

RECOMMENDATIONS ON THE ESTABLISHMENT OF A GREAT SALT LAKE COMMISSION

FROM THE GREAT SALT LAKE ADVISORY COUNCIL

April 16, 2009 Working Draft for Discussion at the April 22 Meeting

Note: Proposed changes are shown in markup text. The person proposing the change is identified in brackets.

In response to its charge from Governor Huntsman, the members of the Great Salt Lake Advisory Council (Council) unanimously recommend the establishment of a permanent, independent, and autonomous [LJM] "Great Salt Lake Commission."

The Council further unanimously offers the following specific recommendations regarding the Commission.

MISSION

The mission of the Great Salt Lake Commission (Commission) is to develop a comprehensive and cooperative effort to design and implement scientifically and economically [CM & Don L] based strategies for the restoration, protection, and sustainable use of the Great Salt Lake and its ecosystem. The Commission is a public-private partnership engaged in joint problem-solving.

OBJECTIVES

The objectives of the Commission include:

- ~~Develop and u~~ Use [Dave L] good science to define a healthy Great Salt Lake and Great Salt Lake ecosystem.
- Identify or design scientifically and economically [CM & Don L] based strategies for the protection and sustainable use of Great Salt Lake and its ecosystem.
- Actively seek implementation of sustainable practices and uses that protect Great Salt Lake health.
- Provide overall guidance on management of the Great Salt Lake, its watershed, and its ecosystem.
- ~~Develop a monitoring and reporting process to track progress on achieving the goals of a healthy Great Salt Lake.~~ [Don L]
- Identify and utilize the means necessary to raise public awareness of the Great Salt Lake and its ecosystem as a significant state asset. [NR]

ROLE

- The Council recommends the establishment of a permanent Great Salt Lake Commission to serve as an advisory body, able to: set direction and priorities; exercise clear and accountable leadership; direct and fund the collection and/or development of critical scientific research and data; address conflicting mandates and uses; facilitate decisions across federal, state, and local authorities and interests; advocate specific policies and decisions; educate and inform the public; gather and receive public input; respond to inquiries; moderate competing interests and concerns; provide overall guidance on management of the Lake, including its watershed and ecosystem; and conduct other activities and functions consistent with the mission, role, and authority of the Commission.

AUTHORITY

- The Commission is an advisory body with authority to perform its mission and its role, described above. Specifically, the Commission will have the authority to make decisions within its authority, commit and expend funds within its control, advocate, moderate, facilitate, gather information, recommend, educate, inform, etc. In addition, the [work of the Commission will have the inherent authority will be enhanced by the authorities and expertise](#) that each individual Member may bring to the Commission [as a whole](#). [Dave L]
- The creation of the Commission does not change existing authorities of local, state, or federal governments, nor does it create another [regulatory \[LJM\]](#) government agency or layer of government. Rather, it provides a vehicle for building cooperation among public, private, and non-governmental entities and enables collaboration and innovation to benefit the Great Salt Lake and its ecosystem.

ACCOUNTABILITY

- The Commission shall be accountable directly to the Governor of Utah and to the Utah State Legislature, and indirectly to the public.

STRUCTURE

- The Commission serves as a leadership council on behalf of the Great Salt Lake. The Commission will have a Chairperson and Vice Chairperson, chosen by the Members of the Commission from the Commission's membership. The Commission may retain staff to provide administrative or other support for its operations and activities.
- The Commission shall establish a balanced Science Advisory Panel (see below for more specifics on the Science Advisory Panel).
- The Commission may appoint ad-hoc committees, and may contract with agencies, entities, or individuals to develop and acquire the data and information necessary to make accurate decisions. The Commission may establish a Watershed and Ecosystem Coordination Panel

**RECOMMENDATIONS ON THE ESTABLISHMENT OF A GREAT SALT LAKE COMMISSION
SUGGESTED CHANGES FOR DISCUSSION ON APRIL 22**

consisting of key involved interests and institutions to assure that a broad base of input and information is available to the Commission.

MEMBERSHIP

The Commission will be a public-private partnership and will include the following Members:

- Representative of Industry (extractive, natural resource), appointed by the Governor
- Representative of Industry (aquaculture), appointed by the Governor
- Representative of Environmental or Conservation interests, appointed by the Governor
- Representative of Sportsmen, Waterfowl, Wildlife, or Recreation interests, appointed by the Governor
- Representative of Local Government, appointed by the Governor
- Representative of Local Government (Publicly Owned Treatment Works), appointed by the Governor
- Representative of the public at large (tourism or other), appointed by the Governor
- Executive Director of the Utah Department of Natural Resources (DNR)
- Executive Director of the Utah Department of Environmental Quality (DEQ)
- Representative of the Utah State Legislature, appointed by the President of the Utah Senate (at their election)
- Representative of the Utah State Legislature, appointed by the Speaker of the Utah House of Representatives (at their election)

The Commission shall have the following non-voting, ex officio members:

- Director of the Utah Division of Forestry, Fire, and State Lands (DFFSL)
- Director of the Utah Division of Water Quality (DWQ)
- Director of the Utah Division of Wildlife Resources (DWR)

Gubernatorial appointees are to be confirmed by the Utah State Senate.

SPECIFIC TASKS

- **GREAT SALT LAKE HEALTH** – The Commission will establish a definition of a healthy Great Salt Lake (“Great Salt Lake health”).
- **MEASURABLE GOALS** – The Commission will establish ~~quantifiable/measurable goals for each “Great Salt Lake health” indicator and the~~ indicators of ecological health for the Great Salt Lake and set goals for each indicator. The health of the Great Salt Lake ecosystem will be monitored and tracked in terms of these indicators and goals over time. [Dave L]

RECOMMENDATIONS ON THE ESTABLISHMENT OF A GREAT SALT LAKE COMMISSION
SUGGESTED CHANGES FOR DISCUSSION ON APRIL 22

- **GOOD SCIENCE** – Good science is critical in the Commission’s decisions. In its deliberations involving Great Salt Lake health, goals, monitoring, ecology, ecosystem, wildlife, waterfowl, and other scientific matters, the Commission will draw upon the expertise and counsel provided by the Science Advisory Panel.
- **MULTIPLE USE** – The Commission ~~may~~will [CM] consider economic impacts and benefits and multiple uses regarding matters under its review or consideration.
- **ECONOMICS & ECOLOGICAL SERVICES** –The Commission shall commission a study to identify and quantify the "Ecosystem Services" provided by the GSL to Utah's citizens and industry. This study shall include a socio-economic analysis of human use of the Lake and the economic relationships between those uses and Lake health. [Dave L (instead of adding “and economically” in the mission and objectives)]
- **RESPONSIBLE AGENCIES** – The Commission will identify which federal, state, and local agencies are responsible for implementing measures to achieve the desired Great Salt Lake health goals. It will also establish proposed timetables for recommended actions by each agency. The Commission will request that each local, state, and federal agency responsible for any material aspect of Great Salt Lake management submit annual plans and budgets to the Commission defining the actions they plan to implement over the coming year to achieve progress towards the goals of Great Salt Lake health that are established by the Commission. The Commission will review these plans and budgets and provide comments to the respective agencies, the Governor, the Legislature, and the public.
- **STRATEGIC AND MANAGEMENT PLANS** – To the extent longer-term strategic or management plans exist or are under development for certain agencies regarding the Great Salt Lake, its ecosystem, and its watershed, the Commission will participate, at its discretion, in the development and/or review of such plans (including, but not limited to, the Great Salt Lake Comprehensive Management Plan) and provide comments to the respective agency, the Governor, the Legislature, and the public. The Commission will also advise these bodies on gaps in these plans and priorities necessary to achieve the goals of Great Salt Lake health.
- **PERMIT REVIEW** – The Commission will ask that any permits requested for the development of Great Salt Lake resources which, if issued, may have a material impact on Great Salt Lake health, be submitted to the Commission for its review and/or comment within the timeframes established by administrative statutes, rules, and procedures. The Commission may provide formal or informal comments, including recommendations for resolving disputes and/or addressing conflicting mandates.
- **GREAT SALT LAKE REPORT** – The Commission will report to the Governor, the Legislature, and the public every two years on the “State of the Great Salt Lake” by publishing a suitable report on Great Salt Lake health. Public hearings will be held on this report highlighting Great Salt Lake health, including goals, progress on the goals, etc. The report will also highlight best practices and examples of successful public/private partnerships to improve Great Salt Lake health.

RECOMMENDATIONS ON THE ESTABLISHMENT OF A GREAT SALT LAKE COMMISSION
SUGGESTED CHANGES FOR DISCUSSION ON APRIL 22

- [LAKE AWARENESS – The Commission will work to raise public awareness of the contributions of the Great Salt Lake and its ecosystem to the economy of the state for the benefit of Utah's citizens.](#) [NR]

SCIENCE ADVISORY PANEL

- A Science Advisory Panel will support the Commission by providing scientific expertise, review, recommendations, and counsel on issues of importance to the Commission in the performance of its duties and responsibilities.
- All activities of the Science Advisory Panel will be directed at making recommendations to and supporting the needs of the Commission. The Science Advisory Panel is not intended to act independently of the Commission, but will serve in an advisory role. All policy and other final decisions will be made by the Commission.
- Tasks: Some of the important tasks of the Science Advisory Panel will include:
 - Identifying the appropriate indicators needed to assist the Commission in defining, tracking, and achieving Great Salt Lake health.
 - Identifying the research priorities needed to define, track, and achieve Great Salt Lake health and to respond to Great Salt Lake issues and threats to Great Salt Lake health by coordinating and prioritizing research in collaboration with the Commission and external researchers.
 - Recommending to the Commission the appropriate method and level of monitoring of the Great Salt Lake health indicators, and assisting in the tracking of progress toward the Commission’s measurable goals.
 - Interpreting for the Commission relevant scientific enquiries, existing scientific information, and data related to Great Salt Lake health.
 - Providing data for the biennial “State of the Great Salt Lake” report.
 - Advising the Commission on management issues and decisions as requested.
 - Providing liaison and outreach to the broader scientific community on issues of importance to the Commission.
- Guiding Principles: The Council recommends the following guiding principles be considered by the Commission in establishing the Science Advisory Panel:
 - The Science Advisory Panel should be comprised of a small number of respected scientists with a broad range of expertise relevant to the Great Salt Lake and its ecosystem.
 - The members of the Science Advisory Panel should be actively engaged in scientific research of issues relevant to the Great Salt Lake and its ecosystem.

RECOMMENDATIONS ON THE ESTABLISHMENT OF A GREAT SALT LAKE COMMISSION
SUGGESTED CHANGES FOR DISCUSSION ON APRIL 22

- The scientists should come from a range of sectors such as public agencies, academia, private interests, etc.
- The Commission should establish procedures for the nomination and selection of the Panel's membership. (The Science Advisory Panel should not also be members of the Commission.)
- The Commission should ensure that the expertise of the Science Advisory Panel is available to the Commission ~~in a manner that avoids disqualifying~~ [free from bias which could result from conflicts of interests.](#) [Dave L]
- The Commission should properly define the role of the Science Advisory Panel in the review and award of any grants or contracts established by the Commission to conduct science-related work.
- The Commission may establish appropriate compensation for the members of the Science Advisory Panel.

FUNDING

- The Council recommends the creation of a stable, reliable source of funding for the Commission in an annual amount sufficient to support the Council, including the acquisition of the necessary scientific data; ~~and~~ limited administrative support; [and conservation, education, and restoration projects.](#) [Dave L] Specifically, the Council recommends a surcharge on individual sewer connections as follows:

[LJM (all remaining changes)]

- Levy at least \$ 0.50 (fifty cents) per month per [residential](#) sewer connection in [Box Elder, Tooele, Weber, Davis, and Salt Lake Counties for municipal waste water treatment facilities that discharge to any surface waters.](#)
- [Levy a comparable charge to commercial and industrial dischargers in the previously mentioned counties that discharge to any surface waters through either a discharge permit or indirectly through a municipal wastewater treatment plant.](#) (Rough estimate of annual revenue: 50¢ per month X 12 months = \$6.00 per year X 450,000 connections = approximately \$2,700,000 per year.)
- Levy at least \$ 0.25 (twenty-five cents) per month per sewer connection in ~~Box Elder and Tooele Counties;~~ [the previously mentioned Counties for municipal wastewater treatment facilities that do not discharge to any surface waters.](#) (Rough estimate of annual revenue: [need to get numbers to fill this out])
- [Levy a comparable charge to commercial and industrial dischargers in the previously mentioned counties that discharge indirectly through a municipal treatment plant that does not discharge to any surface waters.](#)

**RECOMMENDATIONS ON THE ESTABLISHMENT OF A GREAT SALT LAKE COMMISSION
SUGGESTED CHANGES FOR DISCUSSION ON APRIL 22**

This monthly surcharge should be collected by the Publicly Owned Treatment Works (POTWs) with discharge permits in the designated counties and sent to the State for use by the Commission.

[The State should establish the appropriate fund to accept these payments, as well as to receive any federal funds, other state or local funds, and/or private donations which might become available for the Commission to fulfill its mission.](#)