of a significant portion of the land, but some private  
50 homeowners own into the lake, and one already has a private dock. She did not want to rule out the minority in

1 favor of the majority, just because the majority holder is the HOA as other private owners want to use their  
2 properties. Mr. Keleher said they would be fair. Mr. Buehler said individuals who have joint property into the lake  
3 would have an opportunity, however, FFSL does not want to see is a boat dock every 50-60 feet; they will have to  
4 look at the distance between docks. Four boat docks were built without permits and those are now resolved.  
5 FFSL will be fair working with people who have the opportunity to build docks, and yet the state doesn't want too  
6 many. He was very aware of every lake landowner, where they are, and where the problems with land.

7 Mr. Buehler updated the Board about the Utah Lake boundary settlement. FFSL has been working on the  
8 issue since 1987. A hearing was held before Judge Dale A. Kimball in September and they expected him to start his  
9 process of ruling on the lake-wide elevation. Judge Kimball gave the landowners more time to negotiate with  
10 FFSL. Twelve have negotiated, in September five more were turned in, and five more will be submitted in the near  
11 future. The next hearing is scheduled for the middle of December, and it is hoped it will be the last before the  
12 judge rules and settles the lake-wide elevation, which will be adhered to by the main landowners. Progress is  
13 being made with a few landowners still wanting to negotiate and are willing to do so. Although it is moving along  
14 slowly, FFSL hopes it will be completed within the next six months. Mayor Wilson asked if FFSL was trying to  
15 establish the lake's boundary line. The history of the boundary dispute was given. In 1987, the US Government  
16 and state filed suit over ownership of the lake bed. Under equal footing doctrine, the beds of lakes and rivers  
17 came to the state with statehood. In 1987, the US Supreme Court ruled the state owns the bed of the lake but  
18 didn't set a boundary. Since the court ruling, the boundary line has been in dispute and it is being settled through  
19 court and negotiation between private lands, sovereign lands, and public lands. Only a few areas are left to settle.  
20 Mayor Dain asked if the boundary is going to be lake level all the way around and not vary. Mr. Buehler said it is  
21 negotiated and is based on a variety of criteria. Mayor Dain said Mr. Buehler's work done for 20 years behind the  
22 scenes is without a lot of fanfare and is remarkable; everyone should appreciate his hard work and dedication to  
23 the lake and complimented him for his diligent efforts.

24 Mayor Dain asked if the \$500,000 used for carp removal would take the project to the end of the fiscal or  
25 calendar year. Mr. Mills said the calendar year. Mr. Keleher said there was enough funding to get through  
26 another year. Mayor Dain said the information was critical as they discuss agenda item 7.

27 Mayor Dain thanked Mr. Keleher and expressed his gratitude for the Technical Committee. He welcomed Mr.  
28 Maddux in his new role.

## 30 **6. Report from the Executive Director.**

31 Mr. Price reported on the activities of the Utah Lake Commission. As Executive Director he has been invited to  
32 speak at various national and local organizations having planning conferences and summits over the last 1.5  
33 months. His presentations have been well received as he promotes what has been achieved. Several of the  
34 presentations were done in conjunction with the Jordan River Commission. He was at the Land Rally, a national  
35 conference held at different states each year. He was able to showcase what the Commission has been able to do  
36 and how we joined together as various local, county, and state governments to help protect and manage natural  
37 resources. Presenting has been a positive thing for the Commission.

38 He informed the Board members that at the end of the water season last year, the lake was 2.5 feet above  
39 compromise and this year they were three feet below. There was a variation of 5.5 to 6 feet in just one year.  
40 Mayor Curtis asked for the average depth of the lake. Mr. Price said the average depth of the lake at compromise  
41 is about 9 feet; maximum is 14 feet. Low water level has advantages with removing phragmites, burning the  
42 biomass, and with carp removal.

## 44 **7. Discuss the Utah Lake Restoration White Paper.**

45 Mayor Dain asked for discussion on the white paper. Commissioner Ellertson said Mr. Kent Sundberg, an  
46 attorney, could advise the Commission on various steps on Agenda Item 8. Mr. Price noted all members had  
47 received a copy of the white paper in their packets. He provided a bullet point list of his discussion explaining the  
48 issues the Commission faces and the potential solutions to the white paper.

49 Mr. Price said the initial push for carp removal was initiated by the June Sucker Recovery Program (JSRIP) over  
50 ten years ago. JSRIP was put together to help endangered fish species and was tied to the Central Utah Project

1 (CUP). They needed to show a good effort to help the species recover in order to reap all the benefits CUP was  
2 promised. It was asked what nonnative fishes were in Utah Lake and if the nonnative predatory fish were a reason  
3 why June suckers numbers decreased. After conducting a study, the main problem proved to be carp as the  
4 predominant fish and predator, and decimating the lake's ecosystem where no underwater vegetation/habitat  
5 was for the June sucker young to survive. As the program looked at controlling the carp population various  
6 options were evaluated. Poisoning the lake was determined not feasible due to the volume of chemical needed,  
7 poisoning lakes was frowned upon, and the large size of Utah Lake has not been done before. Other methods  
8 were evaluated including mechanical control using commercial fishermen. The amount of carp to be removed  
9 would be five million pounds for seven years, and when completed, it would decrease the population enough to  
10 allow vegetation to return and help the June sucker fish to recover with added benefits to other species of fish in  
11 the lake.

12 Research was also done to find a market to defray the costs of removal. Human consumption of carp was  
13 considered as there are groups around the country and across the world that consume carp. However, the  
14 distance from Utah Lake made it cost prohibitive. Creating fertilizers, fish meal, and other potential uses for carp  
15 were studied. The program sought grants wherever it could, and several federal grants with state matching funds  
16 were received. Fishing began a couple of years ago, and it has shown to be successful. The decision was made to  
17 move forward to remove carp, prove the success, and generate interest in the business community. In hindsight,  
18 it may have been better to get all the funding in place, but at the time with the grant, it seemed like the best  
19 decision. Grants are not as easily accessible with more competition for fewer dollars; chances of getting grants  
20 seem to be more difficult. JSRIP has been using funds from the endangered species mitigation fund from the state  
21 to continue efforts so progress made to date is not lost. Other species might be endangered in Utah requiring  
22 these funds to be diverted to assure more species are not listed and help the species survive and live in their own  
23 environments.

24 Funding is in place for carp removal through next year. They are looking everywhere for additional funding.  
25 They have come to see how the Commission might help find money besides seeking grants. A meeting was held  
26 with DNR, JSRIP, and the Commission to see what could be done to address the issue of decreasing funding for  
27 carp removal. At the end of the meeting, it was suggested the Utah Lake Commission take the lead to approach  
28 the legislature to ask for an appropriation of funds to construct a facility to make fishmeal. The idea is to create a  
29 product to defray/decrease the cost for carp removal. It is a significant endeavor and funds are needed for this  
30 important effort to recover the Utah Lake ecosystem. With the facility, estimates show they will still be \$500,000  
31 a year short to remove carp.

32 The Commission invited the business community for their input. They were asked to help us find the best way  
33 to approach the legislature in a meaningful manner to get an appropriation. The business members were very  
34 supportive in the concept of lake recovery and the benefits it would bring to the economy and the entire county.  
35 If Utah Lake is recovered, it can be more inviting for businesses to relocate. The business communities suggested  
36 a white paper be created to explain the issues the Commission faced. It framed carp removal as key to the  
37 revitalization efforts of Utah Lake, explaining the issues faced, stating what the needs were, and sought assistance.  
38 Mr. Price created the white paper. The business community saw the value of carp removal as a necessary  
39 component of a larger plan and they were intrigued at getting a long-term funding mechanism in place to  
40 implement more goals identified in the Master Plan, and the Technical Committee felt it as well. Mr. Price divided  
41 the paper into sections with an overview of the problem, research done to date, attempts of marketing, then the  
42 funding needed, and conclusion/summary stating the need for the legislature's help to manage a resource.

43 The Technical Committee reviewed the white paper and made various points. They wanted a better  
44 understanding of the original funding plan and its intention. First was to find a source for the \$1.5 million per year  
45 needed to remove the carp. Ideally, to have \$10 million from the start would have been the best. They have  
46 always looked for ways to offset the costs and feel perhaps they got into the removal game before questions were  
47 answered, but it lends to the chicken/egg argument. In hindsight, they would have done it differently. Committee  
48 members questioned if the white paper is focused on carp removal. They thought the legislature should be  
49 approached with a broader scope showing the needs and goals as identified in the Utah Lake Master Plan. Carp  
50 removal and phragmites are two projects underway to help revitalize the lake, things need to be done and we

1 need assistance. Some felt the scope seemed to be June sucker recovery driven, and it shouldn't be used as the  
2 main point; Mr. Price had tried to avoid it as an issue in the paper.

3 Another suggestion was to provide more details and better identify the risks. They felt important details were  
4 missing such as who would run the processing area, how it would be run, etc., and the Committee didn't feel the  
5 legislature would accept the vagueness of the white paper even with additional DNR background numbers. They  
6 felt tighter numbers were needed to approach the legislature or it would get rejected. Legislators may not be  
7 enthusiastic about improving the lake or support carp removal; they will be looking at it from a dollars and cents  
8 standpoint. They questioned the risk of spending \$2 million on a facility still requiring \$500,000 a year financing,  
9 with the ultimate savings over 2.5 years being an estimated \$2.5 million. It was asked if would be easier to  
10 request the full amount, continue the removal process, and hope the market generates itself rather than trying to  
11 create a market and spend money to help the market happen. Some also question who is the "we" requesting the  
12 money -- the Commission or other state agencies. The white paper needs to make sure who the partners are who  
13 will support the Commission when and if the legislature is approached with the proposal. Members asked if  
14 private enterprise would take the carp but do not see long-term gain past seven years, and so they have no  
15 incentive to make improvements.

16 The general feel from the Technical Committee is the current presentation of the white paper would probably  
17 be rejected by the legislature. They felt it would be important to readdress it and create a broader scope  
18 incorporating more aspects of the Master Plan. From the Commission's viewpoint, it is crucial to do it right the  
19 first time, rather than fail and not be respected at subsequent times.

20 The Master Plan identifies numerous improvements with carp removal and phragmites being on the forefront.  
21 Other projects include sensitive land acquisition and management, expansion of existing preservation areas,  
22 getting elevation data for the shoreline, improved and more access points around the lake, improving wildlife  
23 management area at Powell Slough, better public outreach in education, research facility and nature center, trail  
24 system, phragmites, existing beach improvements, create more beaches, and also to help with mosquito  
25 abatement. These were objectives needing to be accomplished, but are currently unfunded. The Commission has  
26 an established track record, and it would be good to find a dedicated funding stream to put these improvements  
27 into place. Over \$1 million will allow the Commission to make significant progress.

28 The business community, the Technical Committee, and at the Executive Committee level, there were long-  
29 term funding solutions suggested including creating a special service or improvement district. Another was using  
30 wastewater as a nexus to generate money by imposing a fee increase on wastewater discharge. At an estimate of  
31 5 cents per 1,000 gallons to the average wastewater bill, it would increase the average bill 50 to 60 cents a month  
32 at a financial impact of about \$6-\$7 a year per household. County-wide, it would generate a million per year.  
33 There would be similar increases on industry flow which would provide additional money. Another user-fee idea  
34 could be a household charge throughout the county at \$6-\$7 a year and again generate approximately \$1 million a  
35 year.

36 Another option was to consider converting the Commission to an authority but was unsure how to proceed or  
37 the process. All of the ideas were preliminary discussions. Commissioner Ellertson asked Mr. Sundberg to be  
38 available for questions about the different options.

39 Five options were suggested. It was asked how the state participates. If the Commission gets the community  
40 on board to create a stream of funds to improve Utah Lake, a state resource, how can the state are involved? We  
41 need to show the legislature we want to team up with them to enhance the state resource of Utah Lake. From the  
42 Commission's viewpoint, it is crucial to know the direction before the legislature is approached. Mr. Price wanted  
43 to see what the Board wanted and how to move forward into the future.

44 Mayor Hadfield asked if an industry, business, or interested parties who wanted a cleaner lake could be a  
45 funding source. Mr. Price said the cleaner water beneficiaries would be north of the lake and it would be a matter  
46 of approaching those who benefit and see how they would want to participate and to what amount.

47 Councilwoman Call said she understood the Commission does not exist without funding and it essentially  
48 comes from tax payers' money whether it is through grants or different entities. She understood and agreed long-  
49 term funding versus undoing everything we did by failing one year with the grant. In becoming a special district,  
50 the Commission should look at the processes. However, once the carp removal and phragmites are under control,

1 the funding for those can decrease because maintenance is less. If the Commission opts to become a taxing entity  
2 or assess additional fees, it should be careful not to burden taxpayers' residences and homeowners beyond their  
3 means. There is a need and everyone should share the responsibility in keeping the lake clean, but evaluating  
4 long-term funding on the taxpayers for different projects should be done.

5 Mr. Price said the Commission would go through a Master Planning process every ten years where projects  
6 would be identified of what the public wants to see happen at the lake. If it got to a point where the lake is  
7 exactly where desired, he believed there would not be a reason to continue citizen taxation. He felt if there is a  
8 public process through updates and revisions of the Master Plan things will be identified we want to have happen  
9 there for many years. Councilwoman Call agreed with his assessment. She was looking at the goals, citing carp  
10 removal, which is already two years into the project. Mr. Price pointed out the Master Plan was an open public  
11 process, and the goals are not something being forced on anyone, but were suggested by the public. He  
12 understood what she was stating. Councilwoman Call said they have gone through public processes in her  
13 community and people say they want many things until it comes to dollars and cents. It would be good to say this  
14 is the price tag associated with them and they may change their minds.

15 Mayor Curtis said the Commission should put emphasis to get a legislator to the Governing Board meetings, to  
16 utilize their involvement and help. Mr. Price said he and Commissioner Ellertson had spoken, and he has  
17 suggested approaching Mr. John Valentine and Ms. Becky Lockhart to see if they would want to serve but they are  
18 two of the busiest people in the state legislature. Mayor Curtis asked if there were bylaws for a second seat. Mr.  
19 Price said no, there was only one seat. The main person and an alternate can both attend, but only one can vote.  
20 Mayor Curtis said Mr. Keven Stratton who is running is a possibility. Mr. Price said Mr. Stratton and Mr. David  
21 Lifferth, former board member representing Eagle Mountain, have been considered. Mayor Curtis said to  
22 approach them before they get too many assignments. He said it seemed rare people got what they wanted from  
23 the state legislature on the first asking, no matter how prepared they are. This legislature may be different, but as  
24 the economy turns and improves, it would be a good position for the Commission. The third question was is the  
25 position known of the County Commissioners on funding options. Mr. Price said he did not know their viewpoint.  
26 Commissioner Ellertson seemed supportive, and Commissioners Whitney and Anderson have expressed support  
27 for what is being done, but have never been asked for money. As they would be key players on a couple of the  
28 options, a discussion needs to occur.

29 Mayor Dain asked if they did get a good long-term revenue stream, would it have to be the Board Members or  
30 some other entity or could they delegate the decisions to the county with an established agency with the Utah  
31 Lake Commission's input. Mr. Price asked Mr. Sundberg for his advice. Mr. Sundberg said a couple of different  
32 entities could be created. He was unsure of the long-range plans. If the purpose is to obtain funding, each of the  
33 options could work. The local district possibility allows a district to be created to do various things. One of them is  
34 the reclamation of water, which is in line for the services the Commission provides and/or another is recreation.  
35 These could be allowed as a service district. A local district does have taxing authority, but it would be  
36 administered by a board of trustees organized by the creating authority of the district. Another possibility is an  
37 improvement district or a regular special service district. A complication with special service district, due to  
38 legislative rule by the local district act, is each municipality in a proposed service district needs to pass a resolution  
39 consenting to be included within the district. A conservation district is also identified, but it is hard to obtain. A  
40 petition to the State Conservation Commission is submitted to create a conservation district. It is a Title XVII G  
41 Chapter 3 district. If created, it would be a separate legal entity administered by a board of trustees or special  
42 service district by an administrative control board. He would like to evaluate the feasibility on these and other  
43 stated possibilities.

44 Mayor Hadfield said with Utah Lake's uniqueness of 19 streams contributing to the lake but users are north;  
45 whatever is established should be created in such a way the users pay and not the contributors. He heard  
46 contributors pay fees into the lake, but users are not part of the equation, some people are fed up. Mayor Wilson  
47 said it would be a good legislative discussion with the users and the contributors with an obvious give and take.  
48 Mayor Dain said the citizens of the north get the clean water and the folks who put into it get the advantages of  
49 the improvements, including recreational and visual improvement. Mayor Hadfield said users ought to be able to  
50 pay to make the water quality better. Mr. Price clarified Mayor Hadfield meant everyone should participate.

1 Mayor Hadfield cited someone, such as a developer along lakefront properties, should pay into the goal of clean  
2 water. This would include business, industry, and other interested parties, i.e., Jordan Valley Water, who has a  
3 vested interest in making sure the water is as good as possible because they are one of the end users and it should  
4 come at a price. Mayor Dain asked if there had been discussion with the water users as far as an increase with  
5 that. Mr. Price said he had not approached them. If they had improved water quality for them, it would help us  
6 do water quality things on the south side and the north side benefits. He can approach them. Mayor Dain said it  
7 would be interesting to see if they blew the contributors off or they had at least some open discussion on it. He  
8 asked if Governor Gary Herbert knew the plan of what the Commission had done, as he is a Utah county man who  
9 grew up here and knows the lake. Mr. Price said he was aware of the efforts of the Utah Lake Commission but this  
10 specific proposal he was unsure.

11 Mayor Dain asked if the Governor knew we were up against the wall. Mr. Robyn Pearson said the wall the  
12 Commission is up against is continuing carp removal. Majority of the funding for the first two-years of carp  
13 removal came from grants and matches out of the state's fund with concentrated amount of dollars. Stakeholders  
14 needed to prove the vast quantity of carp could be removed from the lake. A viable means for the volume of carp  
15 harvest needed to be researched, rather than putting them in the landfill and increasing the costs because of fees  
16 or other costs secondary to the carp. There are benefits if the lake improves and it becomes a key access for Utah  
17 County. If the lake returns to its previous form with clear water it improves recreation opportunities, the land  
18 values of property around the lake, and improves tax base increases. The economic benefits of Utah Lake and  
19 sister cities are astronomical. The State ESMF fund is coming to the end of the money cycle. Negative effects  
20 happen if carp removal cannot continue at the present rate, and the program loses the progress it has made.

21 The possibility of locating a facility on the shore of the lake could serve multiple purposes. There is a shortage  
22 of fishmeal worldwide. Utah State purchases a large amount for trout and fish hatcheries. The plant would not be  
23 for just turning it into a valuable fishmeal, but there is long-term economic opportunity. When carp is taken out, it  
24 will be replaced by sports fish, bass, vegetative base, etc. There will be a carp base in the lake that will need to  
25 continue to be harvested.

26 If the Commission asks for general funds from the legislature, they are competing with everyone else for the  
27 state's money. Other kinds of funds the Commission can ask for are earmarked for certain activities. This money  
28 still needs an appropriation and they still need legislative approval. Mr. Buehler oversees and administers a fund,  
29 Sovereign Land Restricted Account (SLRA), and other agencies have raided the fund in the past. They approach  
30 the legislature with a proposal and request SLRA money. The legislature approves the monies because it is not  
31 being used for other purposes. In the upcoming legislative session, there is an opportunity for the Commission to  
32 get with key legislators who are willing to speak positively about the activities and help the representatives to  
33 understand what is trying to be accomplished. Mr. Pearson felt it important to move forward. He said DNR and  
34 sister agencies couldn't continue to lift to the same degree as in the past. If carp is going to continue to be  
35 removed out of the lake, a way needs to be found to cut the costs and turn the carp into a valuable asset.

36 Mr. Maddux and Mr. Keleher have studied and done research on fishmeal. Mr. Maddux said they had looked  
37 at fertilizer and fish meal. Fish meal is a very valuable commodity. Central America produces a large amount. As  
38 the supply decreases, what is remaining in the world supply will become more valuable. Every bit of the fishmeal  
39 produced could be sold. We have done the research and it is high quality, high protein. DNR is not looking to  
40 cover the costs of everything, but it might reduce the costs of a long-term program to keep the lake clean, so it  
41 would be worth it. Other economic benefits are going to be additional fishing, more recreation, and higher land  
42 values. DNR is behind it but the money is running out. Mr. Pearson said two years of research tried to find the  
43 optimal vein of how to get carp out of the lake, turn it over, and get value out of it. Mr. Maddux said people call  
44 every week wanting the carp, but do not have the upfront revenue to start. Mr. Pearson said they have land for  
45 the facility that can be donated from FFSL. A building needs to be constructed. Portable equipment processes the  
46 carp, dries and it would fit on the back of two flatbed trucks/large semi-trailers, and it can be moved to new  
47 locations. The equipment could be leased or resold at the end of activity. The building could be used for multiple  
48 purposes. The building would be owned by FFSL, and continue as a place where they continue the ongoing  
49 processing of the activities and continued study of fish in the lake. It is not going to cease because the carp are  
50 removed from the lake.

1 Ms. Leah Ann Lamb asked if Mr. Pearson was proposing a building in the budget. Mr. Pearson said if Mr.  
2 Buehler asks for the money, chances go down of approval. If the Board has political support from this group and  
3 legislators in Utah County, the chances of success go up immeasurably. Mayor Dain asked if carp are invasive in  
4 other bodies of water in the state and if they could be brought to the facility to be processed. Mr. Pearson said  
5 water bodies do not have the high level of infestation of carp as Utah Lake. The equipment could be leased to  
6 others who want to use it such as in the Midwest where silver carp, big head carp, and other invasive carp species  
7 are; nationwide, the carp problem is just becoming worse. A lot of money is going into research on carp and we  
8 can be a leader.

9 Mayor Curtis said an organized strategy should be in place before the session starts. The strategy needs to go  
10 to a lobbyist. He asked who could lead the way and delegate different parts. Mr. Pearson said the request for  
11 appropriation goes through a certain committee and would be the Natural Resources Committee, whose members  
12 are known well by DNR personnel. The Committee knows DNR's concerns and trust DNR when a request is made;  
13 there is unilateral support. They need to know this has the support of the elected officials in Utah County. Ms.  
14 Chris Finlinson knows the lobbying strategy. She can meet with legislators and talk about the plans, what is  
15 needed, the reasons, and why is it critical for us at this time. If this opportunity is missed, then slippage in the carp  
16 removal program will occur. It will take a year to get the money from this legislative program and fit all the pieces  
17 into one puzzle. The Commission should not be timid because Utah Lake Commission has the strongest legislature  
18 support and lobbying right now than at any other time, including the Governor. Mayor Curtis asked if Mr. Price  
19 could put together a strategy outlining everyone's role. Besides the governor, he felt key people can approach the  
20 legislature and make advancements. Mr. Pearson said one or two Mayors and Commissioner Ellertson should talk  
21 with them. Mayor Curtis said he needed a plan with bullet points of each person's role, people to speak with, and  
22 the message.

23 Mr. Pearson said DNR could get firm numbers on the size of the building, possibly the equipment, and running  
24 of utilities. Councilwoman Call said because the Commission represents the majority of Utah County, if it would  
25 be wise to write a resolution or letter to be attached in support of the proposal. Mr. Pearson agreed. Most  
26 support would be done behind the scenes with a one-on-one basis. Legislators in Utah County will understand the  
27 purpose because they know what is being done and how significant the effort is. They may ask what will be done  
28 in the future. It will be explained the Commission is analyzing the possibility of a long-term revenue stream to  
29 contribute to projects. The money being requested is to get a facility built to take the bite out of carp removal.  
30 They will hopefully see a process. If the elected officials will support the concept, take time to put into place, and  
31 find the right mechanism ultimately the Commission will get where it needs to be.

32 Mr. Buehler said he had money in his department's account is up to \$20 million. He would prefer the money  
33 go to something that supports sovereign lands and public trust, rather other entities. If the mechanism could be  
34 put in place with a legislative sponsor, request from the general fund, then and utilize his account as a backup.  
35 You start asking for general funds and then they will find it in other places, such as this account.

36 After boundary negotiations, FFSL ended up with parcels they didn't have before, including 150 acres of land  
37 FFSL is willing to donate a parcel to build the plant on. FFSL has the land and if money comes to fruition, it will be  
38 recovered after it is up and going. The key for the project is the Commission itself with the great forum. The  
39 Commission should write a letter to whoever sponsors and gives its support. Mayor Dain said most of the costs  
40 put together for the building, the property, utilities, operation and other questions the Technical Committee were  
41 asking should be answered or addressed. Mr. Pearson said they had some numbers. Mayor Dain asked if DNR  
42 was confident the meal is of a quality the state would buy. Mr. Pearson said DNR has done research for two years.  
43 Large samples of carp were sent and tested and it was as high a quality of fishmeal available. Mayor Dain asked if  
44 the state was the first customer. Mr. Pearson said Utah, in conjunction with the subcontractor who provides fish  
45 food for the trout, consumes a large amount for the fisheries, and so there is a guaranteed customer for the  
46 fishmeal. Mr. Pearson said the state is one customer, but there wouldn't be any trouble selling all the fishmeal  
47 out of that plant. After the carp is ground up, they are put into a fish blender, and then it is run through a dryer  
48 and a pellet maker. It can be put into bags and hauled to whoever is going to finish the final product. Fishmeal is  
49 only one part of the fish food with other additives. About 40-50 percent of the total pellet would become part of  
50 the trout food. Mayor Dain asked who the legislator would be who stands up and makes the impassioned

1 statement, “It’s good. Don't worry about it. It has a market.” Mr. Pearson said DNR has the data and have the  
2 scientific results done by professional scientific people to show it is a good product.

3 Mayor Curtis said the Council of Governments (COG) could get a letter of support from them as he sits on the  
4 board. Mayor Dain said a few people in COG were not on Utah Lake Commission Board. Mayor Curtis asked if Mr.  
5 Price felt comfortable enough to initiate a plan and give assignments. Mr. Price said he would contact key people  
6 to help him. Mayor Curtis asked if help were needed to rewrite the paper or pay someone to write a professional  
7 one in a way it will be well received, as it appeared parts were missing in the present paper.

8 Mr. Price said the direction he is getting the Board is that the Commission should focus on the carp processing  
9 plant and the Technical Committee felt the approach for the carp plant could be presented better as a component  
10 of a much broader request to achieve objectives identified in the Utah Lake Master Plan. The Board is directing  
11 Mr. Price to focus on the original intent of the white paper of the carp processing plant. He understood the  
12 timeline the Commission is up against, but he didn’t want to have problems with the future. Mayor Dain said the  
13 broader the scope the more questions there are. If the Commission focuses on a specific purpose, especially with  
14 the carp processing plant, a very definite approach is better. We can talk about long-term funding as the  
15 Commission moves forward. Councilwoman Call asked if it would be wise to give the legislature the opportunity  
16 to give the Commission less than what was requested. Mr. Buehler said it wouldn’t work, but to ask for what is  
17 needed and justify the needs. The key is making a good case for what you need with all the things explained -- the  
18 quality of the meal, equipment, etc. List what you want, justify why, and talk about the quality of the meal so the  
19 legislature can see there is potential to invest \$2 million to generate some revenue to help with the carp removal  
20 process. The land is an important part. The location on the west side of the lake, near West Mountain, away from  
21 the metropolitan areas and people won’t need to worry; it doesn’t stink and won’t be a concern. The land is  
22 secured and already there. The land can be leased to the business owner at no cost. Tell the legislators funding is  
23 needed and the results for the short-term and long-term. Once the carp is done, it can be used for a lot of  
24 different things. Mayor Dain said they are going to want some assurance the plant can go on in perpetuity, not  
25 just five years and then close the doors on the building. Mr. Pearson said absolutely. Mayor Dain asked if there  
26 was enough reproduction in the lake to continue to put enough carp in the facility and have a steady stream. Mr.  
27 Buehler said the building could be utilized for research, or a lot of different things besides just for carp removal.

28 Mr. Pearson said there are partners already on board who have stepped up and contributed to the effort --  
29 Fish and Wildlife Service, Central Utah Water Conservancy District, Utah Mitigation Commission, Bureau of  
30 Reclamation, DNR, and FFSL. Using carp in a productive way is better. We have reached a point in time where all  
31 the resources to date, which has been monumental, cannot continue at the same level. If we don't find a viable  
32 way to remove carp and continue to fund this activity, even our partners as much as they want to, cannot  
33 continue their support. The bottom line is the recovery of the lake. The focus needs to change from just removing  
34 carp, to getting the lake where it needs to be. The Utah Valley Chamber of Commerce, recreationalists, and the  
35 citizens get it. He believed they would want to contribute 50 cents a month to a clean, healthier Utah Lake.

36 Mayor Curtis said the Chamber is a good point. The Chamber is formulating its legislative intent statements,  
37 and the director should be approached. Mr. Pearson and Mr. Price said Mr. Val Hale, director, was on board with  
38 the goals of Utah Lake. Some of the ideas are what Mr. Hale came up with. Mayor Curtis asked if this was on his  
39 legislative proposal. Mr. Price said he explained the project to Mr. Hale and it was. Mayor Dain said we should  
40 target this fishmeal facility for this year. Mr. Price said he would organize a group of people to work through the  
41 strategy and ask Mayor Curtis to approach the legislators and say, these are the talking points. The Commission  
42 will methodically work through the process and be prepared by the time the legislature is in progress.

43 Mr. Buehler said this has been a long-time process. Mr. Pearson and Mr. Keleher have knowledge of trying to  
44 purchase another piece of land but it fell through. Mr. Pearson said having the land available without having to  
45 buy it is a key and the legislature will see it as a positive thing. He didn’t think there was a problem obtaining the  
46 money with the support of the Commission and back door politicking. It is just a matter of putting together a good  
47 proposal with the raised questions answered.

48 As chair of the committee, Mayor Curtis asked Mr. Price to attend COG on November 1. He said if Mr. Price  
49 couldn’t come he could work with Mayor Curtis to have the presentation document and Mayor Curtis could do it  
50 without him. Mr. Price said he would move forward with it.

1 **8. Discuss long-term funding options for Master Plan implementation.**

2 Concerning the discussion on the long-term funding, Mr. Price did not expect to have a long-term resolution,  
3 but wanted to get the ideas to the Board and let them think it over. On input, there are issues and concerns from  
4 Mayor Hadfield and Councilwoman Call that need to be considered. As Director of the Commission, he would like  
5 to see some of these projects move forward a little faster than we are able to get funding for. Mayor Dain said if  
6 Utah Lake were going to move forward in a positive direction it is going to take a revenue stream from  
7 somewhere; everyone would have to step up. Mr. Price said it would be addressed more in the future. More  
8 discussion will be conducted at future meetings.

9  
10 **9. Other Business or Public Comments.**

11 Mr. James O’Neal asked if the June sucker funding was starting to dry up or if there will be continued funding  
12 for projects. Mr. Mills said part of the funding used for carp removal is the mitigation fund and is really designed  
13 to help the entire state and not just June sucker, so that funding needs to be allocated to the state. It is not drying  
14 up, but just can’t continue to fund the carp removal efforts of the June sucker recovery program. Mr. Maddux  
15 said other funding going to June sucker recovery is not drying up.

16  
17 **10. Confirm the next meeting of the Governing Board to be held on Thursday, November 15, 2012.**

18 Mayor Dain confirmed the next meeting is scheduled at the Historic Utah County Courthouse Ballroom on  
19 Thursday, November 15, 2012 at 7:30 a.m.

20  
21 **11. Adjourn.**

22 It was motioned by Mayor Hadfield to adjourn, and it was seconded by Councilwoman Call, and the motion  
23 carried and it unanimously passed to adjourn. Mayor Dain adjourned the meeting at 9:20 a.m.