

# *Great Salt Lake Advisory Council*

## *Revised Draft Report on Governance, Structure and Funding*

*March 9, 2009*

### **Governance**

#### Recommendation:

- Establish a permanent “Great Salt Lake Commission.”

#### Role:

- The Great Salt Lake Commission is 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, 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 Great Salt Lake Commission is an advisory body with authority to perform its mission and its role, listed 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, recommend, educate, inform, etc. In addition, the Commission will have the inherent authority that each individual Member may bring to the Commission.
- The creation of the Commission does not change existing authorities of local, state or federal governments, nor does it create another 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 ecosystem.

#### Structure:

- The Commission serves as a leadership council on behalf of the Great Salt Lake. It shall establish a balanced Science Advisory Panel, may appoint ad hoc technical committees, and may contract with agencies, entities or individuals to develop and acquire the data necessary to make accurate decisions. The Commission shall establish a Watershed and Ecosystem Coordination Panel consisting of key involved interests and institutions to assure that a broad base of input and information is available to the Commission.
- The Commission will have a Chairperson and Vice Chairperson, appointed by the Governor from the Commission’s membership. The Commission may retain staff to provide administrative or other support for its operations and activities.

### Participation:

- The Commission will be a public-private partnership and will include from seven (7) to eleven (11) members, including:
    - Representative of the Utah State Legislature, appointed jointly by the President of the Utah Senate and the Speaker of the Utah House of Representatives;
    - Representative of Industry, appointed by the Governor;
    - Representative of Environmental/Conservation interests, appointed by the Governor;
    - Representative of the Governor's Office, appointed by the Governor;
    - Representative of Local Government, appointed by the Governor;
    - Director of the Utah Department of Natural Resources;
    - Director of the Utah Department of Environmental Quality.
- {See notes 1 and 2, on last page, below, for a list of possible additional members.}*

### Accountability:

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

### Specific Tasks:

- Definition of Lake Health – The Commission will establish a definition of a healthy Great Salt Lake (“lake health”).
- Measurable Goals – The Commission will establish quantifiable/measurable goals for each lake health indicator and the health of the Great Salt Lake ecosystem will be monitored and tracked in terms of these goals over time.
- Role of Science – “Good science” is critical in the Commission’s decisions. In its deliberations involving lake health, goals, monitoring, ecology, ecosystem, wildlife, waterfowl, and other scientific matters, the Commission will draw upon the expertise and counsel provided by its Science Advisory Panel.
- Multiple Uses – The Commission may consider economic impacts and benefits and multiple uses regarding matters under its review or consideration.
- Responsible Agencies – The Commission will identify which federal, state and local agencies are responsible for implementing measures to achieve the desired ecological health goals. It will also establish proposed timetables for recommended actions by each agency. To the extent possible, each state and federal agency responsible for any material aspect of Great Salt Lake management will be asked to 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 lake health that are established by the Commission. The Commission will review these plans and budgets and provide comments to the Governor, the Legislature and the public.
- State of the Lake Report – The Commission will report to the Governor, the Legislature and the public bi-annually on the “State of the Lake” by publishing a suitable report on Lake Health. Public hearings will be held on this report highlighting lake health, including goals, progress on lake health goals, etc. The report will also highlight best practices and examples of successful public/private partnerships to improve lake health.
- Strategic & Management Plans – To the extent longer-term strategic plans exist for certain agencies regarding the lake, its ecosystem and its watershed, the Commission will review these plans and provide comments to the Governor, the Legislature and the public. The Commission will also advise said agencies on gaps in these plans and priorities necessary to achieve the goals of lake health.

- Permit Review – The Commission will request that any permits for the development of Great Salt Lake resources which, if issued, may have a material adverse impact on 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.

#### Role of the Science Advisory Panel:

- The Great Salt Lake Commission’s Science Advisory Panel (SAP) 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.
- Some of the Science Advisory Panel’s tasks will include:
  - identify the appropriate indicators to assist the Commission in defining the ecological health of the Great Salt Lake;
  - recommend to the Commission the appropriate nature and level of monitoring of the lake health indicators;
  - identify and recommend to the Commission the research needed to define, track and achieve lake health, and to respond to Great Salt Lake issues and threats to lake health;
  - interpret for the Commission existing scientific information and data related to lake health;
  - provide liaison and outreach to the broader scientific community on issues of importance to the Commission.
- 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.

### **Funding**

#### Recommendation:

- Establish a stable, reliable source of funding in an annual amount sufficient to fund the acquisition of the necessary scientific data and to provide limited administrative support.

#### Source and Amount:

- Recommend a surcharge on individual sewer connections in Weber, Davis and Salt Lake Counties.
- Levy at least \$ 0.50 (fifty cents) per month per sewer connection.  
(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.)

[Note: To be considered, but not yet recommended: levy \$ 0.25 (twenty-five cents) per month per sewer connection in Box Elder and Tooele Counties.]

#### Collection Mechanism:

- Monthly surcharge to be collected by the Publicly Owned Treatment Works (POTWs) with discharge permits in the designated counties.

Note 1:

*Consider expansion to eleven (11) members by adding one additional representative each from the Legislature (a total of one each from the House and Senate), Industry, Environmental/Conservation interests, and Local Government.*

Note 2:

*Other suggestions of possible additions to the proposed Commission's membership:*

- Representatives of *both* the Utah House and Utah Senate, appointed by the respective legislative leaders;
- Additional Representative of Local Government, appointed by the Governor;
- Representative of Sportsmen's interests, appointed by the Governor;
- Representative of Recreation interests, appointed by the Governor;
- Representative of Boater interests, appointed by the Governor;
- Representative of North arm Industry interests, appointed by the Governor;
- Representative of South arm Industry interests, appointed by the Governor;
- Representative of Brine Shrimp Industry interests, appointed by the Governor;
- Representative of Publicly Owned Treatment Works, appointed by the Governor;
- Representative of Dischargers, appointed by the Governor;
- Representative of Waterfowl/Wildlife interests, appointed by the Governor;
- Representative of Tourism interests, appointed by the Governor;
- Representative of Water Resource interests, appointed by the Governor;
- Director of the Utah Division of Wildlife Resources;
- Representative of the U.S. Fish and Wildlife Service;
- Representative of the U.S. Army Corps of Engineers.