



Governing Board

Thursday, October 27, 2011, 7:30 A.M.
Historic Utah County Courthouse, Ballroom
51 South University Avenue, Provo, Utah

ATTENDEES:

Chair and Commissioner Larry Ellertson, Utah
County
Chris Finlinson, Central Utah Water
Conservancy District
Mayor James Hadfield, American Fork City
Mayor Jim Dain, Lindon City
Councilman Mike Cobia, Mapleton City
Mayor John Curtis, Provo City
Councilman James Linford, Santaquin City
Councilman Dean F. Olsen, Springville City
Mayor Randy Farnworth, Vineyard Town
Bob Fisher, Woodland Hills Town
Robyn Pearson, Utah Dept. of Natural Resources

ATTENDEES:

Walter Baker, Utah Dept. of Environmental
Quality
Dick Buehler, Utah Division of Forestry, Fire, and
State Lands (FFSL)

INTERESTED PARTIES / VISITORS

Greg Beckstrom, Technical Committee
Greg Flint, Santaquin City
Rick Cox, URS
Mike Mills, JSRIP
Ben Anderson, Utah Division of Water Rights
Ben Reeves, Santaquin City Manager
Scott Christensen
Bob Trombly, Provo City

ABSENT:

Lehi City, Orem City, Pleasant Grove City, Saratoga Springs City, and Utah State Legislature.

1. Welcome and call to order.

Commissioner and Chairman Larry Ellertson called the meeting to order at 7:35 a.m. He welcomed the members of the Governing Board, municipal leaders, and public visitors.

2. Review and approve the Utah Lake Governing Board minutes from meeting of August 25, 2011.

Commissioner Ellertson asked for discussion, comments, or corrections for the minutes of the August 25, 2011 meeting. It was motioned by Mayor James Hadfield to approve the minutes of August 25, 2011, and it was seconded by Mayor John Curtis. The motion carried and it was unanimously approved.

3. Review and approve the monthly financial reports of the Commission for August and September 2011.

Mr. Price reviewed the August and September monthly financial reports:

August: The financial report dated August 31, 2011, shows 83.3 percent of the fiscal year remaining. The Zions checking account balance was \$1,536.92; the money market account balance was \$241,606.59; and the

1 Utah Public Treasurers Investment Fund balance was \$113,523.12. The money market account balance
2 received a rate of return at 0.69 percent, and the PTIF received a return of 0.56 percent. There were two
3 transfers to checking for \$7,000.00 on August 10, and \$9,000.00 on August 24, 2011. Interest earned in
4 August was \$190.46, bringing year-to-date interest earned to \$306.60. The expenses for the month are listed
5 in the middle totaling \$16,122.84. There is nothing out of the ordinary expended during the month of
6 August. The General Fund Budget Report is listed at the bottom, showing percents left in each of the
7 accounts. An overall General Fund balance shows \$226,468.66 with 88 percent of the budget remaining.
8 **September:** The financial report dated, September 30, 2011, shows 75 percent of the fiscal year remaining.
9 The Zions checking account balance was \$912.38; the money market account balance was \$246,185.35; and
10 the Utah Public Treasurers Investment Fund balance was \$119,572.11. The money market account balance
11 received a rate of return at 0.64 percent, and the PTIF received a return of 0.60 percent. There were two
12 transfers to checking for \$14,000 on September 7, and \$10,000 on September 21, 2011. Interest earned in
13 September was \$182.83, bringing year-to-date interest earned to \$489.43. The expenses for the month are
14 listed in the middle totaling \$24,624.54. The out-of-the-ordinary payments included the junior high
15 curriculum project, which we conducted in July. Provo School District was the fiscal agent, and we
16 reimbursed them \$3,581.66, the cost of the teachers we used to help create the junior high curriculum.
17 Liability insurance premium for the Commission came due totaling \$3,429.00. The annual financial review bill
18 came to \$1,650.00. The General Fund Budget Report is listed at the bottom, showing percents left in each of
19 the accounts. An overall General Fund balance of \$201,844.12, showed 79 percent of the budget remaining
20 in September.

21 Mayor Hadfield moved the financial reports for August 31, 2011 and September 30, 2011 be approved as
22 presented and it was seconded by Mayor Randy Farnworth. The motion carried and voting was unanimous.

23 a. Review the completed financial statements of the FY11 financial review.

24 Mr. Price presented the yearly financial review/report from Squire and Co. As a governing body, the
25 Commission is required by law to conduct a financial review of its accounting procedures, system, and record
26 keeping. The Commission's budget is under \$350,000, and only a review is required and is less costly. Squire
27 conducted the financial review in the summer and outlined their findings.

28 Mr. Price went through the report:

29 On page 1, first paragraph, it states, "The review is primarily upon analytical procedures to
30 management's financial data and making inquiring of Commission's management. A review is substantially
31 less in scope than an audit, the objective of which is the expression of an opinion regarding the financial
32 statements as a whole." Paragraph 4 is a summary of their findings, "Based on our review, we are not aware
33 of any material modifications that should be made to the accompanying financial statements in order for
34 them to be in conformity with accounting principles generally accepted in the United State of America." The
35 Commission has done a good job reporting and keeping track of the financial records.

36 Statements explain the net assets and liabilities, including long-term accounts. It shows the Commission
37 has a total of net assets of \$174,686 (page 6) and a change in assets (page 7) of \$3,838, meaning the
38 Commission saved money during the fiscal year. On page 8, it shows it has unassigned funds to the general
39 fund totals \$88,225 and \$84,989 in the capital projects fund. In the 2010 review, the term used for
40 unassigned balances was "undesignated." The rules changed and the terminology went from "undesignated"
41 to "unassigned" for this review. The statement of fund balance on page 10 of general fund shows a balance
42 of \$100,375. By law, the Commission can have no more than 25 percent of the budget as undesignated. The
43 Commission slightly exceeded it. During the budget process of 2011, some of the money was used from the
44 fund to balance the budget with the current year. There is \$32,000 the Commission used for the fund
45 balance of 2012, bringing our fund balance down to within the 25 percent allowed. There are descriptions of
46 different aspects explained at the end of the report. The accountant's report was positive saying the
47 Commission is keeping good track of its financial resources. No action was needed from the Board. It was an
48 independent report provided for review by the Board and for the state auditor's office. Commissioner

1 Ellertson asked for questions from the Governing Board. There was none. Commissioner Ellertson thanked
2 Mr. Price and Mrs. Carin Green for their work in the financial areas.

3
4 **4. Report from the Technical Committee.**

5 Technical Committee Chairman Greg Beckstrom reported on the Technical Committee’s activities. An
6 issue and concern of northern pike infesting of Utah Lake was brought before the Committee. Discussion at
7 the previous meeting suggested DWR was in the process of establishing a rule that would require any
8 northern pike be killed and not released back into the lake. Northern Pike is a predator fish, and DNR is
9 interested in controlling the predator population.

10 A report from Santaquin City and wastewater options was given. They had questions with how to
11 proceed with their current issue. The presentation was similar to the one to be heard by the Governing
12 Board later in this meeting. After a lot of dialogue and exchanging of information, feedback was provided.
13 After the discussion, Mr. Price prepared a letter and forwarded it to Santaquin City.

14 The Committee had a significant discussion of private docks on Utah Lake. FFSL indicated they have had
15 inquiries and proposals for docks. They are looking at adopting some formal criteria for the policy. The
16 Technical Committee was used as a forum for discussing the issues and concerns of the potential criteria to
17 be included in the policy. With the information received, FFSL will meet with their resource board. A policy
18 will be coming forth in a prepared draft format. The Technical Committee anticipates reviewing the draft.
19 Part of the challenge is maintaining the integrity, safety, and functionality of the lake at the same time
20 balancing it against a desire to serve and accommodate the interests of some land users along the shoreline.

21 Technical Committee members attended the Utah Lake Symposium. The presentations had good reports
22 and information. The presentations included seismic evaluation, core samples, JSRIP reports, understanding
23 the history, the nature, and challenges associated with Utah Lake, and others. Mr. Beckstrom said it was
24 important for everyone to have a better understanding of Utah Lake.

25 Commissioner Ellertson asked for questions of the Board; there were not any. He reiterated the
26 Governing Board’s gratitude for a vital and well done role the Technical Committee fulfills.

27
28 **5. Report from the Executive Director.**

29 Mr. Price gave his Executive Director’s Report to the Governing Board. An update of the phragmites
30 removal effort and plan was provided to the Governing Board in a previous meeting. He was encouraged by
31 the Board about the progress being made. During the previous meeting, an individual in the audience raised
32 questions and concerns about the type of spray, and if the Commission would address the issues, which were
33 considered. The individual asked if the Commission was aware the label had a warning of applying the
34 chemical in shallow areas; whether or not the chemical is registered for use in the state of Utah; the chemical
35 manufacturer was from out of the country; and the company would assume no liability if something went
36 wrong. Mr. Aaron Eagar in Utah County, Mr. Ben Bloodworth at FFSL, and Mr. Price reached out to
37 representatives of the Department of Agriculture to evaluate if his concerns had any merit.

38 After reviewing the label several times, there was no warning of being used in shallow waters, as it is an
39 aquatic-rated herbicide designed specifically for water environments. The chemical is registered to use in
40 Utah, and the manufacturer of the chemical is based out of Illinois. The citizen’s concerns raised resulted to
41 be unfounded and the Phragmites Removal Team (PRT) continued with the project. PRT had a successful
42 spray in the Saratoga Springs Bay area and a section of the land on the south end of Saratoga Springs near
43 the marina. In total, 360 acres of phragmites were treated by helicopter. PRT is anxious to see successful
44 results in the spring. During the winter, PRT can do a lot of work removing the biomass by taking in the Land
45 Tamer vehicle and smashing it down in strategic areas. It is anticipated, the ice removal in early spring will
46 remove much of the biomass as well.

47 Mr. Price had been asked to keep the Governing Board apprised of any grant monies and how much was
48 spent. At present, about \$40,000 is earmarked for this project with Commission contribution of \$10,000 and

1 a \$30,000 grant from the Watershed Restoration Initiative. To date, \$9,000 in chemical and spraying costs
2 has been spent. This is in addition to the county crews' work of removing the biomass and other crews
3 removing Russian olive and tamarisk along the shorelines.

4 He updated the group on the compromise elevation. It peaked at about 2.5 feet above compromise this
5 year. Currently the Lake is right at compromise and the gates will remain open as long as the lake level is
6 close to compromise. The water managers will recognize being at compromise elevation in October means
7 potentially there could be flooding issues in the spring if winter snow is the same. Allowing more water to
8 drain out of the lake might prevent flooding.

9 There has been discussion with city planners and staff on the model ordinance. Many of the shoreline
10 members are moving forward to review the model ordinance the Commission provided. American Fork was
11 recognized for already passing their version of the regulation. Within the next few months, a meeting will be
12 held to discuss any unforeseen obstacles that are difficult to overcome and finding solutions for them.

13 Mr. Dick Buehler, Mr. Lee Hansen of the Technical Committee, Boy Scouts of America leaders and Mr.
14 Price spent the day, October 26, trying to find property adjacent to Utah Lake suitable to use as a Cub Scout
15 day camp, or a sea-base camp/aquatic-type facility. Several parcels of land were identified and deemed
16 potentially beneficial to the Boy Scout organization, if the property owners are willing to work with them.
17 Mr. Price felt the camp would be a positive thing and would bring interest and exposure to the lake.

18 With the upcoming election, Mr. Price told the Governing Board he would be willing to give a 15-20
19 minute presentation at their council meetings or work sessions to explain what the Commission is doing.
20 There may be some turnover with the council members and new members might not know what is
21 happening. The Commission wants to engage new members and let them understand the Commission is
22 making great strides in the collaborative efforts of all the municipalities and other lake stakeholders.

23 Mayor Curtis commented the individual who had issues on the chemical spray is a Provo City resident.
24 He thanked Mr. Price for taking the resident's comments seriously. He pointed out the Commission's job is
25 to protect the citizens and the Lake. Questions such as the ones the citizen asked are important and the
26 Commission needs to make sure it is doing the right thing. He was pleased the Commission was doing the
27 right thing, had researched the information, and found the right answer.

28 Mr. Buehler said Mr. Price mentioned the Jordan River gates were still open, which is unusual for this
29 time of year. By the middle of October, the gates are closed. He could not remember when the gates were
30 left open since the floods of the 1980s. Generally, no Utah Lake water goes into the Jordan River at this time.
31 If the gates remain open for a long time, it means we may not have the high water next spring because the
32 water is going out now. If the water continues to go up, it will not rise to the extent of last year.

33 Commissioner Ellertson said it might be interesting for someone to explain how the decision is made
34 about the gates, and the decision-makers who regulate the gates. Mr. Ben Anderson, from the Public Water
35 Users Rights, volunteered the information. He was involved on the flood gate decision-making process. Utah
36 Lake works under a legal compromise agreement so water levels above compromise require the gates to be
37 fully open. Recently, they were at compromise level and when it drops below the level, they close the gates,
38 and it might come right back up again, so they are keeping them open for a while. They anticipate the level
39 will stay close to compromise until next year. Commissioner Ellertson asked if it was the Division of Water
40 Rights who decides. Mr. Anderson concurred stating Commissioner John Larsen of Utah oversees the
41 decision and has the final say. The Water Rights Users get a lot of input from the landowners around the
42 lake.

43 Mr. Buehler said one part of the compromise agreement is they legally have to open the gates at
44 compromise. It takes a crane to open the gates, which is expensive. When Mr. Buehler spoke with Perry
45 Smith, the manager at the gates, he stated he could not afford to bring a crane in to open the gates when it
46 gets just below compromise, close the gates, and then have to open them up again. The whole thing has to
47 stay open at compromise or they are violating the compact. It will be interesting to see what happens.

1 Mr. Hadfield said it had been a unique year because American Fork River routinely dries up the end of
2 July, with nothing coming into the lake during August and September. He was at the boat harbor the day
3 prior and noticed the river with a substantial flow in the American Fork River. Flows coming out of the
4 canyon are unique as compared to the previous 8-10 years.

5 Mr. Jim Linford asked what the water level was in the upper reservoirs. Mr. Buehler said it was high. Mr.
6 Anderson did not know and referred Mr. Linford and the Governing Board to the website for up-to-date
7 elevation data, stating the gates had been open all the time. Mr. Price said when the gates are open it
8 pushes the water as far as the gates will allow. Commissioner Ellertson said Deer Creek was still high.

9 Commissioner Ellertson understood efforts were progressing on settling shoreline issues. Mr. Buehler
10 concurred. He said seven were trying to complete settlement from the 30 land-owners who filed a lawsuit.
11

12 **6. Review and approve tentative schedule for next year 2012.**

13 Mr. Price explained the traditional schedule was to hold meetings on the fourth Thursday of each month
14 (unless there is a holiday) at 7:30 a.m. It is noted the location and time may change. An Executive
15 Committee focus was to consider moving the meeting to different municipalities during the year and allow
16 the different cities an opportunity to host a meeting to explain what their plans are for the lake and how they
17 perceive the Commission benefits their community. This may be done a few times during the year with
18 ample notice being given if the meeting is to be moved. The Commission needed to verify the schedule to
19 assure the ballroom location. Mayor Hadfield asked what support there was for the meeting scheduled
20 during Christmas week. Mr. Price said it was generally cancelled unless there was an important need.
21 Summer meeting times are also changed or cancelled with different activities. The Executive Committee has
22 been supportive believing if there is no need for a meeting one shouldn't be held and only then if they were
23 beneficial and/or necessary. It was motioned by Mayor Jim Dain to approve the Governing Board meeting
24 schedule for 2012 and seconded by Mr. Linford. The motion carried and it was unanimously approved.
25

26 **7. Elect a vice-chair for the Utah Lake Commission Governing Board.**

27 Commissioner Ellertson said the position of Vice-Chairman needed to be filled with the passing of Vice
28 Chair and Orem Mayor Jerry Washburn. The Executive Committee discussed the position and they
29 nominated Mayor Jim Dain of Lindon to fill the post. He asked if there were further nominations or
30 discussion. Mayor Curtis said he supported Mayor Dain, as he was an original member who took part in the
31 Commission creation. He seconded the nomination of Mayor Dain. Commissioner Ellertson asked for further
32 discussion or nominations. Mayor Hadfield moved nominations for Vice-chairman cease; it was seconded by
33 Mr. Cobia. Voting was unanimous. Commissioner Ellertson called for the motion, and it was unanimously
34 approved Mayor Dain be placed in the position of Vice-Chairman. Mayor Dain said there was not a man he
35 respected or admired more than Mayor Washburn.

36 Commissioner Ellertson said Orem Mayor Jim Evans might want to join the Commission. He asked Mr.
37 Price to contact him and he could introduce the two men. Mr. Price said he was in contact with Mr. Bruce
38 Chesnut, who will introduce him. He planned to sit down and explain the Commission to the new mayor.
39

40 **8. Presentation from Greg Flint, Planner at Santaquin City, on their wastewater treatment concerns**
41 **including potential for discharge to Utah Lake.**

42 Mr. Price gave the historical reasons and background for Santaquin's plan to discharge wastewater into
43 Utah Lake. Mr. Linford, Governing Board representative of Santaquin City, had approached Mr. Price. The
44 city is facing an issue relating to wastewater treatment capacity. The city had made significant progress going
45 through a review process to approve a new wastewater treatment facility. They were ready to sign an
46 agreement with the company to begin construction on the facility when a group of citizens wanted to look at
47 the proposal. A membrane filtration facility had been approved and was ready for construction. The plant
48 would provide secondary irrigation water throughout the city. Funding had been in place with a significant

1 bond. An item is on their November ballot to see if the funding can be used for that particular purpose.
2 Their current lagoon system is land-applied, and they do not discharge into Utah Lake. One of the six options
3 they are evaluating at present is to potentially discharge into Utah Lake and they have approached the Utah
4 Lake Commission to weigh in on the issue.

5 Mr. Greg Flint, Santaquin’s planner and Technical Committee Representative, had presented to the
6 Technical Committee. During the meeting, he was given advice from the members. Due to time constraints,
7 a recommendation was made the Executive Director draft a letter based on their recommendations, and
8 forward it to the city, which was done. A copy of the letter states, “the desire of the Commission is to
9 maintain or improve water quality in Utah Lake.” The Technical Committee felt the focus be limited to water
10 quality of Utah Lake. Mr. Linford requested the Governing Board hear the issue and endorse the letter
11 written to Santaquin City or take other action deemed necessary.

12 Mr. Flint stated Santaquin had wastewater concerns. He presented the six options Santaquin City
13 considered, one of which was discharging into Utah Lake. By history, in 1991, Santaquin voted to move
14 forward with a city wastewater system for the entire city rather than a septic tank system. Between 1992
15 and 1995, the city bonded and constructed a lagoon treatment system. The system was designed to process
16 .49 million gallons per day (mgd) with a maximum capacity load of 4,939 residents, and the system should
17 last until 2010-2012. Since then, Santaquin experienced a 5-8 percent growth every year. In 2003, Santaquin
18 needed to look at more options for the wastewater treatment plant. More winter storage was added but it
19 did not add capacity to treat the water. Also, Santaquin added 20 annexations between 2000 and 2003,
20 increasing their population. The 2004 population was 6545, and had exceeded its capacity, and additional
21 winter storage was sought. Currently, the 2010 census showed 9,128 people. The problems of providing
22 sewer and wastewater treatment for the area evolved from the amount of population growth.

23 Santaquin currently has a lagoon system with two winter storage ponds. The Type II water is land-
24 applied on two city-owned fields totaling 100 acres to the south and west area of the lagoons. This is leased
25 to people who raise alfalfa.

26 Santaquin is facing wastewater concerns with more land application to discharge more water. A third
27 issue is with pumping. About 40 percent gravity flows to the current lagoons. The other 60 percent flows to
28 the north to a lift station with two pumps, and pumps the wastewater to the lagoons. The pump stations
29 have been operating close to maximum capacity, and the state requires a standby pump at all times. The
30 North Orchard Lift Station, is located at the town’s north end, and pumps 1000 gallons per minute. At
31 present, there are no problems. Pumping into the existing lift station will cause problems as development
32 happens at the north end of town. Between 2005 and 2009, a Wastewater Facility Master Plan was put
33 together with six alternatives. The city studied the long-term wastewater treatment options:

34 **Alternative 1:** No Action Alternative

35 **Alternative 2:** Upgrade the Lagoons/Expand Land Application getting more land to apply Type II water on it.
36 Upgrading the treatment process is not the issue. Santaquin knows they can upgrade to treat the water, but
37 more land is needed to apply the water that comes out the back end of the treatment process. There is land
38 around that could be utilized to expand the treatment with land application on the alfalfa fields. The land
39 owners have orchards and other agricultural production, and they have come out and said they do not want
40 to use type II water on their lands and some have threatened legal action. The city needs an additional 62
41 acres just to meet the ground application of the water.

42 **Alternative 3:** Upgrade the treatment at Lagoons/Discharge to Utah Lake

43 **Alternative 4:** Send wastewater to Payson for treatment

44 **Alternative 5:** Mechanical Plant (Membrane Bioreactor or MBR) is the most favored alternative by city staff.
45 Quite a bit of work has gone into this alternative. After studying the information, Santaquin City used \$1.9
46 million from city funds to design the MBR facility and received the necessary construction approvals. Funding
47 approvals from various agencies for construction of an MBR facility have been obtained. The project was
48 sent out to bid contingent to closing on \$9.9 million in bonds. Some citizens became upset with the project

1 and the \$20 per month increase in their utility bills. A referendum was initiated to the City Council-approved
2 bond resolution, so the \$9.9 million bond issue has been placed on the November ballot. With the upcoming
3 election, there are discussions and beliefs within the city that by voting down the bonds in the upcoming
4 election, the funding package will stop the MBR facility from being constructed and then lower the sewer
5 rates as previously. Even if the bonds are voted down, the city must still find a solution for its over-capacity
6 lagoon and land application, and so the other alternatives would have to be explored.

7 **Alternative 6:** Regional Wastewater Plant. The regional plan talked about was for 2030, but Santaquin needs
8 to move forward with an interim plan to treat wastewater.

9 Santaquin's Type II water is currently being used for the land use. MBR produces Type I water that is
10 reusable. Utah Lake is to the northwest of the city and requires 20,000 linear feet of pipe to reach it and
11 utilize the gravity flow. The pipe would go along Highway 6 and through Genola. The route would require
12 public/private easements through either right-of-way or private land as needed. The discharge point would
13 be in the southern end of Utah Lake. The point where it should be placed has not been determined, but it
14 would be at the south end of Utah Lake. The processes would be approved with the Department of Water
15 Quality, the Army Corps of Engineers with the wetlands, and BLM land at the south end. The impending
16 progress of TMDL of Utah Lake is a concern and could have limited effects on what discharges into Utah Lake
17 and the type of water it could receive. The Technical Committee advised is about 5-10 years out.

18 Santaquin took the feedback they received from the Technical Committee knowing additional permits
19 would be required. After considering the comments they received, Santaquin asked Mr. Price to write a
20 letter from the Technical Committee stating what Utah Lake Commission's position would be to support
21 water quality issues into the lake. The letter stated the Utah Lake Commission's position would be to support
22 actions that maintain or improve water quality of Utah Lake as identified in the Master Plan. He strongly
23 encouraged in the letter to support water treatment methods to support the water quality of Utah Lake.

24 Mayor Dain asked if Type II water was already coming into the lake. Mr. Price identified that Salem has a
25 series of lagoons, went through the permitting process, and can discharge into the lake. Mr. Walt Baker
26 clarified that Type I and Type II refers to reuse of the wastewater. Type I is the highest level of treatment and
27 would allow for unrestricted reuse in parks, in secondary irrigation system, put on golf courses, etc. Type II is
28 for application on alfalfa fields and with restricted public access. Potentially, it could be put on a median in
29 an interstate highway. There are no Type I facilities around Utah Lake.

30 Most facilities do not reuse the wastewater. They discharge it to Utah Lake or Jordan River or some
31 receiving stream. Mr. Baker said Central Water Valley Wastewater Treatment Plant uses Type I to apply on
32 their golf course. Tooele City winter stores their water and land applies it on a golf course, which is a Type I
33 reuse facility. Oakley, Fairview, South Valley Sewer Districts all have MBR facilities.

34 Mr. Dain said that Type I is to reuse the water somewhere else. The water quality coming out of Orem or
35 Timpanogos has a better water quality. Mr. Baker concurred. He said MBR mechanical treatment and
36 disinfection would get higher level treatment than a typical mechanical facility. Mr. Dain asked if Timpanogos
37 or Orem could do that if they had a land application or would they need to take one more step in their water
38 quality. Mr. Baker said it is achievable but Timpanogos and Orem would need to take additional processes
39 and sometimes filtration to get down to level Type I so it could be consistently met. Commissioner Ellertson
40 asked if they were a step ahead. Mr. Baker said the MBR would be the highest level for treatment.

41 Commissioner Ellertson asked if they had to go back to a lagoon system and pipe it into the lake, would the
42 water be different than what is coming from Orem. Mr. Baker said it would be of a lesser quality. Lagoons
43 have been used in the state and many communities still use lagoons. Mr. Baker favors using progressive
44 methods in the urban areas, as there are no lagoons in downtown Salt Lake or Provo/Orem; lagoons are only
45 in outlying areas. He felt the MBR would be a better option, even though it is more expensive, it is still more
46 forward thinking. As cities encroach upon land application sites and lagoon systems, neighbors don't like the
47 lagoons. He saw more urbanized areas employing mechanical treatment like MBR.

1 Mr. Linford said there are colors to the types of water. Type II water has a brown color to it with floating
2 materials. Type II in the Timpanogos system is gray and not clear. MBR treated water comes out cleaner
3 than tap water.

4 Mr. Cobia asked if Santaquin was asking the Commission to endorse their water to discharge into Utah
5 Lake. Mr. Linford said no. Mr. Ben Reeves, City Manager, said it was their desire to have the MBR go forward
6 and pass on the November ballot. Then Santaquin would move forward and have full use of the water, which
7 is a great option for the city. The Santaquin City Council has asked the staff to look at all the alternatives so if
8 MBR gets voted down, there would be a Plan B would be in place. One of the alternatives is discharging into
9 Utah Lake. When talking to the property owners around for lagoon expansion, there was potential for legal
10 issues. If discharging into Utah Lake, Santaquin recognizes there are significant water quality issues,
11 standards to meet, and studies needing to be done. Santaquin is looking at the viability of each option. The
12 most viable secondary options are expansion of the lagoon system or going to Payson. Santaquin wanted to
13 find out if discharging into Utah Lake is an option and the difficulties and expense entailed.

14 Mr. Linford said the problem he had was according to the Master Plan he voted for he couldn't in good
15 conscience vote for something like the Type II lagoon water going into the lake when the Commission is
16 trying to clean it up. The water Santaquin would put into the lake is less desirable than what they would put
17 on the city land.

18 Mr. Baker said there might be a problem associated with this with third party lawsuits, which have
19 occurred relative to discharges of impaired water. Utah Lake is impaired with high levels of nutrients. There
20 are reasons for not seeing the impact high loads of nutrients have in the lake. It is a shallow, turbid lake and
21 the productivity seen in the photosynthesis process with those levels of nutrients is not occurring. TMDL will
22 be held in abeyance until things are clarified. DEQ will revisit TMDL over time, but there have been third
23 party lawsuits when there is impaired water because of nutrients and if additional nutrients are put in, the
24 third party lawsuits have prevailed, which says you cannot put in any more. Santaquin would have to involve
25 some type of trading program where some other facility would take out the amount of nutrients being added
26 so there is no net increase in the nutrient loading of Utah Lake. It would be risky business with that. Mr.
27 Baker didn't know if DEQ could get to the point when they could issue a permit for additional loading unless
28 Santaquin were prepared to remove the nutrients, and that is why the repeal of the MBR would make the
29 issue very difficult. Even an MBR would add additional loading to Utah Lake, and if it were treated to that
30 level and discharge, it could be problematic.

31 Commissioner Ellertson asked for further questions. Mr. Buehler said that the owner (state) of the lake
32 had not been contacted and it is a big project to discharge to Utah Lake. He told Santaquin to make sure they
33 contacted FFSL. Mr. Flint said they had talked to Mr. Ryan Nesbitt from the FFSL. Mr. Buehler said to make
34 sure they come before things are started. Mr. Price confirmed during the Technical Committee Meeting, Mr.
35 Nesbitt brought up the permit process. The other thing Mr. Buehler said was to be careful where the
36 discharge was going so as not to have lower quality of water.

37 Mr. Reeves said as an administration, Santaquin recognizes discharging into Utah Lake is the least viable
38 of all alternatives because of the issues and parties involved. It was the least favorable option from an
39 administration's standpoint and didn't want to go with that course, but he and the staff wanted to make sure
40 to explore every option and approach questions. They wanted to have a committed answer when they
41 return to the city council to help the administration solidify the alternative options.

42 Mr. Baker said another alternative is to be able to remove nitrates down to a certain level and it could be
43 considered a ground water recharge project. There would be no surface water discharge and it may be an
44 alternative to sit down and discuss it. Mr. Reeves said it was a good thing for the endorsement as it helped
45 them in the decision-making process.

46 **a. Consider endorsement of letter previously sent by the Executive Director.**

47 Mr. Price sent the letter with a copy for each Board member. Mayor Hadfield reviewed the letter,
48 and said it was well written and it covered all the points requested. He motioned that Utah Lake Commission

1 ratify Mr. Prices' letter to Santaquin and wholeheartedly show their endorsement. Mayor Dain seconded the
2 motion. The voting was unanimous.
3

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

5 There was no additional business, questions, or comments.
6

7 **10. Confirm the next meeting of the Governing Board to be held on Thursday, November 17, 2007.**

8 Commissioner Ellertson announced the next meeting of the Utah Lake Commission Governing Board
9 would be held on Thursday, November 17, 2011, at 7:30 a.m. in the Historic Utah County Courthouse
10 Ballroom.
11

12 **11. Adjourn.**

13 It was motioned by Mayor Hadfield to adjourn the meeting and it was seconded by Mr. Linford. The
14 motion carried and it was unanimously approved. The meeting adjourned at 8:45 a.m.