

Utah Lake Study Committee Meeting
June 24, 2004
Utah County Commission Conference Room
7:30 a.m.

ATTENDEES:

Members

Mayor Lewis Billings, Provo City
Mayor Rulon Gammon, Vineyard
Clyde Naylor, Utah County
Timothy Parker, Saratoga Springs

Alternates

Merril Bingham, Provo City

Other Interested Parties

Greg Beckstrom, Provo City
Alex Beseris, Carter-Burgess
Marianne Crawford, USFWS
Chris Finlinson, CUWCD
Cindy Gubler, Vanguard Media
Reed Harris, JSRIP
Paul Hawker, Utah County
Chris Keleher, JSRIP
Ted Knowlton, Envision Utah
Dan Nelson, MAG
Brad Stapley, Springville City
Robert West , Provo City
Jarret Whicker, Envision Utah

Review and Approval of Minutes:

The minutes of May 27, 2004, Utah Lake Study Committee Meeting were approved as written.

Review and correct Committee membership roster

Appointed alternates from each community are designated on the roster with a triangle. Other interested parties (those who want to be involved in the process, receive mailing and notifications, but do not vote) are identified with an *. The Technical Committee could also include any other interested parties. Please provide an e-mail address so minutes, agendas and notices can be sent.

New Information Sharing

Dan Nelson, MAG, presented a video showing the shoreline and developments along the east shore of Utah Lake. He said the video was done in conjunction with the Mountainview Corridor project from Salt Lake County to Utah County and in consideration of additional road interchanges and alignments. Different landmarks were pointed out. It was suggested that an aerial of all the Lake and shoreline developments may be a helpful and educational planning tool.

Tonight there is a public open house on TMDL from 6-8 p.m. in the Provo Public Library.

Technical Committe Report

Brad Stapley, Director of Public Works for Springville City and Vice Chair of the Technical Committee, said the committee would like direction from the Study Committee, felt that water quality and watershed issues should be addressed, and requested each mayor/council to discuss and prioritize issues. A questionnaire was suggested to help set priorities.

Issues the Technical Committee could address now are:

TMDL—its process and impact on cities, Ray Loveless.
Transportation as it relates to Utah Lake
Recreation as it relates to Utah Lake.
Management of the lake regarding salinity, diking, the June Sucker, etc.

Presentation and discussion by Mayor J. Rulon Gammon, Utah Lake Land Owners, Inc.

The notes Mayor Gammon used in his presentation are attached to the minutes.

Litigation continues on approximately 53 properties around the lake, attorneys for the State have changed several times and do not communicate making the litigation expensive for the taxpayer, and a “special master” has been assigned to work on boundary lines.

Presentation and discussion by Chris Keleher, CUWCD Recovery Coordinator/Senior Staff Fisheries Biologist and Reed Harris, Utah Department of Natural Resources June Sucker Program Director.

Mr. Harris reviewed the Endangered Species Act (ESA) Section 7, Consultation, and Section 9, Taking, which concern cities.

The following points were made regarding Section 9, Taking.

- Individuals, agencies, municipalities or private groups cannot take listed species without specific approval from Fish and Wildlife Services (FWS).
- Taking includes harm, harass, kill, pursue, etc and includes habitat essential to breeding, feeding, resting, etc.
- Fines for taking can be as high as \$50,000 for each incident and up to two years in jail.
- Fines have been levied in Utah for the taking of the tortoises and Utah Prairie Dogs.
- The only two ways to authorize a taking is in a biological opinion or through an HCP Section 10 permit.

The following points were made regarding Section 7, Consultation.

- Requires consultation with FWS for any project with Federal funding, permitting, or other approval.
- Can take up to 9 months... longer if complicated or through consensus.
- Agencies prepare Biological Assessment (BA); FWS prepares a Biological Opinion.
- If opinion is “Jeopardy,” projects must remove impacts or threats to go forward.
- Any use of federally subsidized water or operation of facilities is a Federal nexus, i.e., fixing Deer Creek, and requires consultation.

Agencies and water users implemented the June Sucker Recovery Implementation Program (JSRIP) to satisfy the requirements of Sections 7 and 9 of the ESA

Chris Keleher said the JSRIP is a collection of Federal, State, local and environmental outdoor interest groups which has two main goals: the recovery of the June sucker so that it no longer needs

protection under the ESA, and continuance of operation of existing water facilities and future development of water resources for human use in the Utah Lake basin. Much of the program cost is paid by the government.

There are six recovery elements identified and grouped in a manner to maintain diverse and balanced efforts for recovery.

1) ***Non-native Sportfish Management.*** Common carp account for about 90% of the fish in Utah Lake while native fish account for less than 1%. Non-native fish prey upon other fish and change the environment to the detriment of the other species. Mr. Keleher presented a flow chart that displayed the process dealing with habitat restoration.

2) ***Habitat Development and Maintenance.*** The habitat in the lower Provo River has changed dramatically and effects June sucker survival. Restoring the habitat is essential to promote survival and growth of the June sucker. Progress includes a feasibility analysis of the lower Provo River and lower Hobbie Creek and is slow because of the need to acquire private property.

3) ***Water Protection and Management to Benefit June Sucker.*** The program has been effective at developing and implementing spawning and nursery flow recommendations in the Provo River.

4) ***Genetic Integrity and Augmentation.*** Wild June sucker have been taken from the Provo River and artificially spawned in a refuge location to develop a “brood stock” that represents genetically what is found in the wild population. Some of the fish are put into Utah Lake each year and are doing well. Larger fish are stocked to avoid predators.

5) ***Research, Monitoring and Database Management.*** Research is necessary to provide information into the life history and habitat requirements of June sucker and its interactions with other species. Results from research projects will aid in guiding recovery activities.

6) ***Information and Education.*** A local survey showed many people feel Utah Lake is an underutilized, polluted body of water and concern about June sucker is mild. Van Guard Media, was hired to help biologists do public outreach and Robert Carter wrote a book, “Utah Lake: Legacy,” giving the history of the Lake. A copy of the book was distributed. Copies of the survey by Vanguard Media will be available at the Provo City Recorder’s Office.

Mr. Keleher explained the process for restocking fish into Utah Lake and said recovery will be a 40-50 year process. He discussed the need for spawning habitat, the removal of carp from Utah Lake, restoring trout to the Lake and the impact of deepening the lake. He said the NEPA process will look at the impact to the Provo airport of increased bird wildlife resulting from an enhanced environment for June sucker.

Mr. Harris said designating certain areas of the Lake for certain uses is an option.

There was no other business or public comment.

Set date, place and time for next meeting.

No meeting will be held in July. The meeting on August 26 will be a 2-3 hour bus tour around the Lake. The bus will leave the Utah County parking lot at 7:30 a.m. Mr. Naylor and mayors were asked to be prepared to talk about areas along the lake, i.e., airport, beach, development, etc.

Meeting adjourned.

