



Governing Board

Thursday, February 28, 2013, 7:30 A.M.
Provo City Library, Room 201
600 North University Avenue, Provo, Utah

ATTENDEES

Chairman/Mayor Jim Dain, Lindon City
Vice-Chairman/Mayor Bert Wilson, Lehi City
Mayor John Curtis, Provo City
Mayor James Hadfield, American Fork City
Mayor James Evans, Orem City
Councilman Dean Olsen, Springville City
Councilman Jim Linford, Santaquin City
Councilwoman Rebecca Call, Saratoga Springs City
Mayor Randy Farnworth, Vineyard Town
Councilman Ray Walker, Woodland Hills Town
Mrs. Chris Finlinson, Central Utah Water Conservancy District (CUWCD)
Mike Styler, Utah Department of Natural Resources (DNR)
Dick Buehler, Forestry, Fire, and State Lands (FFSL)
Mr. Walt Baker, Utah Department of Environmental Quality (DEQ)

INTERESTED PARTIES / VISITORS

Greg Beckstrom, Technical Committee Representative
Chairman Chris Keleher, Technical Committee (DNR)

ABSENT:

Mapleton City, Utah County, Utah State Legislature, and Woodland Hills Town.

INTERESTED PARTIES / VISITORS

Leland Myers, Central Davis Sewer District (CDSD)
Dave Pack, Scout Executive of Boy Scouts of America National Parks Council (BSA)
Lee Hansen, Saratoga Springs/Boy Scouts of America Utah National Parks Council (BSA)
Gene Shawcroft, CUWCD
Rick Cox, URS
Ben Anderson, Utah Division of Water Rights (UDWR)
Mike Mills, June Sucker Recovery Program (JSRP)
Carol Waters, Utah Valley Earth Forum (UVEF)
Karen Nichols, HDR Engineering
Bob Trombly, Provo City
Neal Winterton, Orem City
Dee Chamberlain, Saratoga Springs Home Owners Association
Peter Anderson, Citizen
Sharon Anderson, Citizen
Robert Krejci, Saratoga Springs
Carolyn Krejci, Saratoga Springs
Larry Ballard, Citizen
Derik Sayers, Citizen

1. Welcome and call to order.

Chairman, Mayor Jim Dain called the meeting to order at 7:30 a.m., noting a quorum was present. He welcomed the members of the Governing Board and the visiting public.

2. Review and approve the Utah Lake Technical Committee minutes from meeting of January 24, 2013.

Mayor Dain asked for discussion, comments, or corrections for the minutes of the meeting held January 24, 2013. There were no corrections.

It was motioned by Mrs. Rebecca Call to approve the minutes of January 24, 2013; and it was seconded by Mayor James Evans. The motion carried and the minutes were unanimously approved.

1 **3. Review and approve the monthly financial report of the Commission for January 2013.**

2 Mr. Price gave the January 2013 monthly financial report:

3 **January:** The financial report dated January 31, 2013, shows 42 percent of the fiscal year remaining. The Zions
4 checking account balance was \$1,352.13; the money market account balance was \$16,552.90; and the Utah Public
5 Treasurers Investment Fund (PTIF) balance was \$255,428.30. The money market account balance received a rate of
6 return at 0.25 percent, and the PTIF received a return of 0.65 percent. There were two transfers to checking for
7 \$8,000 each on January 9 and January 28, 2013. Interest earned in January was \$146.77, bringing year-to-date
8 interest earned to \$1,218.68. The expenses for the month are listed in the middle totaling \$16,036.13. The General
9 Fund Budget Report is listed at the bottom, showing percents left in each of the accounts. An overall General Fund
10 balance of \$137,665.89, showed 53 percent of the budget remaining.

11 Mayor James Hadfield moved the financial report for January 31, 2013 be approved as presented; it was
12 seconded by Mr. Dean Olsen. The motion carried and voting was unanimous.
13

14 **4. Report from the Technical Committee.**

15 Mr. Greg Beckstrom, former Chairman and substitute for present Chairman Mr. Chris Keleher reported the
16 Technical Committee's (TC) updates, activities, and projects. With thick ice present, carp removal had been
17 noteworthy over the past month. As the ice melts, carp removal will be limited until spring fishing is back on track.
18 Mr. Mills reported 10 million pounds were removed since initiation 2.5 years ago. A study by Utah State University
19 (USU) is due in the spring with updated population estimates on the carp. After numbers are calculated, a sense of
20 the effectiveness of removal will show a significant dent in the carp population. Mrs. Rebecca Call asked if a time
21 frame for the USU figures was known. Mr. Beckstrom said it would be in early summer.

22 The phragmites removal team's (PRT) effort showed positive and significant improvements around the lake
23 particularly in the areas of Lindon, Provo Boat Harbor, Saratoga Springs, along the north shore of the lake, and north
24 and south of the Utah Lake State Park at the mouth of Provo River. Mr. Price is working hard to secure additional
25 funding through grants to expand phragmites removal to improve the shoreline of the lake and for maintenance.
26 Mayor Bert Wilson asked once the phragmites is removed, if a maintenance factor was done each year or if it would
27 end at a future time. Mr. Beckstrom said maintenance is ongoing annually, and it will reduce as success expands, but
28 in the current environment/problem, it will not go away.

29 Mrs. Call said asked how the ice floes were knocking the treated phragmites down. Mr. Beckstrom said there had
30 not been any ice changes with the temperatures. Ice floes are a combination of temperature and wind activity, but
31 would be anticipated about March/April. Mr. Price said when wind blows, it happens quickly and ice will pile up. Mr.
32 Dick Buehler said when the lake has had higher levels, ice piles up; low lake levels will not be as apparent. When the
33 outlet pumps are operating, phragmites has a tendency to plug up the intake screens, and it is a worry. They should
34 be pushed down and burned when possible. FFSL has extra money, which could be used to hire Mr. Jim Cross and his
35 equipment, to work in conjunction with the Land Tamers. Mr. Price said Mr. Ben Bloodworth and he are discussing
36 how to utilize the monies. Mr. Buehler said FFSL is making major efforts to deal with the phragmites in other critical
37 areas. Mrs. Call asked if other invasive-type weeds could be treated, the way PRT treats phragmites before they are
38 fully grown. Mr. Price said phragmites is sprayed early in the spring when it is coming up, and it stunts their growth.
39 When an area is done, it is checked closely the following spring to see if anything popped up and assure maintenance
40 treatment efforts are continued in the completed areas. Mr. Buehler said others are involved in phragmites
41 research. Ways are being investigated to make it commercially viable, as it is higher in protein than corn.

42 Mr. Beckstrom said the evaluation of permitting docks along the shoreline of Utah Lake is continuing. FFSL is
43 analyzing the issues and specific recommendations will be forthcoming. It will likely result in an amendment to the
44 Utah Lake Master Plan and at the state level. The current direction is a process to accommodate group permitting,
45 either HOA or a property owners group, moving away from individual dock permits.

46 A grant was awarded to evaluate the possibility of locating a Utah Lake Nature/Research Center at Utah Lake.
47 Locations being assessed are near the Utah Lake State Park, Powell Slough, near the Lindon/American Fork harbors,
48 or other options. The Technical Committee were engaged in discussing specific projects to achieve the goals of the
49 Master Plan, evaluating what can be done productively, and implement the goals related to the recommendations.

1 Mayor Dain asked if there were further questions concerning the report. There was none. He expressed
2 gratitude for the continued hard work of the Technical Committee.
3

4 **5. Report from Executive Director.**

5 Mr. Price said Bear Lake Commission representatives attended the Technical Committee meeting because they
6 wanted to see how TC operated. It was good to share with them the ways ULC operates.

7 TC discussed the Utah Lake Master Plan objectives and are undergoing a process taking objectives, categorizing
8 them, including land-use, recreation, education, and environment, and trying to identify specific projects to
9 accomplish the ultimate vision for Utah Lake. A price tag associated with the improvements will be determined.
10 Once in place, ULC would seek a long-term funding source to help accomplish the goals and objectives. A core group
11 of Committee members began the identification process for the land-use category. TC is reaching out to other public
12 interest groups, including recreational and sporting groups, who would be interested in improving access to the lake
13 utilizing either existing access or obtaining additional legal access points. Recreation-related goals will begin a similar
14 review process in March. In six to eight months, a “wish list” will be compiled for UL improvements, price tags
15 assigned, and long-term funding mechanisms listed. The website post is reaching out to the public and asking them
16 for their input and their wish list. Specific groups with a keen interest in the lake will be involved.

17 In a legislative request, he was invited to testify in front of the Natural Resource subcommittee for funding of a
18 carp processing facility. The subcommittee did not approve it to move forward to the executive appropriations
19 committee. Mr. Price will work with Representative Mike McKell, Vice Chair of the Committee, and will find a better
20 way to strategize and approach them next year.

21 PRT has submitted application for two grants for approximately \$175,000 total, to treat an area of about 1,000
22 acres on the south end of Utah Lake between Provo Bay and Lincoln Beach. Mayor Wilson asked if it was submitted,
23 but no notification had been received. Mr. Price confirmed his understanding. The UDAF grant ULC received last
24 year has been submitted and the other grant is in review process with notification due in April. ULC is confident it
25 should receive the funding, depending on the federal budget issues.

26 Utah County’s efforts to implement a shoreline overlay zone utilizing ULC’s model ordinance are being
27 considered. The County held a meeting to receive public input. The public who showed up were concerned about
28 the county putting zoning regulations on their land. They are working through the process to discover what the
29 appropriate role is, utilizing ULC support when needed.

30 The sponsored fourth grade field trips are coming up in April/May. Applications from the teachers are due at the
31 end of March with several applications already submitted. It is anticipated about 1,000 students will come to Utah
32 Lake State Park with ULC providing bus transportation. Mayor Dain asked if any applying school was turned away.
33 Mr. Price said yes. Mayor Wilson asked if it was first-in/first-out. Mr. Price said it was based upon criteria such as
34 how many lesson plans were used, were they engaged, and reactions. Preferential treatment will be given to schools
35 who have not attended in years past, as ULC wants to get other schools engaged. Different students come each year
36 for the experience, and it is generally obvious who would benefit the most based on the applications sent in. Mayor
37 Dain asked if the field trips were growing, noting it is a great outreach project, and asked if more budget money
38 should be allocated. Mr. Price said he would consider the offer, but the sessions rely on volunteers from other
39 agencies to participate so it becomes a scheduling issue.

40 Mr. Price asked Mayor John Curtis to report on his experience of biking across the frozen lake. Mayor Curtis said
41 he was moved by the stories of people getting on the frozen ice. His wife, son, and office personnel went with him,
42 prepared with life jackets, ropes, spikes, hammers, and other rescue items. Several of the bikes they had were not
43 good for the ice. There was snow on top of the ice, and pushing through it was hard, most of his group turned
44 around. Two members went across to Pelican Point and back. It was a beautiful experience, being alone on the lake,
45 and seeing the mountains and sky. To assure he did not go through the ice, Mayor Curtis checked on safety
46 preparation. Mr. Price said a lot of recreationists had been utilizing the frozen lake with several news media reports
47 of people running, hiking, and skating on the lake. Mrs. Call said DWR and Saratoga Springs Public Safety
48 completed ice training. She jumped in and they tried to keep her warm, doing everything to assure they are
49 prepared. Mr. Price said ice/winter recreation was so popular ULC has considered coming up with an annual event to
50 promote the lake. Mrs. Call said Saratoga Springs had their annual Polar Plunge in February and had to cut through

1 30 inches of ice. Saratoga Springs had over 300 jumpers, including her, in 2013 totaling more than any other year.
2 Mr. Buehler recommended utilizing ice fishing marathon as it is a popular activity.

3 Mrs. Call said as a Board Member, from her evaluation of the budget, if additional funding were needed for more
4 field trip transportation, she would be in favor of using unallocated funds for this purpose. Mayor Dain said the
5 Board sees the field trips as a resource. Mr. Price said he would discuss it with the partners and accommodate as
6 many students as they could.

7
8 **6. Presentation by Mr. Walt Baker and Mr. Leland Meyers regarding Utah’s approach for controlling nutrient**
9 **pollution.**

10 Mr. Price introduced Mr. Walt Baker, Director of the Division of Water Quality from Department of
11 Environmental Quality, who sits on the Governing Board, and Mr. Leland Myers, District Manager for the Central
12 Weber Sewer Improvement District. Mr. Baker said Mr. Myers is the Chair of the Great Salt Lake Advisory Council,
13 has responsibilities on the water quality board, and is the manager of the Central Davis Sewer District. Most
14 pretreatment ordinances in the state have consulted and utilized his expertise in wastewater treatment plants.

15 A key reason he was presenting was the nutrient loading on Utah Lake. The state was conducting a total
16 maximum daily load (TMDL) study to determine how much phosphorus as well as total dissolved solids was
17 appropriate for the lake and looking at other nutrient issues. With elected officials sitting on the Board, there are
18 future decisions that will need to be made and the members need to be aware of them.

19 A history of nutrient overload was given. In 1898, Sir William Crooks, went to the Academy of Advancement of
20 Science in Britain, identifying a major problem stating all civilized nations would be in deadly peril of not having
21 enough to eat with the lack of fertilizers to grow crops. Prior to World War I, they invented a mechanism for
22 extracting the prevalent nitrogen out of the atmosphere. During the war, phosphorus, potassium and nitrogen
23 fertilizers were produced. Today the US has 12 million tons of nitrogen fertilizer resulting in the ability to produce
24 crops. Because of the increased levels of nitrogen, there are violations in the water systems with runoff from
25 agriculture and unprotected or shallow wells. The trajectory is alarming as far as violating water quality in the
26 drinking water wells. He cited several examples throughout the United States.

27 Nutrients manifest themselves in the water system by sucking out the oxygen. The algae blooms and plant
28 growth suck the oxygen out of lakes, reservoirs, and flow streams, and other water sources. There is a problem in the
29 rivers and streams being able to support the uses, and it causes problems with taste and odor in the drinking water.
30 The drinking water is being treated to take algae out because of the problems it causes. There are 1200 data points
31 throughout the state of Utah with 51 percent of the stations having high nitrogen levels in the 75 percentile or above;
32 44 percent have high phosphorus, and 25 percent have both high nitrogen and phosphorus.

33 The number one source of pollution causing problems in Utah waters is excessive nutrients. Some wells have
34 been abandoned because of excessive nitrates. DWQ will work with the Division of Drinking Water (DDW) to
35 understand what is causing the problem. DDW abandons wells and then drills for a new well to continue. However,
36 DWQ would like to understand what is causing the problem with disposal – are the reasons agriculture or naturally
37 occurring nutrients in soils in the drinking water systems. He noted blue baby syndrome in infants who have
38 excessive nitrates in water, being oxygen-starved. The syndrome manifests itself in blue-tones to the lips and skin,
39 and it causes severe stunting of growth and neurological problems. Nancy Stoner, Administrator of the EPA over
40 water, issued a memo relative to nutrients and the expectation of EPA to control those. States should make it a
41 matter of study and concentrated effort to identify sources and outline a strategy for states to control nutrients.

42 There are standards for all kinds of pollutants, (127 priority pollutants, metals, dissolved oxygen, and ph) to
43 protect the waters. When standards are exceeded, it becomes problematic, and triggers a TMDL, they identify the
44 water as impaired, then a study is done to identify where the problems are, and then engage stakeholders to solve
45 the problem. Utah Lake serves as recreational waters, as a habitat for aquatic species, warm water species, and it
46 serves as a source for agricultural water. It is impaired because of the levels of phosphorus. Utah has not developed
47 the numeric criteria for nutrients. A cost study was done three years ago preparatory to the investigating the
48 strategy for trying to address the nutrient problem. Utilizing numeric codes for Utah Lake, 75 percent of the
49 phosphorus comes from wastewater treatment plants, 20 percent from streams, and the remaining five percent
50 comes from ground water sources. Costs for removal at the treatment plants were studied.

1 With 30 mechanical plants in the state, at one mg per liter phosphorus limit, it would be about \$24 million total
2 with operating and maintenance (O&M) costs of \$4.5 million. Each average residence connected to the treatment
3 plant would have to pay \$1 more a month. To reduce the phosphorus, a lot more expense would be incurred at \$11
4 more a month.

5 About 18 months ago the Nutrient Core Team (NCT)/Water Task Force (WTF) of stakeholders joined to help
6 develop a strategy. Representatives included a USU professor well-versed in nutrient pollution, NRCS, the Federal
7 Department of Agriculture, the State Department of Agriculture, a storm water expert, as it is a central element of
8 the strategy, Mr. Myers, a public treatment works representative, an aquatic biologist from DNR, an environmental
9 representative, wetland scientists, cities and towns, and corporate agriculture and EPA. The Utah guiding principles
10 and strategy for controlling nutrients is to be reasonable and be cost-effective with flexibility. An adaptive
11 management approach would allow moving in a different direction if needed and/or bring in other elements, and
12 judge those that aren't working.

13 Mr. Leland Myers said some suggest wastewater plants create all the problems in the world. He wanted people
14 to understand two things. First, the issue is not going to go away and will need to be addressed. Second, Utah is very
15 unique as there are few ecosystems with the dramatic difference between the urbanized area as the basic, with a
16 rural and desert area not urbanized. Utah's Great Salt Lake is different from every other kind of ecosystem in a water
17 body. A sense of solution for Utah is science-based, and it is allowing Utah to reach obtainable uses.

18 Numeric criteria means putting a number on a water body that can't be exceeded. EPA worries it would be
19 difficult to implement if a numeric value is not attached. Numeric values are simple to implement, and expensive to
20 actually comply. Every step down numeric valuation is a huge increment in additional cost that may double, triple, or
21 even quadruple the cost associated with it. Wastewater plants are looking at \$2-3 billion. Utah budgets do not have
22 enough money to spend on science to understand the ecosystem. The lack of science prevents Utah from being
23 accurate on what needs to be done. Choices need to be made of whether to implement numeric criteria or ignore
24 facts at a cost to the citizens and water quality leaders. Or Utah can ignore numeric criteria and stay close to the
25 status quo, but the risk would involve EPA coming in to take over the process. These are the challenges Utah faces on
26 this issue. NCT discussed the initial phases of where to go and what they wanted to achieve. They identified four
27 categories of water.

- 28 1. High mountain waters -- Waters in particularly good condition, natural in their setting, and extremely valuable to
29 the state.
- 30 2. Habitat impaired waters, or waters with significant problems -- Waters clearly have problems and won't go away
31 by fixing them. A dredged river is habitat-impaired; there are head cuts, erosion on the banks, and things not in a
32 natural state. Utah is looking at what can be done with habitat-impaired water, and what is obtainable.
- 33 3. Great Salt Lake -- Utah lacks information to know what to do. It is significantly altered with a dikes, causeways,
34 etc. But the altered additions may be the best condition for establishing habitat for birds, and the ability to attract
35 minerals, and other things. We don't know environmentally what the final endpoint should be.
- 36 4. Remainder of water bodies – There are three areas:

37 A. Green light area – these are high quality waters in good shape and they can be maintained but are not
38 Category 1 waters. In these areas by applying nutrient criteria, the condition may be maintained.

39 B. Yellow light area - waters are in reasonably good shape and biological indicators are good. However, they are
40 verging on numeric numbers that could look bad. In yellow areas, there is time to evaluate the waters to make sure
41 they don't get worse, but also not jumping head-on in trying to regulate the waters.

42 C. Red light area -- waters with high nutrient concentration, and have impaired biological conditions. Red areas
43 will be evaluated against what is achievable and it may end up with TMDL, which has been done at Utah Lake. But
44 this takes time, and Utah water leaders are proposing imposing some technology standards.

45 Habitat-impaired water is everywhere along the Wasatch front and are included because they have little natural
46 conditions with wastewater, storm water, industrial or other issues. These are the kinds of waters too complex to
47 analyze. Every Wastewater Treatment Plant (WWTP) is asked to get a numeric standard, based on technology, not a
48 water-quality based. At a few locations, the goal may not be achieved, but Utah needs to make an adaptive step
49 forward while better science is needed to make an ultimate change.

1 Within the next ten years, treatment plants will have to discharge a 10 on total inorganic nitrogen, which is not as
2 bad as a 10 on total nitrogen as it would cost more money. On average, it would be \$3-6 for each user to upgrade
3 the facility to meet the standard. What mitigates the two numbers? First, is the opportunity to dispute whether or
4 not it is needed and, second, if science can be generated to show it is not necessary, and the process can be stopped.
5 It takes a scientific analysis to show it won't, it is not achievable, and doesn't need to be reached at that point as a
6 pollutant.

7 The state budget does not have money for numeric criteria. If individual municipalities want to be proactive and
8 show it is not necessary, they will have to put forth the money to get it done. The second thing is the state research.
9 Regulators are doing research also, and they find enough evidence to demonstrate a specific water body needs
10 additional protection. These changes result from a technology-based standard, and may drive up additional
11 treatment and costs.

12 The bottom area is the EPA standards bar. Proposals the EPA is working on for storm water could be released as
13 early as the middle of 2013, and have a significant impact. The final rule is everything EPA has proposed could be the
14 most expensive rule in their history. It is an area where the costs are undefined. He cited the EPA idea for new low-
15 impact development criteria requirements. Development plan documents may receive a new guidance series
16 requiring a green infrastructure.

17 Mr. Hadfield said their design works well where water percolates into the ground, but not where there are high
18 levels of clay and soil. Mr. Myers said construction would be required to make sure it would percolate into the
19 ground. He concurred with Mayor Hadfield that it is complex, but it is on the EPA books as to the things they are
20 concerned about and want to enforce.

21 As a non-point source, it is generally agriculturally-based. It is expensive to change completely the way farming is
22 done. Where it is prevalent, subsidies are in place for the farmers. Agriculture is not covered in many areas of the
23 Clean Water Act, nonpoint source is not covered, and EPA is trying to force the states to make the difference with
24 state regulations with the cost being born by the citizens. NCT is going to address an ag-centric portion including how
25 to help agriculture. The funding mechanism could be general funds or assessment on every one's sewer bill at \$1 a
26 month. The reason to move the agenda forward is agency (EPA) deference. "Where the agency (EPA) follows proper
27 procedures and acts with a reasonable basis, both in the choice of scientific data and interpretation, an application of
28 the data to real world conditions are entitled to deference," meaning the courts will not intervene in the process. If
29 EPA decides to meddle, little can be done to stop them. A reasonable attempt by Utah to address the issue fully is
30 needed to keep them at bay; doing nothing is not an option.

31 Mrs. Call asked if the state had any outreach with the universities outputting scientific data. Mr. Myers said if the
32 state had enough information scientifically to justify a different position, Utah could win. There is no federal money.
33 Whatever little bit allowed is funneled to the goal of trying to understand the ecosystem well enough to know what
34 can and should be achieved. People would suggest it is not good science but in the political reality of the current
35 administration, and the current direction we are headed is what needs to be done. Good can be achieved by
36 reducing nutrients in the ecosystems.

37 Mr. Myers asked if there were questions. Mr. Larry Ballard asked if there was a date on the court decision. Mr.
38 Myers said it was as recent as 2012. Most of it comes from EPA, and regulations are being generated based on lack
39 of/no science and an issue called cautionary principles. It is good science in some cases. If we can remove the
40 pollutants before it gets to the reservoir, money is saved and there are other benefits. Someone asked if the problem
41 is the numeric value. Mr. Myers said yes, and they were working on an adaptive step forward. Someone said he
42 believed it was in the plan that EPA was going to start charging large buildings with large parking lots fees for the
43 rainwater landing on their property. Mr. Baker said it won't be EPA charging the fee, but it will be through the
44 municipality's storm water management programs, most of the Governing Board's cities have a storm water program
45 with levying a fee and others another process through the communities.

46 Mr. Chris Keleher asked if there were any ways to recoup some of the costs of the treatment by recycling
47 phosphorus. Mr. Myers said there were technologies allowing recapture of the phosphorus because of the high
48 economic values as it a limited resource, but it costs more than to sequester it in the bio-solids; money can be
49 recovered, but not as much what was spent to do it.

1 Mr. Beckstrom said unique characteristics of Utah Lake are similar to Great Salt Lake that creates some serious
 2 scientific questions. The benefit of nutrient reduction of storm water discharges or anything else of Utah Lake being
 3 anywhere near the same value as a reservoir does not equate. With Utah Lake, it sounds like a small forward step is
 4 being taken environmentally in terms of nutrient reduction and discharge into Utah Lake, without a particularly high
 5 level of confidence it is going to make any difference. If the small step forward is taken today, we are avoiding EPA
 6 dictating a much larger step forward thereafter. Mr. Myers confirmed his understanding. The policy makers and
 7 their cities need to look at funding research to make sure they know strict regulations will not help their
 8 communities. If it can be shown through good research, EPA can't interfere in Utah County. Mr. Beckstrom said,
 9 they all agreed scientific research is unknown and is going to be difficult to document. A concern is the burden of
 10 proof and cost for generating the scientific information will be shifted from the regulator to the regulatee. Mr. Myers
 11 said it is a valid concern, but the regulator will not have the money to do the science right; and if it needs to be done
 12 right, it should be done by the cities/counties. With budget cuts, the federal government will not give money back to
 13 the states to do research and the state is not a big proponent on spending a lot of money on research.

14 Mr. Baker said the TMDL on Utah Lake provided an indicator value of phosphorus. It has not manifested itself in
 15 the problems normally seen with the levels in the lake and there are reasons for it. Utah Lake is not exporting the
 16 level of phosphorus coming into the lake without exporting it down into the Jordan River. It is being sequestered in
 17 sediment. The shallow lake, turbidity, and photosynthesis axiom would generally have those levels of pollutants or
 18 nutrient levels, so the TMDL is in abeyance. DEQ wants to see the carp removed, then do more studies to see if it has
 19 pegged the answers or not. In normal limits, the phosphorus limitations need to be met. Now, DEQ doesn't know if
 20 it is the case and won't be the case until science is in place to back it up.

21
 22 **7. Presentation by Mr. Dave Pack, Scout Executive of the Boy Scouts of America National Parks Council, Boy Scout**
 23 **Property Needs on Utah Lake.**

24 Mayor Wilson proposed to move forward to the next agenda item. He excused Mayor Dain who left due to a
 25 prior commitment, and Mayor Wilson assumed his role of vice-chairman.

26 Mr. Dave Pack, Scout Executive of the Boy Scouts of America National Parks Council (BSANPC), discussed property
 27 needs on Utah Lake. The National Parks Council is the largest in America with over 84,000 registered boys and 43,000
 28 registered adults, with 60 percent of the membership in Utah County. Attendance and over-utilization of properties
 29 by Boy Scout members throughout the years has worn out the established properties. BSANPC is in the process of
 30 raising the capital to rebuild and replace some of the properties. Multiple properties are needed closer to Utah
 31 County to provide for membership closer to their residence so travel is not as far. Activities such as high adventure
 32 would be implemented at the sites.

33 BSA would like to solicit ULC help to identify potential Boy Scout properties around the lake to be used by the
 34 community and it would impact a high percentage of youth in the valley. A majority of the families is connected to
 35 the BSA and families utilize the facilities. BSA is seeking any help from the public or Board members to identify
 36 properties, work through the red tape, build on the properties, and provide opportunities for youth camps. Mayor
 37 Wilson asked what size of acreage requirement was needed. Mr. Pack said the requirement was based on the
 38 number of expected campers. In order to be an overnight camping situation for scout units around the valley, it
 39 would need to be in the neighborhood of 100-200 acres. Then the facility would regulate the numbers who can
 40 attend based on what is available. Mayor Wilson said members think a lot of the Scouts, and it is an important thing
 41 ULC can work on and look at the proposals with BSA. Mr. Pack said nothing could utilize the properties around Utah
 42 Lake like the Boy Scouts. Mayor Jim Evans asked if it was similar to the aquatics camps, at Bear Lake or Schofield.
 43 Mr. Pack said they would like an opportunity to put bigger sail boats on the lake and move from location to location
 44 around the lake, in a high adventure fashion for 14 years and older. Another location could have 12-13 year old Boy
 45 Scouts camp on a weekend. They are faced with high costs and travel distance to be able to go into a camping site,
 46 so more properties are required. Another reason is in 15-20 years, BSA's membership projection will be 120,000
 47 youth. Mayor James Hadfield said it would be nice to consider a multiple-use facility such as the Nature Center for
 48 Utah Lake and have it co-located with some BSA use.

49 Mr. Pack said the BSA Master Plan is for all the facilities to become multi-use facilities. Mayor Hadfield said the
 50 number of people, access to utilities, power, water, and sewer have to be closely scrutinized each year. He asked if

1 Mr. Pack was coming to the Board for recommendations. Mr. Pack said yes. He will follow up with each city for
2 recommendations. American Fork and Lehi have worked in identifying some properties. If others were actively
3 engaged in locating the properties, it would help. Mr. Price said preliminary work with BSA and Mr. Buehler showed
4 various areas. Mr. Pack's purpose for coming to the meeting was to formally address the Board and make them
5 aware of their intentions to do something on Utah Lake to benefit BSA.
6

7 **8. General Comments from Board Members and the Public.**

8 Mr. Mike Styler said several water bills were before the 2013 legislature. He stated he felt Senator R. Okerlund's
9 SB109 bill needed to pass. They worked hard to get a compromise with the League of Cities, and it is a bill the cities
10 and water users can live with. However, Representative K. McIff's HB123 bill is competing against SB109.

11 Mrs. Finlinson said the water community over the past six years has developed a process. Mr. Styler had the
12 Executive Water Task Force and the Water Coalition review it. If a bill or concept can get through the established
13 process, it is a good bill. SB109 has not been easy to get it through the process as almost everyone dislikes the bill,
14 and thinks it has gone too far, which is an indication it is a good bill. However, anytime HB123 has not gone before
15 any entities, it has been turned down. The concepts contained within it are not liked except for one provision. Mr.
16 Styler invited Representative McIff to present before the Task Force but the representative did not want it voted on.

17 Mayor Hadfield asked what Representative McIff wanted. Mrs. Finlinson said he created a whole new class of
18 people who can apply for a change application. If passed, it would create enormous problems for groups such as
19 cities, CUWCD, or anyone because it opens up the change application. CUWCD could live with the component
20 pertaining to water shareholder rights. CUWCD would like to salvage that part, and amend out the other parts so it
21 can go through as a package as SB109 and HB123. Comments say SB109 will be held hostage in the House and it has
22 never been heard of. SB109 deals with the authority of the state engineer and works on a couple of State Supreme
23 Court issues from a few years ago that are important to the water community. It has been difficult and everyone has
24 worked hard.

25 Mayor Hadfield asked if the League of Cities was not behind the SB109. Mr. Styler and Mrs. Finlinson said yes.
26 Mr. Styler said the League and water community are behind it. He asked Utah County Board members to let the
27 Speaker of the House know that SB109 is a good bill. Utah County has a lot of new legislators who are in their first
28 few years as new legislators and they have a natural tendency to follow influential people in their own area. He
29 asked them to contact the legislators and let them know Senate Bill 109 is an important bill needing to pass, and
30 HB123 needs some work with component parts the water community can't endorse.

31 Mayor Hadfield said Representative McIff comes from Richfield with a background in legal arena and was a judge.
32 Actions of previous state engineers have caused problems. He cited several examples his city has had to face with
33 water rights and the duration and complexity to transfer them holding up development and causing lawsuits.
34

35 **9. Confirm the next meeting of the Governing Board to be held on Thursday, March 28, 2013 at 7:30 a.m.**

36 Mayor Wilson confirmed the next meeting is scheduled at the Historic Courthouse Ballroom (3rd Floor) on
37 Thursday, March 28, 2013 at 7:30 a.m.
38

39 **10. Adjourn.**

40 Mayor Hadfield moved the meeting be adjourned; it was seconded by Mayor Curtis. The motion carried and
41 voting was unanimous. Mayor Wilson adjourned the meeting at 9:17 a.m.