

Annual Report 2004 and Mitigation & Conservation Plan 2005



UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

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The Utah Reclamation Mitigation &
Conservation Commission

Fiscal Year 2004 Annual Report
and Fiscal Year 2005
Mitigation & Conservation Plan

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**Italicized program elements are those for which substantial change is planned*

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Introduction

The Utah Reclamation Mitigation and Conservation Commission (the Commission) was authorized under the Central Utah Project Completion Act of 1992 (CUPCA). That act set terms and conditions for completing the Central Utah Project (CUP), which diverts, stores and delivers large quantities of water from numerous Utah rivers to meet the needs of Utah's citizens.

The Commission, organized in July 1994 as an independent agency within the executive branch of the Federal government, is charged with planning and funding implementation of the environmental program mandated by CUPCA. CUPCA requires the Commission to implement a mitigation program concurrently with completion of CUP water development features.

In accordance with CUPCA, the Commission adopts a comprehensive plan that establishes its program priorities for a five-year period. The plan must undergo a comprehensive review every five years to ensure statutory mitigation requirements are met. The first Mitigation and Conservation Plan was adopted in 1996 and a comprehensive revision was conducted in 2001.

This document contains both a report of project progress through September 2004, as well as a plan for fiscal years 2005 through 2009. As such, this document includes Commission proposed program and project changes. Appendix A provides financial information through September 30, 2004 for our fiscal year 2004 Annual Report. Appendix B provides the Commission's fiscal year 2005 five-year budget and schedule. Appendix C contains letters of comment on the draft version of this document and our incorporated responses.

CUPCA directs the Commission to focus on four key factors to implement its Plan: an ecosystem approach, public involvement, measures based on best available scientific knowledge, and partnerships. Projects are carried out through contracts and agreements with State and Federal natural resources agencies, Tribal governments, universities, and nonprofit organizations in Utah. The Commission is authorized to spend approximately \$170 million (1991 dollars) (somewhat less than 10% of the approximately \$2 billion authorized for the CUP) to carry out the mitigation program. Annual funding depends on congressional appropriations.

The Commission proposes to continue its focus on riparian, wetland and other wildlife habitat restoration in several key watersheds in central Utah. These watersheds are the Provo River/Utah Lake, Strawberry/Duchesne, Diamond Fork and Great Salt Lake watersheds. The Commission will also continue to implement a few projects throughout the state that address conservation or restoration of fish and wildlife resources lost to CUP.

This Annual Report and Mitigation and Conservation Plan, as well as many of the studies and decisions referenced in this document, are available on the Commission's website at www.mitigationcommission.gov.

The following is organized into watersheds primarily affected by the Bonneville Unit of the Central Utah Project. Listed program elements represent specific actions the Commission has taken since 1994 (when the Commission was created), is taking, or will take to meet CUPCA mitigation obligations. Proposed substantial changes to program elements are described in shaded text.

Provo River/Utah Lake Watershed

Lower Provo River

■ Acquisition of Instream Flows and High Flow Study Acquire and provide additional instream flows in the lower Provo River; study problems of high flows in the river.

Implementation to Date & Future Actions The Commission is working with the Central Utah Water Conservancy District to acquire water rights in the lower Provo River. To date the District and Commission have acquired about 3,300 acre feet of water. A change application was filed that allows just over 1,000 acre feet to be used for instream flow purposes. This was accomplished during 2002.

Change applications¹ have not yet been filed on the other lower Provo River shares, so additional instream flows have therefore not been realized. Given competing demands and increased cost of water since passage of CUPCA, it is unlikely that funding authorized for purchasing water will be sufficient to fulfill the statutory goal of establishing a 75 cfs instream flow. Since 1994, the Commission and District have endeavored to acquire water and water rights; but, to date only approximately 3,300 acre-feet have been acquired from willing sellers.

Recognizing the increasing cost and decreasing availability of water rights on the willing seller market to achieve this objective, the Commission believes that providing minimum instream flows of 75 cfs will not be achievable solely through purchase of water rights on a willing seller basis. The Commission, District and Department of the Interior have therefore incorporated the objective of providing minimum instream flows of 75 cfs into the planning for the Utah Lake Drainage Basin Water Delivery System (ULS). The ULS Final Environmental Impact Statement (EIS) was issued September 30, 2004. Records of Decision were issued December 22, 2004 and January 27, 2005. Constructing and operating the ULS Proposed Action will provide an average of 16,000 acre-feet of supplemental water annually to be delivered to Utah Lake via the lower Provo River and will help accomplish the goal of providing a 75 cfs minimum instream flow in the lower Provo River.²

¹The water has been acquired through the purchase of shares in several mutual water companies. Changing the use of this water from irrigation to instream flows requires approval by the water company. This approval has not yet been obtained on most of the shares acquired from various canal companies and is under negotiation.

²ULS will provide supplemental water for the lower Provo River in years when water is conveyed from Strawberry Reservoir to Utah Lake for purposes of making the CUP exchange to Jordanelle Reservoir, as part of the Municipal and Industrial System. This supplemental flow supply would be available in about 70% of the years. More information is available on the supplemental flow pattern in the Bonneville Unit Definite Plan Report 2004 Supplement, Water Supply Appendix, Volume 5, Chapter 6, Table P-8b-ii.

The Commission will contribute \$15 million of (fiscal year 2005) authorization under Section 302(a) of CUPCA, plus additional funds to be allocated under Section 202(c) of CUPCA, toward payment of the proportionate share of the cost of those specific ULS facilities used to deliver instream flow water. Approximately \$2.1 million of authorization will remain available for purchase of water rights, if they become available.

Regarding the *high flow study*, in 2004 the Commission and CUWCD completed the first phase of a comprehensive study to determine relationships among flow levels and aquatic habitat and other geomorphic and ecological functions on the Provo River System. The study area extends from Jordanelle Dam downstream to Utah Lake. Data developed from the study will be used to assess CUP operation effects on aquatic habitats. Study results were used in the National Environmental Policy Act (NEPA) analysis to assess potential impacts of ULS alternatives.

 **June Sucker Recovery** Support development of the June Sucker Recovery Implementation Program and help fund implementation of the June Sucker Recovery Plan. Develop an education program that focuses on the June sucker.

Implementation to Date & Future Actions In 1995, the Commission funded the U.S. Bureau of Reclamation to conduct studies required under the U.S. Fish and Wildlife Service's 1994 Biological Opinion.³ In 1996 and 1997, the Commission cost-shared with the U.S. Bureau of Reclamation, U.S. Department of the Interior, Central Utah Water Conservancy District (CUWCD) and Provo River Water Users Association for the second and third year of studies. The Commission has contributed \$166,000 toward completion of these studies.

Additionally, studies funded under the Commission's Utah Lake Fish Management program element are primarily directed at June sucker. In May, 1994 the Commission signed its first agreement with the Utah Division of Wildlife Resources to fund such studies.

The Commission has also participated with the June Sucker Flow Workgroup to redraft the June Sucker Recovery Plan, for which a final document was approved by the U.S. Fish and Wildlife Service in June 1999. The Commission also is participating in efforts to implement a June Sucker Recovery Implementation Program (JSRIP).⁴ In its 1999 Record of Decision for the Diamond Fork System, the Mitigation Commission and other joint lead agencies committed to support development and implementation of such a program.

³This Biological Opinion was required in partial fulfillment of the environmental review process for the Deer Creek Reservoir/Jordanelle Reservoir Operating Agreement. The U.S. Fish and Wildlife Service issued a Biological Opinion on the Provo River Project in 1994 under authority of the Endangered Species Act. The Biological Opinion found that operation of the Provo River Project may jeopardize continued existence of the June sucker. A reasonable and prudent alternative was identified for the Provo River Project. The alternative required the Federal government to provide minimum instream flows during a 3-year period and to complete studies during the 3-year period to define various flow-related aspects of June sucker life history requirements and habitat needs.

⁴The Recovery Implementation Program is expected to provide 1) identification of all threats to June sucker, not just Provo River spawning and nursery flows; 2) reasonable certainty of meeting the goals for participants; and, 3) shared recovery by all stakeholders. Participants include the U.S. Fish and Wildlife Service, U.S. Bureau of Reclamation, Mitigation Commission, Utah Department of Natural Resources, Central Utah Water Conservancy District, Provo River Water Users Association, Provo Reservoir Water Users Company, and an environmental/outdoor interests representative.

A draft environmental assessment on federal agency participation in the June Sucker Recovery Implementation Plan was issued in late 2001. The Final Environmental Assessment was issued in April 2002. A Decision Notice and Finding of No Significant Impact was issued by the Mitigation Commission. The agreement to support and implement the JSRIP was signed by all participants.

The JSRIP is ongoing. The Commission has contributed an estimated \$1,005,000 directly toward recovery of the June sucker. The Commission's funds have been used for June sucker brood stock development and management.

Several other Commission program elements support June sucker recovery. To date, the Commission has committed about \$6,100,000 to these other programs that also may benefit June sucker recovery. See sections of this report discussing the following program elements: *Acquisition of Instream Flows and High Flow Study*; *Utah Lake Fish Management*; *Stream Restoration and Diversion Dam Modification*; and *Fish Hatchery Restoration and Construction*. The Commission also committed funds to help fund operation and maintenance of Red Butte Dam and Reservoir, which supports a population of June sucker.

Activities for June sucker local involvement and education will be supported by the Commission through its commitments and contributions to the JSRIP.

Stream Restoration Plan and implement stream restoration projects along the lower Provo River.

Implementation to Date & Future Actions Lower Provo River stream restoration is part of the June Sucker Recovery Plan. A study of potential habitat improvement alternatives, initiated under the June Sucker Recovery Implementation Program, was completed in 2002. Analysis of completed studies is ongoing to determine feasibility of habitat alterations in the lower Provo River for June sucker spawning, incubation and rearing.

The Commission intends to commit its funds and staff resources to the analysis, planning and implementation of potential projects to restore habitat in the lower Provo River in close coordination with the JSRIP over the next five years.



June sucker habitat re-establishment project area map showing study area reach designations. Source: "June Sucker Habitat Enhancement Alternatives in the Lower Provo River and its Interface with Utah Lake Final Report, June 2002"

■ Diversion Dam Modifications Plan and implement diversion dam modifications along the lower Provo River.

Implementation to Date & Future Actions A study to evaluate diversion dams on the lower Provo River for potential modification was completed in 2002, and the final report is available from the Commission. No diversions have yet been modified, but planning began in 2004 on a project that may result in combining and/or eliminating one or more diversions on the lower Provo River. Funds available through a grant from the U.S. Fish and Wildlife Service will be partnered with funds from the Commission to implement this project, if feasible alternatives will be developed and agreement reached by all affected parties. In 2005 and beyond, the Commission intends to develop a partnership with the CUWCD, Department of the Interior and others to rehabilitate, modify or replace other diversion structures on the Provo River downstream of Murdock Dam.

■ Public Access and Facilities Development Acquire and/or develop and improve public access and facilities along the lower Provo.

Implementation to Date & Future Actions No Commission funds have been spent on this program element to date. The Commission will implement this element in concert with the *Stream Restoration* and *June Sucker Recovery* program elements in the lower Provo River watershed to support an integrated approach to habitat restoration and public access.

■ Water Quality Improvements Implement water quality improvement measures along the lower Provo River.

Implementation to Date & Future Actions Water quality measures on the lower Provo River, affected by the operation of the hydroelectric plant on Deer Creek Reservoir, were put in effect in 2003. Measures included entrainment of additional air into releases through hydroelectric turbines in the dam outlet to increase dissolved oxygen concentrations in discharged water.

Middle Provo

■ WCWEP and Daniels Replacement Pipeline Implement Wasatch County Water Efficiency Project (WCWEP) and the Daniels Replacement Pipeline Project, which will restore stream flows in 26 miles of streams in the Strawberry Valley. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions CUPCA authorized construction of this project by the Central Utah Water Conservancy District, in cooperation with Department of the Interior, Daniels Irrigation Company and Wasatch County Special Service Area No. 1. Under CUPCA, the Commission was authorized to contribute funds, which had also been authorized for the Commission to acquire water rights in the Daniels area for constructing WCWEP, if WCWEP and Daniels Replacement Pipeline Projects were integrated. The Final Environmental Impact Statement for the WCWEP and Daniels Replacement Pipeline Project was issued November 22, 1996. The Commission and Department of the Interior each issued records of decision in March 1997 that integrated the two projects.

An agreement between the Commission and the District was signed in March 1997, in which the District agreed to assume all responsibility for construction, operation, maintenance and repair of the project, thus relieving the Commission of liability for long-term operation and maintenance of the Daniels Replacement Pipeline, the project feature that allows for stream mitigation to occur in the upper Strawberry River system.

The District entered into contracts for WCWEP construction in 1998 and work was completed in 2001. Streamflows were restored to the upper Strawberry River and tributaries in 2001 and 2002. The Commission assisted the District in dam removal and wetland creation from formerly-used irrigation reservoirs in the upper Strawberry River drainage in 2002. Rehabilitation of removed portions of the canals and headcuts created during the 100+ years of Daniels Diversion operation was completed in 2003. This project achieved 9,225 out of the required 34,090 mitigation credits (27%) for the Strawberry Aqueduct and Collection System Aquatic Mitigation Plan.

Provo River Restoration Project

 **Angler Access and Facilities Development** Complete angler access requirements along the middle Provo River as part of the Provo River Restoration Project (PRRP). Develop and implement plans for angler access and similar recreational facilities in partnership with concerned entities along the middle Provo River.

Implementation to Date & Future Actions Acquisition of angler access and property for the PRRP has been underway for several years. The Bureau of Reclamation and Commission have purchased about 95 percent of the acreage needed; the U.S. Bureau of Reclamation had previously acquired about 200 acres. Public access is available to about 10 miles along the river; access is still needed along about one mile. The Commission is committing \$1.5 million that was formerly identified for Jordan River wetlands acquisition (CUPCA Section 311(c)) to completing PRRP acquisitions. (See further discussion of the Jordan River Watershed beginning on page 27.) The Commission will use remaining authorization of CUPCA Section 309(a)(4) as needed to complete acquisitions for the PRRP.

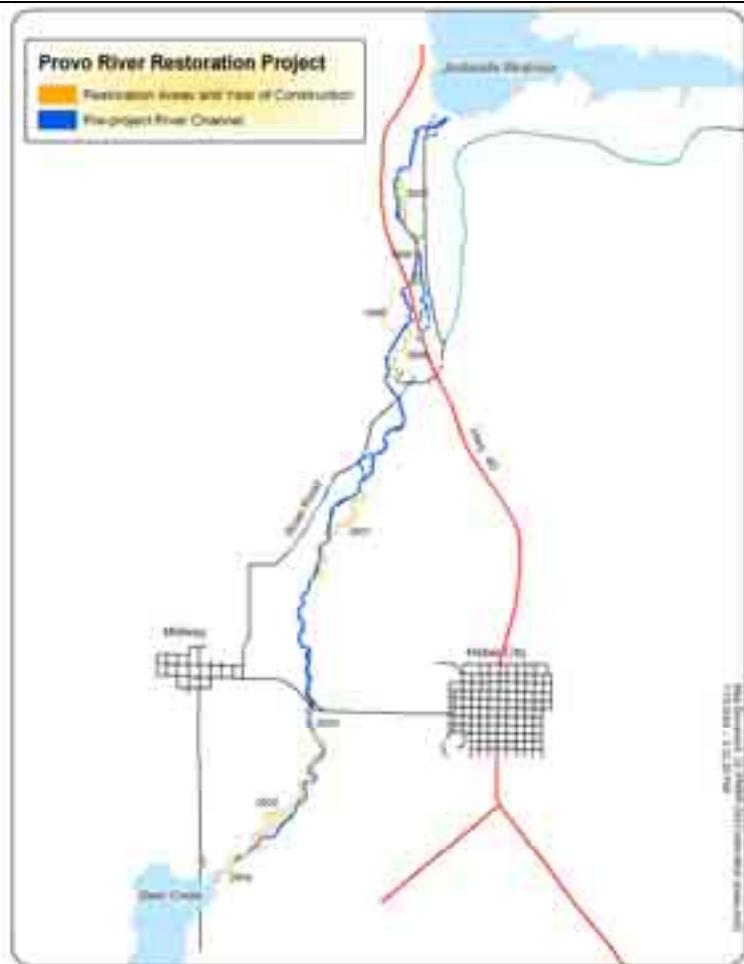
Access to the middle Provo River corridor will be provided from seven angler-access parking areas. Six of the seven sites have been constructed and the last site is scheduled for construction in 2006. All of the angler-access parking areas include restrooms and interpretive displays, and two to three sites will include accessible fishing platforms. The Education and Interpretation program element will be completed in 2005.

 **Fish and Riparian Habitat Restoration** Restore riparian and fish habitat along the middle Provo River in accordance with the Riverine Habitat Restoration Alternative described in the PRRP Record of Decision. Additionally, modify diversion dams to bypass instream flows and cooperate with the U.S. Bureau of Reclamation to complete wetland mitigation measures for the Municipal and Industrial System.

Implementation to Date & Future Actions The Final Environmental Impact Statement for the PRRP was issued in December 1997 and a Record of Decision was signed by the Commission

on February 23, 1998. Department of the Interior issued its Record of Decision on April 1, 1998. The Riverine Habitat Restoration Alternative (the Proposed Action) was selected.

Baseline monitoring of riparian habitat, physical features, sensitive species, neotropical migratory birds, and related studies are underway. Construction of a pilot project upstream of the new Highway 40 river crossing was completed in 1999. The pilot project reconstructed about a mile of main Provo River channel, 2 miles of secondary channel, and numerous wetland features. In 2000, river restoration between Highway 40 and River Road was completed. In 2001, work began on a 2-mile reach, which was completed in early 2002. Crews reconstructed about 0.9 miles of river upstream of the pilot project in 2002. In 2003, work began on the river from Midway Lane down to the Heber Valley Railroad crossing. This reach was completed late in 2004 and included the extension of Spring Creek, a tributary of the Provo River. Also in 2004, about 0.5 miles of river downstream of the Heber Valley Railroad trestle were restored. Construction is anticipated to be completed by summer, 2007.



The Commission is committing \$2 million formerly identified for Jordan River fish habitat restoration (CUPCA Section 311(a) - \$1,500,000) and riparian habitat restoration (CUPCA Section 311(b) - \$500,000) to PRRP habitat restoration. (See further discussion of the Jordan River Watershed beginning on page 27.) The Commission will utilize about \$2 million of CUPCA Section 307(2) authorization to complete the PRRP restoration program.

Upper Provo

- **Highway-Related Deer Mortality Reduction** Identify and implement permanent solutions to mitigate for deer mortality caused on highways around Jordanelle Reservoir.

Implementation to Date & Future Actions The Commission had budgeted \$1 million during this plan period to complete this mitigation measure; however, consultation with the Utah Division of Wildlife Resources and U. S. Fish and Wildlife Service resulted in a joint decision to cease evaluating at-grade “deer crosswalks” on U.S. Highway 40 as a viable mitigation

measure. The Commission, U.S. Fish and Wildlife Service, and Utah Division of Wildlife Resources have determined the most appropriate solution for mitigating impacts to deer and other big game is through off-site mitigation. The Utah Division of Wildlife Resources is currently identifying high priority big game ranges in the area for acquisition and subsequent management for wildlife habitat values.

■ **Upper Provo River Reservoir Stabilization** Stabilize lakes in the upper Provo River Drainage. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions Each of the 12 lakes in the upper Provo River drainage were rehabilitated and stabilized between 1994 and 1999. Trails and other recreational facilities were also constructed.

■ **Washington Lake Campground** Construct campground and trail head at Washington Lake. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions The Forest Service prepared an Environmental Assessment and Finding of No Significant Impact (FONSI) in 1992. The Commission adopted the Forest Service's Environmental Assessment and issued its own FONSI in 1997. Construction of Washington Lake Campground began in July of 1997 and was completed in September of 1999. The campground opened in the summer of 2000.

Utah Lake

■ **Utah Lake Fish Management** Develop an aquatics resource management plan for Utah Lake and support measures to aid recovery of the Utah Lake ecosystem.

Implementation to Date & Future Actions The Commission has committed more than \$325,000 since 1994 to fund Utah Lake fish management plan studies for native species and sport fish needs. Measures to aid June sucker recovery and other Utah Lake ecosystem components will be based on study recommendations.

■ **Utah Lake Wetland Preserve** Establish the Utah Lake Wetland Preserve in Goshen Bay and Benjamin Slough near Utah Lake.

Implementation to Date & Future Actions The Utah Lake Wetland Preserve is being established and, in accordance with requirements of CUPCA, will be managed by the Utah Division of Wildlife Resources to protect migratory birds, wildlife habitat, and wetland values. The Utah Lake Wetland Preserve Land Acquisition and Protection Plan was completed in 1995. An Environmental Assessment and Finding of No Significant Impact for establishing the Preserve were finalized in May of 1996.

The Commission and numerous partners executed a Memorandum of Agreement (MOA) in December 1996. This MOA identifies responsibilities and coordination among parties to the agreement - The Nature Conservancy, Utah Division of Wildlife Resources, U.S. Department of the Interior, Bureau of Reclamation, Bureau of Land Management, and Fish and Wildlife

Service - for future acquisitions and management at the Utah Lake Wetland Preserve. The core of the Preserve's Goshen Bay unit has been the priority acquisition area. Core properties tie into properties owned by other state and federal agencies that were cooperators during development of the Utah Lake Wetland Preserve Plan.

The Preserve contains about 21,750 acres. About 14,195 acres are under management of project cooperators (Mitigation Commission, 5,526 acres; Bureau of Land Management, 4,150 acres; State of Utah, 4,500 acres; and Utah County, 19 acres). The rest is privately owned. Development of a Preserve Plan, which will assure management in accordance with CUPCA and substantive requirements of the National Wildlife Refuge System Administration Act of 1966, was initiated in 2002. This effort continued in 2004 and included opportunities for public involvement. Based on the finalized plan, an operation and management agreement among Department of the Interior, U.S. Fish and Wildlife Service, Utah Division of Wildlife Resources and the Commission will be developed.

 **Utah Lake Drainage Basin Mitigation Commitments** Mitigate negative impacts to fish and wildlife caused by the Utah Lake Drainage Basin Water Delivery System.

Implementation to Date & Future Actions The Central Utah Water Conservancy District, Department of the Interior, and Commission initiated informal scoping for the Utah Lake Drainage Basin Water Delivery System (ULS) with a public open house on September 28, 2000. A public scoping meeting regarding water needs and assessments was conducted in October 2001. Planning continued throughout 2003. A Final Environmental Impact Statement was issued on September 30, 2004, and Records of Decision issued December 22, 2004 and January 27, 2005. The Commission is responsible for carrying out environmental mitigation measures committed to during the environmental analysis. Commitments include:

- ≈ Continue to acquire water shares from irrigation companies to provide flows in the lower Provo River to meet the 75 cfs target flow.
- ≈ Provide 3,300 acre-feet of irrigation company shares of water to flow unregulated toward the 75 cfs target flow in the lower Provo River.
- ≈ Provide 10 acres of the 85 acre Mona Springs Wetland Unit which was acquired for protection of the wetlands complex for mitigation of 1.03 acres of non-jurisdictional permanent wetland loss and 0.27 acres of temporary wetland impacts.
- ≈ Initiate a study to determine the feasibility of providing fish passage or removing the Fort Field Diversion Dam on the lower Provo River for June sucker spawning and rearing; implement if feasible.
- ≈ Monitor Ute ladies'-tresses orchid in Spanish Fork Canyon for a number of years (to be determined jointly by the District, Mitigation Commission and Fish and Wildlife Service) similar to the pre-operation study in Diamond Fork.
- ≈ If post-operation monitoring results in measured parameters exceeding pre-set critical values for Ute ladies'-tresses orchid populations in Spanish Fork Canyon, management guidelines presented in the 1999 Diamond Fork Biological Opinion may be implemented to compensate for impacts.
- ≈ To offset potential impacts on leatherside chub, Joint-Lead Agencies will support the Utah Division of Wildlife Resources in evaluating population and habitat status, or determining threats and/or identifying conservation actions that could protect and where appropriate enhance leatherside chub habitat.

Utah Lake Recreation Facilities This is a new program element the Commission is adopting to expend remaining authorized funds (\$852,800 as of October 1, 2004) for recreation improvements around Utah Lake (CUPCA Section 312(a)). This program element is directed at utilizing this authorization to replace, modify, expand or construct recreation facilities directly associated with efforts to restore riverine and floodplain habitats of the lower Provo River, or Lower Hobble Creek, at or near its interface with Utah Lake. Like the *Stream Restoration* and *Public Access and Facilities Development* elements already described, this program element is being merged with efforts that support implementation of the June Sucker Recovery Implementation Program for the lower Provo River, lower Hobble Creek and Utah Lake. The “Utah Lake Interpretation” program element identified in prior plans will be integrated as a component of this program element.

Terrestrial Habitat Conservation This is a new program element the Commission is adopting. Section 305(b) of CUPCA authorized the Commission to construct big game crossings and wildlife escape ramps along various Wasatch Front canals in Utah County that were expected to be used as part of the Irrigation & Drainage System of the Bonneville Unit. However, the Utah Lake System FEIS Proposed Action would not utilize any of these canals as Bonneville Unit facilities. Additionally, such measures have not proven to be necessary on the canals, or at least as high a priority as other actions the Commission could take to conserve wildlife habitat and big game populations. The Commission is reallocating this authorization (about \$1.1 million as of October 1, 2004) to other mitigation that will provide greater benefit to such resources, such as acquisition and/or restoration of sagebrush-steppe vegetative communities along the southern Wasatch Front.

Diamond Fork Watershed

Diamond Fork Area Assessment Evaluate the Diamond Fork watershed to identify desired resource conditions and achieve objectives. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions The Area Assessment, completed in September 2000, identified resources at risk of, and current and historic resources and resource conditions, operating outside a properly functioning condition, as well as opportunities to correct trends away from a properly functioning condition. These opportunities provide the foundation for Commission and Forest Service restoration and mitigation projects in Diamond Fork.

Aquatic and Riparian Habitat Restoration - Diamond Fork Develop a monitoring program to measure responses to flow changes produced by the completed Diamond Fork System. Develop an aquatic and riparian habitat restoration plan for Diamond Fork from Diamond Fork pipeline outlet to the Spanish Fork River.

Aquatic and Riparian Habitat Restoration - Sixth Water Develop (and implement as appropriate) an aquatic and riparian habitat restoration plan for Sixth Water from the West Portal to the Sixth Water Aqueduct.

Implementation to Date & Future Actions The Commission funded the Forest Service to develop a conceptual aquatic and riparian habitat restoration plan. The Forest Service assessed baseline conditions, including channel pattern, geology and riparian vegetation, and completed a draft preliminary restoration plan. This plan makes recommendations for aquatic and riparian habitat structural and hydraulic improvements within the Sixth Water riverine system. As part of restoration planning and prior to committing any funds to on-the-ground projects, the Commission will develop a monitoring program to evaluate responses of stream and riparian conditions to new reduced flow regimes produced by the completion of the Diamond Fork water delivery system.



The Forest Service also developed a conceptual aquatic and riparian habitat restoration plan for Diamond Fork with Commission funding. The planning area extends from Monks Hollow to the Spanish Fork River. The plan defined a range of alternative solutions for Diamond Fork Creek restoration considering potential

interactive effects of the pending Utah Lake Drainage Basin Water Delivery System, the Diamond Fork Pipeline, and watershed management objectives. The conceptual plan identifies factors that created undesirable conditions and makes recommendations for management, structural, and hydrologic changes to rehabilitate the system. During plan development, the Commission worked closely with the Forest Service, consultants, and other resource agencies.

The Sixth Water and Diamond Fork conceptual restoration plans developed in the mid-1990s were predicated on completing the then-designed Diamond Fork System and subsequently completing the Bonneville Unit. However, because the previously planned Monks Hollow Dam and Reservoir were not built, the conceptual restoration plans are in need of re-analysis.

In the 1999 Record of Decision for the Diamond Fork Project, the Commission committed to develop a monitoring program to evaluate responses of stream and riparian conditions to reduced flow regimes produced by the now completed Diamond Fork System. This planning effort was initiated late in 2004 and will carry on for the next several years. The Commission proposes an adaptive approach to monitoring and then implementing stream and riparian restoration measures in the Sixth Water and Diamond Fork corridors. Some on-the-ground projects may be carried out during the first few years of Diamond Fork System operations, when and where exceptional conditions require immediate intervention.

 **Water Temperature Study** Develop and implement a water quality and water temperature monitoring program in Diamond Fork as identified in the 1984, 1990, and 1999 NEPA documents for the Diamond Fork water delivery system.

Implementation to Date & Future Actions The Commission, Department of the Interior, Fish and Wildlife Service, Utah Division of Wildlife Resources, and Central Utah Water Conservancy District agreed in 1997 that water quality monitoring was still a valid environmental commitment. The Commission entered into a cooperative agreement with the Central Utah Water Conservancy District to implement the program in 1997 and at that time added additional water quality parameters to be monitored. Monitoring continued through 2001, at which time the need for continued monitoring of certain parameters was evaluated and found to be unnecessary. Monitoring of several parameters (e.g. temperature, dissolved oxygen, pH etc.) occurs regularly and continues through 2004. With construction of the Diamond Fork System complete, monitoring needs will be reviewed and adjusted to meet post-construction conditions.

 **Recreation Facilities in Diamond Fork** Construct recreation facilities compatible with conservation of natural resources.

Implementation to Date & Future Actions The 1988 Definite Plan Report for the Bonneville Unit identified the construction of recreation facilities in Diamond Fork as a project feature of the Diamond Fork System. In October 2000, the Spanish Fork Ranger District of the Uinta National Forest and the Mitigation Commission drafted a Conceptual Recreation Master Plan to update and reaffirm project recreation components. The Conceptual Recreation Master Plan tiered off the Diamond Fork Area Assessment that made Diamond Fork resources management recommendations. Conceptual Recreation Master Plan elements and status are as follows:

Replace the Diamond and Palmyra Campgrounds. Group-site Campground. (See program element described below.) Construction of the new campground was completed in 2000. As part of the decision to reconstruct the Diamond and Palmyra Campgrounds it was also decided to relocate group-site facilities to a more appropriate location.

Day-Use Areas and Trailhead Improvements. The Spanish Fork Ranger District completed construction of a day-use area at Red Ledges and trailhead improvements at Monks Hollow, Dry Canyon, Three Forks and Sawmill Hollow.

Angler-Access. Parking areas for angler-access have been constructed at 11 sites from Spanish Fork to Monks Hollow and restrooms are available at 7 sites from Diamond Fork Campground to Sawmill Hollow.

Dispersed Camping Management. Dispersed camping has been closed from Spanish Fork to Sawmill Hollow. Dispersed camping sites above Sawmill Hollow have been inventoried and closed where resource damage is occurring or hardened to prevent future resource damage.

Education and Interpretive. The Spanish Fork Ranger District has developed an education and interpretive program as part of the Diamond Campground. Additional education and interpretive opportunities will be evaluated.

The Commission is reallocating remaining unexpended funds, if any, from this program to restoration planning, implementation and monitoring in Diamond Fork and Sixth Water, and/or to willing seller acquisitions of desirable wildlife habitats in Diamond Fork and Sixth Water.

 **Diamond Fork Campground** Rehabilitate the existing campground in Diamond Fork. Construct new group site campground. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions The Spanish Fork Ranger District of the Uinta National Forest and the Commission issued decisions in December 1998 to rehabilitate and combine the existing Diamond and Palmyra campgrounds, yet reduce the capacity by approximately 33 percent. Construction on the Diamond Fork campground began in September 1999 and was completed in the summer of 2000. Individual campsites and loops within the 100-year flood plain were moved to a higher terrace to protect riparian vegetation and facilitate future stream restoration efforts. Sections of the campground impacting wild turkey roosting habitat were closed and reclaimed. Group-site facilities were removed from the campground in order to be reconstructed in a more suitable location.

Planning for the group-site facility began in the fall of 1999. A draft environmental assessment was issued in May 2003 and a revised draft was issued in August 2004, which evaluates environmental effects of potential group-site locations. The Commission and Forest Service issued their Decision Notices in November and December 2004, respectively. The selected group-site is a heavily disturbed area in the vicinity of Monks Hollow. Construction at this site is anticipated to begin in late Spring 2006.

■ **Acquisition of Angler Access** Acquire contiguous public access on lower Diamond Fork and develop appropriate facilities. *The funding component for this program element has been completed.*

Implementation to Date Less than 4 acres of land along Diamond Fork remains to be acquired from private property owners; however, additional upland habitat adjacent to riparian areas could be acquired if an owner indicated willingness to sell and appropriate funding were identified.

The Commission and Bureau of Reclamation developed an interim management agreement with the U.S. Forest Service to conduct initial management-related improvements such as fencing and weed control. Progress continued in 2003-2004 with construction of three miles of fencing to minimize trespass grazing, management of water rights, and weed control.

■ **Diamond Fork System Mitigation** Implement mitigation measures required by completion of the Diamond Fork System.

Implementation to Date Mitigation commitments will be implemented as identified in the Record of Decision of the 1999 Final Supplement to the 1984 Environmental Impact Statement for the Diamond Fork System. The Final Supplement and Record of Decision were issued in 1999. Following a Value-Engineering review of the decision, several minor modifications were identified that reduced environmental impacts and construction costs. The Commission, Central Utah Water Conservancy District, and Department of the Interior prepared an environmental assessment to evaluate impacts of these modifications.

A decision was made in August 2000 to adopt the environmental assessment's Proposed Action Modifications. The Commission's environmental commitments consist of: monitoring Ute-ladies' tresses following project construction; supporting development and implementation of June Sucker Recovery Implementation Program; and, monitoring stream channel responses to altered flow regimes following completion and operation of the Diamond Fork tunnel and pipeline. The Commission initiated a multi-agency coordination group in late 2004 to coordinate, plan, and implement monitoring and mitigation over the next five years.

Strawberry/Duchesne Watershed

- **Angler Access and Related Facilities** Acquire public access and develop operating agreements, small parking areas and other facilities on the West Fork, North Fork and main stem of the Duchesne River, the middle and lower Strawberry River, Currant Creek and Rock Creek. Develop maps and other useful guides.

Implementation to Date & Future Actions The 1988 Aquatic Mitigation Plan for the Strawberry Aqueduct and Collection System (SACS) of CUP's Bonneville Unit identified acquisition of approximately 51 miles of stream access on the Duchesne, West Fork Duchesne, Currant Creek, Strawberry River and Rock Creek to provide partial mitigation for lost angling opportunities resulting from construction and operation of the Strawberry Aqueduct and Collection System. Angler access was to be acquired where instream flows were provided.

This angler access acquisition program element is nearly complete. During 2004, the Commission and Bureau of Reclamation completed final acquisitions on Currant Creek with the purchase of approximately 0.5 river miles of property. Remaining acquisitions include a one-mile section on the Strawberry River below Soldier Creek Dam, and five reaches on the main stem of the Duchesne River totaling approximately 1.5 miles.

The primary focus of the angler-access program is now shifting from acquisition to management. In cooperation with the Utah Division of Wildlife Resources, efforts are focused on implementing Operating Agreements, including environmental compliance, removing debris from acquired properties, installing fencing, weed control and constructing parking areas.

The Commission is committing \$1.5 million formerly identified for Jordan River wetlands acquisition (CUPCA Section 311(c)) to complete SACS mitigation. (See Table 1 on Page 30 for more details).

- **Uinta Basin Replacement Project Mitigation** Implement fish and wildlife mitigation features of the Uinta Basin Replacement Project.

Implementation to Date & Future Actions The Uinta Basin Replacement Project, which was authorized by Section 203 of the Central Utah Project Completion Act, is located within Duchesne County near the towns of Altamont, Upalco, and Roosevelt, within the Uinta Basin of northeastern Utah. The Central Utah Water Conservancy District is implementing the Project. The Commission is responsible for mitigating project impacts to fish, wildlife and wetland habitats. Funding for mitigation measures is provided under Title II of CUPCA through the U.S. Department of the Interior. The Final Environmental Assessment was prepared by the District and was signed by the Department of the Interior in October 2001. Project construction began in 2003.

The Project's purpose is to provide additional early and late season irrigation water, provide municipal and industrial water supplies, and to modify and operate water management facilities for environmental purposes. This involves stabilizing thirteen high mountain lakes within the High Uintas Wilderness Area, constructing the new Big Sand Wash Feeder Diversion Structure

and Pipeline, enlarging Big Sand Wash Reservoir, constructing a new Big Sand Wash-to-Roosevelt Pipeline, modifying the Moon Lake Dam outlet works, and implementing fish and wildlife mitigation and enhancement features. Environmental needs include fishery resources that are depressed by widely fluctuating streamflows, dry damming, and recurring instream activities such as rebuilding irrigation diversions, channelization, and bank stabilization.

The Commission issued a Decision Notice and Finding of No Significant Impact in February 2004 for implementing fish and wildlife mitigation features of the Uinta Basin Replacement Project. These mitigation features are as follows:

High Mountain Lakes Stabilization. Stabilization of thirteen high mountain lakes will provide constant lake water levels year-round. Nine of these lakes (Bluebell, Drift, Five Point, Superior, Milk, Farmers, East Timothy, White Miller, and Deer) are located in the in the Upper Yellowstone River watershed and four (Brown Duck, Island, Kidney and Clements) are in the upper Lake Fork watershed. Consequently, streamflows originating in these upper watersheds will return to natural hydrologic runoff patterns, wilderness fishery and recreational values will be restored within the High Uintas, and operation and maintenance impacts will be eliminated in the wilderness area.



Moon Lake Dam and Reservoir. Photo courtesy of U.S. Bureau of Reclamation

Moon Lake Outlet Works Modifications. Minor modifications will be made to the Moon Lake Dam outlet works to facilitate the release of instream flows. Under the current operation, no water is released from Moon Lake Dam from October to April. Gaging instruments will be installed on the outlet works and in the reservoir, and on the Yellowstone Feeder Diversion and the Canal Diversion.

Habitat Mitigation and Monitoring. The Commission is responsible for wetlands mitigation and long-term maintenance and monitoring of the mitigation site.

Duchesne River Area Canal Wetland Mitigation Address initial management concerns on the 1,090-acre wetland mitigation parcel on the lower Duchesne River.

Implementation to Date & Future Actions A 1,090-acre parcel of land on the lower Duchesne River, now referred to as the “North Riverdell property,” was acquired by the Bureau of Reclamation in the late 1980s as wetland mitigation for the Duchesne River Area Canal Rehabilitation Project (DRACR), a component of the Starvation Collection System, Bonneville Unit, CUP. The North Riverdell properties were to be managed by the U.S. Fish and Wildlife Service as part of the Ouray Wildlife Refuge. However, the U.S. Fish and Wildlife Service was unable to provide management of these lands as originally planned. In 1996, the Department of the Interior and Bureau of Reclamation provided funding to the Bureau of Indian Affairs to repair water conveyance facilities, and water deliveries were then made to the wetland areas.

Long-term management of the parcel is now being evaluated in two of the four alternatives being described and analyzed in the Lower Duchesne River Wetlands Mitigation Project Draft Environmental Impact Statement (LDWP DEIS).

The Department of the Interior issued a separate draft environmental assessment early in 2002 that described alternative measures to secure and/or develop water supplies for the North Riverdell parcel. These improvements, if implemented, will be necessary regardless of whether the North Riverdell property is managed as part of the LDWP (see below), or whether it is managed as a stand-alone mitigation project for the DRACR program. A Final EA on the North Riverdell water system improvements and decision may be completed in 2005.

Strawberry Aqueduct and Collection System Wetland Mitigation Protect, restore and enhance wetlands along the lower Duchesne River corridor as mitigation for SACS wetland impacts.

Implementation to Date & Future Actions The construction and operation of SACS had impacts downstream of the Strawberry and Duchesne River confluence, particularly affecting wetlands and other resources of the Ute Indian Tribe. In addition, there were other commitments made to the Ute Indian Tribe in the 1960s that promised development of six waterfowl management areas.

Under a cooperative agreement with the Commission and Department of the Interior, the Ute Tribe developed a feasibility study for protecting, restoring or developing wetlands in selected portions along a 45-mile corridor of the lower Duchesne River, from Bridgeland to Ouray, Utah. The study recommended four broad options, out of which one would be implemented in lieu of the earlier plan developed by the Bureau of Reclamation and Bureau of Indian Affairs, which the Ute Indian Tribe had never endorsed. Based on the feasibility study, the Commission, Department of the Interior and Tribe entered into an agreement in 1998 for the Tribe to conduct additional investigations and NEPA analysis, and to implement the mitigation project. NEPA scoping occurred in 2001 and the LDWP DEIS was released for public review and comment in November 2003.



Lower Duchesne Wetlands

A Final Environmental Impact Study is anticipated in 2005. The mitigation project will satisfy Federal wetland mitigation requirements and will provide additional wetland benefits to the Ute Indian Tribe for impacts associated with construction and operation of the Central Utah Project.

Fishery and Aquatic Resources Management Determine fish management and habitat restoration needs at Strawberry Reservoir and tributaries. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions Strawberry Valley fisheries studies were conducted between 1994 and 2000. The studies included an evaluation of natural reproduction occurring in Strawberry Reservoir and its tributaries, food supply and its ability to support the fishery, and reservoir community dynamics. The studies determined that reservoir-reared cutthroat trout have better survival and growth rates than stream-reared cutthroat trout. A summary of these studies was distributed in 2001 and is available from the Commission.

An aquatic habitat mapping study was completed in 1997, providing an updated bathymetric map of the reservoir with precise stage-volume relationships. Also, in 1997, a predator study component was added to the ongoing productivity study to allow better understanding of target fish species patterns of use. This understanding should lead to more cost-effective stocking and management of Strawberry Reservoir fisheries.

A study was initiated in the fall of 1997 and completed in July 2000 that evaluated potential impacts of reservoir level fluctuations on survival and productivity of game fish and undesirable non-game species. It was linked with earlier work on aquatic habitat mapping and production and survival of game fish in the reservoir to provide an integrated evaluation of the physical and biological implications of reservoir fluctuations on productivity and water supply. Study reports have been completed and also are available from the Commission.

An electric weir and related safety features were installed at the egg-taking station to allow effective fish collection and egg taking from kokanee and cutthroat trout on the Strawberry River.

Future expenditures under this program element will be coordinated with efforts to restore aquatic habitats in the Strawberry Valley watershed (see the following program element). Specifically, remaining authorizations of 307(3) (\$1,058,000) and 307(4) (\$951,300) will be committed toward stream, riparian and watershed restoration with priority on the upper Strawberry River drainage.

Strawberry Area Assessment, Watershed and Wildlife Habitat Restoration Based on an Area Assessment, cooperate with U.S. Forest Service to identify future projects for watershed, wildlife habitat and tributary restoration.

Implementation to Date & Future Actions The Commission and Forest Service completed the Strawberry Valley Area Assessment in November 1997. The Area Assessment identified current and historic resource conditions and where resources are operating outside of a properly functioning condition. Areas most at risk were identified. Commission-funded restoration and mitigation projects in the Strawberry Valley will be based on addressing the fish and wildlife resources that have been put at risk as a result of federal Reclamation projects.

The Uinta National Forest Service followed-up on the Area Assessment in April 2004, with the release of the “Strawberry Watershed Restoration Report”, which identified specific actions necessary to restore various habitats and ecological functions in the Strawberry Reservoir Watershed. Over the next planning period, the Commission proposes to work cooperatively with the U.S. Forest Service and its many other partners to evaluate the report and identify actions that help achieve or complement existing mitigation, or conservation projects for which the Commission has authorization. Actions would be implemented over the next five years, following NEPA analysis and other required public review processes.

- **Sage Grouse Conservation and Recovery** Determine factors leading to or perpetuating the decline of the sage grouse in Strawberry Valley. Support corrective measures as they are identified.

Implementation to Date & Future Actions The first Commission-funded project based on the Area Assessment was a series of sage grouse studies. Sage grouse were identified in the Area Assessment as operating outside of a properly functioning condition and at risk. Based on this assessment, the Commission funded Brigham Young University to conduct studies of sage grouse in Strawberry Valley to specify causes for their decline. The Commission participated in funding this study because the enlargement of Strawberry Reservoir inundated four out of five historic leks (displaying and breeding areas).

Additional participants in the studies include the Utah Division of Wildlife Resources, U.S. Fish and Wildlife Service, and U.S. Forest Service. Sage grouse studies continued through 2004. Information gained is being used to develop a recovery strategy. Other conservation activities accomplished in 2004 include a nest predation study, translocation of sage grouse to the Strawberry Valley, and predator control (conducted by USDA Wildlife Services).

- **Wildlife Habitat Acquisition** Develop partnerships to acquire high priority big game habitat in Strawberry River, Currant Creek and adjacent drainages.

Implementation to Date & Future Actions Approximately 24,000 acres of big game winter range have been acquired by the Bureau of Reclamation in the Currant Creek watershed as mitigation for the Bonneville Unit. The Commission acquired an additional 300 acres in Currant Creek drainage in 2001. Approximately 1,800 acres were acquired near the middle section of Strawberry River in 2002, as partial mitigation for losses of angler access and for wildlife habitat impacts caused by the CUP. The Commission will continue to look for willing-seller acquisitions that complement existing CUP mitigation lands and objectives.

- **Reduced Flow Study/Instream Flow Management** Determine flow regime necessary to sustain riparian communities on South Slope of the Uintas affected by SACS.

Implementation to Date & Future Actions In 2001, the Commission and Brigham Young University completed the third and final year of a study of reduced stream flows effects on

riparian and aquatic habitats in streams affected by SACS.⁵ This study was coordinated with the Interagency Aquatic Biological Assessment Team (IABAT) and others. One report was completed in early 2002, and a second report was initiated that has not yet been completed.

- **Modify Diversion Structures on the Duchesne and Strawberry Rivers** Modify diversion structures in cooperation with the Central Utah Water Conservancy District (CUWCD), Duchesne County Water Conservancy District and other local water users.

Implementation to Date & Future Actions A comprehensive evaluation of eligible diversion structures was initiated in the summer of 1997 and completed in 1998 by the CUWCD and Commission consultants. The U.S. Fish and Wildlife Service, Utah Division of Wildlife Resources, U.S. Bureau of Reclamation, U.S. Forest Service and others analyzed the data and made recommendations to the Commission regarding priority projects.

The Commission, CUWCD, and Duchesne Water Conservancy District entered into an agreement to begin rebuilding diversions in 1999. Four projects were selected on a pilot project basis. Construction was completed on two projects located on the Duchesne River in 2001. A third, the Pioneer Diversion, was finished in 2002. A programmatic environmental assessment was completed in 2003. Four additional projects (two on the Duchesne River and two on the Strawberry River) were initiated in 2004. Construction of these four projects is scheduled for completion in 2005 and 2006. The Commission will attempt to identify additional sources of funds to complete remediation of the other diversion dams that were investigated for this project in 1998 and in the 2003 NEPA document.



Rebuilt Pioneer Diversion on the lower Duchesne River

- **Recreation Improvements** Expand public recreation access, information and facilities with priority on SACS mitigation requirements.

Implementation to Date & Future Actions This program element continues in concert with developing Operating Agreements for angler access corridors. Preliminary draft operating agreements for the West Fork of the Duchesne River and Currant Creek have been prepared.

⁵The primary objectives for the study were:

- (1) Identify impacts on riparian areas from reduced flows affected by construction and operation of SACS;
- (2) Recommend instream flow regimes to best accomplish riparian health (vegetative recruitment, aquatic wildlife) and stream channel stability and maintenance, in addition to fish habitat protection, on the four major stream segments affected by the stream flow agreement;
- (3) Identify and rank strategies for managing available Stream Flow Agreement storage water and water available from Daniel's Replacement Project to meet riparian health, stream channel stability and maintenance, and aquatic resources needs on the six streams affected by SACS which are not protected by the Stream Flow Agreement; and,
- (4) Identify and recommend mitigation opportunities that also provide alternatives to increasing stream flows.

Fish Habitat Improvements Program *The funding component for this program element has been completed.*

Implementation to Date & Future Actions Seventy-three miles of stream habitat improvements have been installed in the Uinta Basin, successfully mitigating for about 6,115 angler days (6,115 angler days is 75% of the stated angler day objective of 8,150 angler days). Mitigation of 3,675 angler days remains. Completion of the Provo River Restoration Project will provide the remaining 3,675 angler days of required mitigation for fish habitat improvements.

Watershed Stabilization, Wildlife Enhancement, and Access Management Stabilize watershed with priority to mitigation properties, improve wildlife habitat and manage area-wide access.

Implementation to Date & Future Actions Through an interagency agreement, the Commission funded the U.S. Forest Service to mitigate impacts to soil, fish habitat and water quality caused by abandonment of the Currant Creek Feeder Canal from tributaries above Currant Creek Reservoir to Co-op Creek in Strawberry Valley. Between 1997 and 2002, a major headcut was remediated on Pass Creek, five drainages were put back into their natural channels (South Fork Currant Creek, Left Fork Currant Creek, Tut Creek, Pass Creek, Smith Basin), and several wetlands were stabilized in Smith Basin. The project is completed.

In the next five years, the Commission, U.S. Forest Service, Utah Division of Wildlife Resources and others will seek opportunities for projects on mitigation lands or on other public lands important for fish and wildlife. Especially important will be projects that accomplish other priority program elements, such as native cutthroat trout conservation, and projects that have multiple benefits.

Great Salt Lake Watershed

Great Salt Lake Wetlands Acquisition

Support acquisition of vital properties. These properties may include lands adjacent to Federal and State management areas, local government holdings, or private conservation group holdings that will be managed for wetland functions and wildlife values.

Support National Audubon Society efforts on the South Shore Ecological Preserve.

Support The Nature Conservancy's efforts around the Great Salt Lake and particularly in the Layton-Kaysville Area.

Implementation to Date & Future Actions The Commission is working with partners to acquire important wetland and upland habitats primarily around the eastern and southern shores of the Great Salt Lake. Since 1994, 1,844 acres have been acquired in these areas with Commission funds. The purchases complement other area acquisitions, some made by The



Great Salt Lake Shorelands Preserve Visitor Center

Nature Conservancy (TNC) and National Audubon Society, and some by private entities for wetland mitigation banking. The Commission and TNC have partnered to preserve valuable habitat particularly in the Layton-Kaysville area, where TNC has established the Great Salt Lake Shorelands Preserve. The Preserve is an undiked natural landscape located on the eastern periphery of the Great Salt Lake and consists of approximately twelve contiguous shoreline miles and nearly 3,400 acres. The Commission has acquired 868 acres within the Preserve.

The Commission also formed a partnership with National Audubon Society to create the South Shore Ecological Reserve. The Reserve includes approximately 8,000 acres on the south and east shore of the Great Salt Lake. Much of this area has already been acquired by entities with a need to mitigate wetland impacts and a desire to develop an area reserved for wetlands and avian wildlife, particularly shorebirds. Kennecott Utah Copper and the Salt Lake Airport Authority acquired approximately half the area for their respective mitigation needs.

Tucked in the northwestern area of the Reserve is a 2000-acre relatively undisturbed remnant of the historic delta of the Jordan River. National Audubon Society received a donation of about 1,300 acres in the delta area. In addition, the National Audubon Society made some land trades and the Commission has acquired 743 acres of property and 750 shares of water. Currently, the Commission is focusing its acquisition efforts in the delta area. Regular contacts with adjacent landowners are maintained to maximize success.

In addition to acquisitions of land and water, a hydrology study and water delivery plan was prepared based on several configurations of area ownership and easement. This information provides the basis for a joint management plan currently under development. A preliminary draft and final of the Great Salt Lake South Shore Reserve management master plan is scheduled for 2005.

Current Commission funding for this program is expected to be fully expended after 2005. In accordance with CUPCA Section 301(f)(2), the Commission is reallocating funding (\$797,900) from the Jordan River wetlands acquisition program (CUPCA Section 311(c)) to the Great Salt Lake wetlands program (CUPCA Section 306(a)). (See Table 1 on Page 30 for more details.)

 **Restoration of Agency Management Areas** Support restoration, enhancement and rehabilitation of State and Federal-managed wetlands adjacent to the Great Salt Lake. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions Activities at State and Federally managed areas have provided restored habitat for migratory birds, increased water control to enhance water delivery to the units managed for migratory birds, and improved recreation access. In 1998, State and Federal cooperators completed restoration measures underway since 1994 with Commission funds. Among the accomplishments are: an access road and parking lot providing access to Bear River Bay on the north end of the Great Salt Lake; 26 foot bridges, over 11 miles of dikes, 18 miles of boundary fence and more than 6 miles of gravel placed on area roads at four waterfowl management areas (Timpie Springs, Farmington Bay, Ogden Bay and Howard Slough); low dikes and ditches at Locomotive Springs Wildlife Management Area; construction of dikes and canals at Bear River Migratory Bird Refuge; and restoration and enhancement of wetland and wildlife values at Salt Wells and Blue Springs Habitat management areas on the north end of the Great Salt Lake.

Many improvements also provide access to managed wildlife areas for hunting and viewing during appropriate times of the year. Some areas have interpretive or other informational provisions to promote general understanding of the Great Salt Lake ecosystem.

 **Restoration and Management of Commission-Acquired Properties** Initiate agreements with appropriate entities to address immediate and long-term management needs of Commission properties to protect and enhance values.

Implementation to Date & Future Actions The Commission has interim management agreements with the Utah Division of Wildlife Resources (UDWR), National Audubon Society, and The Nature Conservancy to provide initial stewardship activities on Commission-owned properties contiguous with the Farmington Bay Waterfowl Management Area, Great Salt Lake South Shore Reserve and Great Salt Lake Shorelands Preserve. The Commission will continue to fund activities to address immediate needs including fencing, fence repair, area clean-up and weed control, as well as longer term baseline surveys to help determine existing resource values and identify opportunities for future management.

 **Wetland Preservation Strategies** Develop and implement strategies that will contribute to the perpetual conservation of wetland functions and values through planning, management agreements and strategic partnerships.

Support Davis and Box Elder Counties in implementing their respective Wetland Conservation Plans.

Support development of wetland plans in other strategic areas.

Implementation to Date & Future Actions The vision of a wetland and upland corridor along the Great Salt Lake shoreline, preserved for resident wildlife and migratory shorebirds, is the desired future condition the Commission set in its first Plan. The Commission is partnering with many government organizations, landowners, conservation groups, agencies and others to help make it a reality.

The Commission helped accomplish a major local planning effort in Davis County with The Wetlands Conservation Plan: A Plan for Protection of the Great Salt Lake Wetlands Ecosystem in Davis County. The Plan was accepted by the Commission in January 1997 and by the Davis County Commission in November 1997. The Plan helped identify acquisition priorities and provided important background for the subsequent Davis County Shorelands Plan. The Shorelands Plan is being implemented by each city in Davis County using innovative concepts such as transfer of development rights to protect important wetlands.

The Commission funded a similar planning effort in Box Elder County. The Box Elder County Comprehensive Wetlands Management Plan was completed in August 1999. The Plan was adopted by the Box Elder County Commission in August 1999 and accepted by the Commission in November of 1999. The key Wetlands Plan recommendation - to develop a Special Area Management Plan (SAMP) for the Brigham City and Perry City area – is to be developed by Box Elder County and the cities through a grant from the U.S. Environmental Protection Agency.

Through the SAMP process, there is the opportunity to look at a contiguous area and collectively (with the public and landowners) determine those areas most important for wetlands protection and those more suitable for development. The SAMP will include strategies to mitigate financial impacts to wetland owners where the desired outcome is wetlands protection.

Drawing from the experiences in Davis and Box Elder counties, the planning process has been refined to also map wetlands and develop SAMPs for Tooele County and Salt Lake County wetlands at risk for development. In Tooele County, mapping and a Functional Assessment have been completed, and a SAMP and General Permit from the U. S. Army Corps of Engineers is anticipated in 2005.

In Salt Lake County, the Commission partnered with Envision Utah to first develop a Great Salt Lake South Shorelands Plan. Work on detailed mapping and a Functional Assessment is being carried out through 2005. Based on the outcome of the Shorelands Plan, a Special Area Management Plan and General Permit are expected by 2006 for the areas where wetlands are most at risk for development.

Following completion of these ongoing efforts, the Commission does not plan to undertake any additional wetlands preservation planning.

Jordan River Watershed

 **Jordan River Wetland Acquisition** Fund critical wetland acquisition, primarily in Salt Lake County.

Guide acquisition priorities through project proposals for West Jordan, South Jordan, and the south valley.

Expend funds for projects in south valley areas, South Jordan and West Jordan upon assurance that other project proposal elements will be implemented.

Implementation to Date & Future Actions A 70.8 acre acquisition was completed along the Jordan River in 1996. This parcel is adjacent to wetland mitigation property owned by Salt Lake County and is anticipated to eventually tie to property owned by the State of Utah. With these three parcels, a corridor on the east side of the river from about 12300 South to 14600 South would be protected for wetland and wildlife habitat values. A Tri City (Draper, Bluffdale and Riverton) planning group identified this open space area for wetland and wildlife values.

A 44-acre parcel on the north side of 10600 South in South Jordan was acquired by the Commission in 1997. In 1999, a second parcel (about 17 acres) was acquired by the Commission on the south side of 10600 South in South Jordan. In 2000, a conservation easement was donated to the Commission on about 35 acres along the Jordan River and adjacent to the second parcel. In 2001, about 17 acres were purchased along the Jordan River between 9800 South and 10000 South.

These parcels link with other undeveloped parcels. Great Salt Lake Audubon owns about 12 acres within the project area. Work continues with adjacent landowners in this area to accomplish a natural area corridor from about 9800 South to 11400 South.

In 1998, a 22-acre parcel was acquired in the West Jordan Project area. In 2000, an additional 31 acres were acquired by the Commission. West Jordan has purchased additional properties that will tie into their plan for open space, trails, wetlands protection and wildlife habitat from about 6500 South to 9000 South. West Jordan City has entered into an agreement with the U.S. Army Corps of Engineers (Section 206 Environmental Restoration program) to restore the project area. Studies have been conducted to determine the cost and feasibility of various restoration alternatives. Planning and design of the restoration has been completed and construction is anticipated to begin in 2005.

The Commission is pleased with the success achieved by the municipalities and many conservation partners along the Jordan River, particularly the Trust for Public lands, Great Salt Lake Audubon Society, Tree Utah, and Salt Lake County; and believes that the Commission's investments and participation in planning has provided an important and timely catalyst in the efforts by many organizations and individuals to conserve wildlife values within the Natural Areas remaining along the Jordan River. However, it has been the Commission's experience over the last few years that increasing demand for recreational open space along the Jordan

River no longer presents significant opportunities to preserve substantial wildlife habitat that would satisfy the requirements for Federal mitigation. Therefore, the Commission is terminating its program of land acquisition along the Jordan River corridor.

The Commission will remain committed to restoration efforts on those Natural Areas it has already acquired, and to working with local communities and organizations to find long-term management solutions for the Jordan River Natural Areas the Commission has already helped establish. About \$400,000 of authorization remains available to fund completion of ongoing activities through fiscal year 2006, after which time any unexpended funds will also be reprogrammed to other projects in proportion with the allocations shown in Table 1 (Page 30).

Remaining funding authorization for wetlands acquisition, fish and riparian habitat improvement and recreation features along the Jordan River corridor will be reallocated to other program elements that are higher priorities (e.g. 1988 Definite Plan Report requirements) and/or areas where substantial and continual progress can be made, such as the middle and lower Provo River, Strawberry Aqueduct and Collection System mitigation, along the south and east shores of the Great Salt Lake, and other projects. See Table 1 at the end of this section for a detailed description of the reallocation of funds.

 **Restoration and Management of Natural Areas** The Commission will remain involved in restoration of natural areas on the three projects already underway on Commission-owned or partially-owned lands

Implementation to Date & Future Actions The Commission has been involved since 1994 in planning and implementing habitat restoration and Jordan River corridor management with various partners.

The Commission's properties along the Jordan River near 10600 south support Great Salt Lake Audubon (GSLA) restoration projects along the Jordan River. Funds to restore acquired properties are being provided by the U.S. Fish and Wildlife Service through the Sharon Steel Natural Resource Damage Claim Settlement. One parcel connected to the GSLA project has been acquired; the Commission, GSLA and U.S. Fish and Wildlife Service developed an agreement to identify roles in project planning and use of Commission-acquired lands. To date, over 25,000 seedlings have been installed on Commission-owned lands within the project area. In 2004, these seedlings were maintained by activities such as weed control and irrigation. The Commission will continue to seek an agreement with an entity for long-term management of the properties for wildlife habitat values in the next few years.

The Commission also completed a memorandum of understanding with the Utah Department of Transportation (UDOT) to restore wetlands on the parcel the Commission acquired in 1996 along the Jordan River at 12600 South. At the time, UDOT was developing wetlands to mitigate I-15 project impacts. By November 1997, UDOT had removed unwanted structures and exotic vegetation, planted native species, contoured the area and restored wetland function to most of the site. UDOT also installed a pump to use Commission water rights from the Jordan River to maintain hydrology for the area. This will continue to enhance avian and terrestrial wildlife use of the area, as well as restore wetland values. UDOT contributed funds to

a long-term endowment to off-set the cost of managing the area for wetland values in perpetuity. The Commission is looking to develop an agreement with an entity for long-term management of the properties for wildlife habitat values in the next few years.

West Jordan City has purchased additional properties that will complement their plan for open space, trails, wetlands protection and wildlife habitat from about 6500 South to 9000 South. West Jordan City has entered into an agreement with the U.S. Army Corps of Engineers (Section 206 Environmental Restoration program) to restore the project area. Planning and design of the restoration has been completed and construction is anticipated to begin in 2005.

The Commission will work cooperatively with West Jordan City and others to allow the federal lands it acquired to be incorporated into this restoration project.

In 2001, about 0.5 acres on the north side of 10600 South was sold to UDOT to allow widening of 10600 South. Construction was completed in 2002. In 2002, a right-of-way easement was granted to Utah Power and Light to install an underground power line. Compensation for the right-of-way consisted of mechanical removal of Russian olive trees followed by herbicide treatment of the stumps. Treatment was completed early in fiscal year 2003.

Remaining funding authorization along the Jordan River corridor will be reallocated to other areas where substantial and continual progress can be made, such as along the south and east shores of the Great Salt Lake, the middle and lower Provo River, Strawberry Aqueduct and Collection System mitigation, and other projects.

■ **Support Jordan River Natural Areas Management Planning** The Commission is limiting its involvement in planning efforts to those affecting the Commission's three project areas along the Jordan River. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions A number of municipalities and agencies have plans for open space areas along the Jordan River to be managed for their natural values. The designation "Jordan River Natural Conservation Corridor" (JORNAC) was created to give a common identity to these special lands, including those of the Commission, within the Jordan River corridor. This corridor would not be contiguous the length of the river, but would provide habitat for riparian species and require similar management goals and objectives.

A report that identifies these existing and potential natural areas, as well as recommendations for their management, was completed in September 2000. This Report was developed in cooperation with the National Audubon Society, U.S. Fish and Wildlife Service, Salt Lake County and other state and local interests.

The Jordan River Natural Areas Forum was created in 2001 to implement Report recommendations. Forum members include state, local and federal entities as well as private non-profit organizations. The Commission's initial involvement in the Forum bolstered other Jordan River acquisition and restoration work. Through the Forum's efforts to educate a diverse audience, ranging from children to government officials about the natural values of the river,

pursue acquisition of the remaining natural areas on the river, and help coordinate restoration activities, among other projects, the Commission's restoration projects will have less chance of becoming isolated islands in an urban corridor.

The Commission supports the original concepts of the Forum, but will no longer be a participant. The Commission is limiting its involvement in planning efforts to those affecting its three project areas along the Jordan River.

Albion Basin Acquisitions Support cooperative efforts to accomplish watershed protection in Albion Basin.

Implementation to Date & Future Actions The Commission supported efforts to work with the U.S. Forest Service, the non-profit Friends of Alta, and local governments to accomplish acquisitions in the Albion Basin watershed since 1995. The Forest Service and Friends of Alta acquired several lots in Albion Basin in 1997 and 1998. Again, in 2002, the Friends of Alta were able to purchase a number of Albion Basin lots with funds provided by the Commission. The Commission has completed its involvement in this program. Funds appropriated under CUPCA Section 313(b) that were not expended for Albion Basin land acquisitions remain available for expenditure under the "Statewide - Small Watershed and Small Dam Improvements" program element.

TABLE 1
FY 2005 MITIGATION PLAN FUNDING REALLOCATION [CUPCA Section 301(f)(2)]
Title III Summary of Funding Reallocations

		From: Sec. 311 (a)	Sec. 311 (b)	Sec. 311 (C)	Sec. 311 (d)(1)	
		Jordan River	Jordan River	Jordan River	Jordan River	
		Fish Habitat	Riparian Habi	Wetlands	Rec. Facilities	
FUNDING REALLOCATION		Improvement:	Development	Acquisition	Salt Lake Co.	Total
To:	FY 2005 Authorization Available to Transfer	1,704,100	1,105,200	3,797,900	705,800	7,313,000
	Sec. 307(1) Fish Habitat Restoration Jordanelle to Deer Cr	1,500,000	500,000			2,000,000
	Sec. 311(d)(2) Provo / Jordan River Rec. Facilities (UT / WA Co.)				705,800	705,800
	Sec. 315 Angler Access Jordanelle to Deer Creek			1,500,000		1,500,000
	Sec. 315 Strawberry Angler Access			1,500,000		1,500,000
	Sec. 306(a) Wetlands Around Great Salt Lake			797,900		797,900
	Sec. 307(2) Fish Habitat Restoration: Streams in Utah	204,100				204,100
	Sec. 309(a)(4) Additional Recreation and Angler Access		605,200			605,200
	Authorization Transferred	1,704,100	1,105,200	3,797,900	705,800	7,313,000

Section 301(f)(2) of the Central Utah Project Completion Act: Reallocation of Section 8 Funds. - Notwithstanding any provision of this act which provides that a specified amount of section 8 funds available under this Act shall be available only for a certain purpose, if the Commission determines, after public involvement and agency consultation as provided in subsection (g)(3), that the benefits to fish, wildlife, or recreation will be better served by allocating such funds in a different manner, then the Commission may reallocate any amount so specified to achieve such benefits: Provided, however, That the of the United States Fish and Wildlife Service for any reallocation from fish or wildlife purposes to recreation purposes of any of the funds authorized in the schedule in section 315.

Statewide Program

 **Fish Hatchery Restoration and Construction** Support fish hatchery production to assist meeting warm-water and cold-water fish production and stocking needs for Utah reservoirs in the CRSP-affected areas, and to augment native fish populations as appropriate.

Implementation to Date & Future Actions A Fish Hatchery Production Plan was developed in 1995 and revised in 1998 that describes Commission-funded actions over a ten-year period for hatchery improvements in Utah.⁶ The following is the status on those improvements:

The Commission and Utah Division of Wildlife Resources entered into a cooperative agreement to reconstruct the Kamas State Fish Hatchery. Construction began in September 1998 and is complete. The hatchery was dedicated in July 2001. Over 1.3 million rainbow, cutthroat and brook trout, as well as grayling, weighing 131,335 pounds were stocked from the new Kamas Hatchery in 2002. In 2003, 134,733 pounds were stocked. The new hatchery is a great success.

Using design parameters similar to those applied at Kamas Hatchery, construction of the new Fountain Green Hatchery began in 2001 and was completed in 2002. Over 700,000 Bonneville cutthroat trout eggs (Bear Lake strain) were moved to the new facility at that time. The majority of the fish were stocked in Strawberry Reservoir. The new hatchery was dedicated in June of 2003. Production in 2003 was 1,888,639 trout weighing 145,970 pounds.

National Environmental Policy Act (NEPA) analysis for reconstructing the Whiterocks State Fish hatchery was completed in 2004. The record of decision to do a partial reconstruction of the existing Hatchery was issued April 30, 2004. Design of the new hatchery has been initiated.

NEPA analysis for an Interim June Sucker Hatchery has been completed and the decision to add a recirculating facility to the existing June sucker building at the Utah Division of Wildlife Resources' Fisheries Experiment Station in Logan, Utah was made on March 17, 2004. Feasibility level design to determine construction and operation costs has been completed.

NEPA analysis for constructing the Big Springs Ute Tribe Fish Hatchery was completed through a draft Environmental Assessment on December 31, 2003.

Additionally, the Commission funded modifications to a water supply system for the Jones Hole National Fish Hatchery.

In fiscal year 2006, the Commission will provide funding to completely rebuild Whiterocks State Fish Hatchery (identified in Phase 2 of the Fish Hatchery Production Plan) and to add raceway covers at Fountain Green State Fish Hatchery. The Commission will revise the Fish Hatchery Production Plan, if necessary.

⁶The Fish Hatchery Production Plan was mandated by CUPCA (Section 313(c)) to identify long-term needs and management objectives for hatchery production. The Plan has been updated by the Hatchery Workgroup, incorporating Mitigation and Conservation Plan priorities, feasibility report information, stocking assessment report results and the UDWR stocking policy. An Environmental Assessment and Finding of No Significant Impact was released in April of 1998.

■ Sensitive Species Inventory and Database Support a statewide survey of sensitive fish, wildlife, invertebrate and plant species and develop a centralized, shared database. Develop methods to help users obtain information from the database, as well as provide information to the database.

Implementation to Date & Future Actions Commission funds have been used to help develop Utah Division of Wildlife Resource’s (UDWR) biodiversity information database. Sensitive⁷ vertebrate, invertebrate, and plant species information now exists in a central database that is continually updated and widely available. UDWR released an updated sensitive species list (December 18, 2003) and has updated the database to reflect changes made at that time.

For 130 sensitive vertebrate species and 154 sensitive invertebrate species, database information includes: taxonomic comments, subspecies, discussions, status as identified by several agencies, Natural Heritage ranking (global and state ranks), abundance notes, range in Utah, habitat requirements in Utah, trends, threats, special considerations inventory needs, and county of occurrence maps. In addition, the central database also contains 4,178 detailed sensitive vertebrate species occurrence records and 872 detailed sensitive invertebrate species occurrence records.

For 435 sensitive plant species, database information includes: taxonomic comments, status as identified by several agencies, Natural Heritage ranking (global and state ranks), and county of occurrence maps. In addition, the central database also contains 4,627 detailed sensitive plant species occurrence records.

Reports published under the project include: “Inventory of Sensitive Vertebrate and Invertebrate Species: A Progress Report”; “Endemic and Rare Plants of Utah: An Overview of Their Distribution and Status”; “Rare, Imperiled, and Recently Extinct or Extirpated Mollusks of Utah: A Literature Review”; “The Bats of Utah: A Literature Review”; “Endemic and Rare Plants of Utah: An Overview of Their Distribution and Status”; and, “Vertebrate Information compiled by the Utah Natural Heritage Program, A Progress Report, 2003”.

Inventory work for both plant and animal sensitive species is ongoing. UDWR issued a vertebrate progress report in 2003. Initial database work for a plant tracking list is nearing completion with a plant progress report expected by the end of 2005. Initial database work for mollusks and odonates is complete, but because of the extremely large number of invertebrate groups, initial work for all invertebrates will likely never be complete. Finally, the database was recently converted to a new management system (Biotics), which is vastly improved and can store much more information.

This has been a positive partnership for the Commission. The funding authorization for the inventory and survey database is nearly expended. The Commission anticipates that funding for this program will be fully expended after 2006.

⁷“Sensitive” species are defined as being state threatened, endangered and sensitive or as federally listed and some otherwise rare species.

 **Stream and Riparian Restoration Enhancement** Support stream and riparian restoration to enhance aquatic systems and acquisition of stream reaches and angler access.

Implementation to Date & Future Actions Many of the Commission stream and riparian restoration projects are in specific watersheds; however, some will be conducted on a statewide basis because they meet Commission priorities. The Commission supports projects designed to restore ecosystem health and function to aquatic and riparian areas and public access to enjoy recreational opportunities.

Activities under this program element have occurred within the Bonneville Unit area established as a priority by the Commission for the first planning periods. The Commission will continue this priority emphasis on streams in the Bonneville Unit area and on streams already associated with a Commission project, especially the Provo River Restoration Project. The Commission will commit \$809,000 of funding authority formerly identified for Jordan River fish habitat rehabilitation (CUPCA Section 311(a) - \$204,100) and riparian habitat rehabilitation (CUPCA Section 311(b) - \$605,200) to this program element.

 **Small Watershed and Small Dam Improvements** Support restoration-and-conservation-related improvements to small dams that meet the Commission's priorities and one or more of the Commission's objectives as stated in this Mitigation and Conservation Plan.

Implementation to Date & Future Actions Funding for small dam improvements was provided in 1994 and 1995. No new work has been initiated since 1996 following adoption of the first Mitigation Plan, which removed this element as a priority during the initial 5-year planning period. This program element will remain a low priority for 2005.

 **Native Cutthroat Trout Restoration** Support native cutthroat trout restoration projects that are compatible with Commission priorities and Conservation Agreements and Strategies.

Implementation to Date & Future Actions Both the original Colorado River and Bonneville Cutthroat Trout Conservation Strategies have been signed by all participants and the Commission. Identification of suspected remnant populations of native cutthroat trout is ongoing, using a combination of geographic, meristic and DNA analyses. Procedure manuals and databases were developed and are continually updated.

Genetic and physical or meristic analysis is continuing on sampled cutthroat populations to determine the amount of introgression with rainbow trout and nonnative Yellowstone cutthroat trout. Conservation strategies for the Colorado River and Bonneville cutthroat trout are being revised. The Commission is also participating in efforts to develop a standardized rangewide database for the two subspecies. In fiscal year 2005 and beyond, the Commission's involvement may include funding habitat restoration projects or other cutthroat trout conservation projects, especially if other CUP mitigation or conservation programs are involved.

 **Wetlands Ecosystem Education Plan (WEEP)** Support development of a message and implementation plan that meets Commission goals and objectives in educating people about

the Greater Great Salt Lake Wetland Ecosystem, and cooperate with Utah State University in the construction of Blood's Pond as part of a wetlands education and interpretive facility at the Utah Botanical Center in Kaysville, Utah. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions In 1995, to help identify direction and need, the Commission funded a Needs Assessment and Conceptual Plan for Interpretive Recreation and Education for the Greater Great Salt Lake Wetlands Ecosystem. This report identified a gap between the level of importance placed on wetlands and wetlands awareness and opportunities available to satisfy those needs. To help address this, the Commission helped fund and participated in developing a wetlands education plan.

The geographic scope of the planning project comprises the wetland ecosystem associated with the area from Cache Valley, down the Bear River, along the shore of the Great Salt Lake, up the Jordan River, through Utah Lake and up the Provo River to Jordanelle Reservoir.

The Final Plan, completed in January 2001, identifies diverse audiences, important messages, and message delivery ideas appropriate for each audience, and has been used as intended by various agencies and organizations as the basis for developing wetland education programs.

The Utah Botanical Center, in partnership with Utah Division of Wildlife Resources, is scheduled to complete the Commission-funded portions of construction at its wetlands education facilities in 2005.

The Utah Botanical Center has also assumed responsibility for managing WEEP, now known as the Utah Wetlands Interpretive Network.



Utah Botanical Center and Wetland Education Ponds in Kaysville, with the Great Salt Lake in the background. Photo courtesy of the Utah Botanical Center

Native Fish Studies Where relevant to Commission project planning or implementation, support studies or monitoring of native fish and/or habitats. *The funding component for this program element has been completed.*

Implementation to Date & Future Actions The Commission is participating in ongoing revisions of the Conservation Agreements and Strategies for both least chub and spotted frog, and is also participating in the management plan for leatherside being written by the Utah Division of Wildlife Resources (UDWR).

Additional commitments to study leatherside populations and/or to mitigate and conserve leatherside populations in Utah are new environmental commitments associated with the Utah Lake Drainage Basin Water Delivery System (ULS). The Commission has previously committed to monitor leatherside habitat and populations as mitigation for the Diamond Fork System; this will begin in 2005.

The Commission and UDWR have secured habitat for least chub and spotted frog in Juab County through acquisition and management of a spring/wetland complex. Funding has been provided for current research on development of intensive culture techniques for least chub and leatherside, based on recommendations of the related technical teams and/or researchers.

Appendix A

Financial Supplement: Fiscal Year 2004



UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

**Utah Reclamation Mitigation and Conservation Commission
Financial Supplement: Fiscal Year 2004 Annual Report**

PROVO RIVER / UTAH LAKE	Original Authority [1991]	1	Ceiling Transfers FY 1994 - FY 2004	2	Committed Funds FY 1994 - FY 2004	3	Indexed Balance & Remaining Auth [2004]	4
LOWER PROVO RIVER								
Acquisition of Instream Flows	15,000,000		0		5,309,178		14,387,322	
Instream Flow / High Flows Study	500,000		0		534,000		81,905	
June Sucker Recovery	1,050,000		0		1,047,912		115,950	
Stream Restoration	975,000		0		0		1,310,820	
Diversion Dam Modifications	4,000,000		0		30,946		5,471,954	
Public Access and Facilities Development	65,000		0		0		65,000	
Water Quality Improvements	25,000		0		0		25,000	
MIDDLE PROVO RIVER								
<i>Provo River Restoration Project</i>								
Angler Access and Facilities Development	10,895,443		18,204,033	a/b	30,034,990		83,870	
Fish and Riparian Habitat Restoration	5,911,000		6,900,997	c	13,338,962		737,722	
PRRP Education and Interpretation	90,000		0		109,306		118,824	
UPPER PROVO RIVER								
Highway-Related Deer Mortality Reduction	0		1,150,990	c	14,069		1,362,240	
UTAH LAKE								
Utah Lake Fish Management	600,000		0		275,062		575,553	
Utah Lake Wetland Preserve	16,670,000		1,180,000	a	11,159,765		10,795,805	
Utah Lake Drainage Basin Mitigation Commitments	3,597,219		0		342,453		4,648,795	
Utah Lake Recreation Facilities	1,975,000		(1,545,000)	b	0		959,700	
Terrestrial Habitat Conservation	0		0		0		0	
Subtotal Provo River / Utah Lake	61,353,662		25,891,020		62,196,643		40,740,461	
DIAMOND FORK								
	Original Authority [1991]		Ceiling Transfers FY 1994 - FY 2004		Committed Funds FY 1994 - FY 2004		Indexed Balance & Remaining Auth [2004]	
Aquatic and Riparian Habitat Restoration - Diamond Fork	1,230,000		0		29,000		1,688,100	
Aquatic and Riparian Habitat Restoration - Sixth Water	1,500,000		0		175,820		1,777,300	
Water Temperature Study	100,000		0		89,079		31,621	
Recreation Facilities in Diamond Fork	2,049,000		0		730,354		2,070,846	
Diamond Fork System Mitigation	50,000		0		0		50,000	
Subtotal Diamond Fork	4,929,000		0		1,024,252		5,617,868	

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DUCHESNE / STRAWBERRY	Original Authority [1991]	1	Ceiling Transfers FY 1994 - FY 2004	2	Committed Funds FY 1994 - FY 2004	3	Indexed Balance & Remaining Auth [2004]	4
Angler Access and Related Facilities	7,231,000		1,948,110		8,603,050		875,755	
Duchesne Area Canal Wetland Mitigation	160,000		0		5,000		208,000	
SACS Wetland Mitigation	7,927,000		0		1,477,861		9,348,939	
Uinta Basin Replacement Project Mitigation	0		375,000		375,000		0	
Strawberry Area Assessment, Watershed & WHR	3,400,000		0		210,084		4,615,538	
Sage Grouse Conservation & Recovery	600,000		0		371,587		197,501	
Wildlife Habitat Acquisition	600,000		0		0		584,988	
Instream Flow Management	400,000		0		262,594		209,166	
Modify Diversion Structures	0		2,619,665	c	2,563,488		56,177	
Recreation Improvements	80,000		0		0		237,700	
Watershed Stabilization, Wildlife Enhancement & Access Mgmt	3,500,000		0		113,200		4,762,989	
Subtotal Duchesne / Strawberry	23,898,000		4,942,775		13,981,864		21,096,753	
GREAT SALT LAKE	Original Authority [1991]		Ceiling Transfers FY 1994 - FY 2004		Committed Funds FY 1994 - FY 2004		Indexed Balance & Remaining Auth [2004]	
Great Salt Lake Wetlands Acquisition	11,073,000		(3,090,000)	b	9,494,013		696,899	
Restoration and Management of Commission Acquired Properties	240,000		0		239,200		800	
Wetland Preservation Strategies	1,330,000		0		1,327,202		2,798	
Subtotal Great Salt Lake	12,643,000		(3,090,000)		11,060,415		700,497	
JORDAN RIVER	Original Authority [1991]		Ceiling Transfers FY 1994 - FY 2004		Committed Funds FY 1994 - FY 2004		Indexed Balance & Remaining Auth [2004]	
Jordan River Wetland Acquisition	6,980,000		(1,545,000)	b	3,363,989		3,615,946	
Restoration & Management of Natural Areas	2,385,985		0		1,770		3,319,515	
Albion Basin Acquisitions	1,000,000		0		216,739		775,186	
Subtotal Jordan River	10,365,985		(1,545,000)		3,582,498		7,710,647	
STATEWIDE	Original Authority [1991]	1	Ceiling Transfers FY 1994 - FY 2004	2	Committed Funds FY 1994 - FY 2004	3	Indexed Balance & Remaining Auth [2004]	4
Fish Hatchery Restoration and Construction	22,800,000		0		15,152,886		12,875,744	
Sensitive Species Inventory and Database	1,500,000		0		1,397,677		369,913	
Stream and Riparian Restoration Enhancement	7,075,557		0		3,000		11,019,026	
Small Watershed and Small Dam Improvements	3,000,000		0		1,216,154		2,855,196	
Native Cutthroat Trout Restoration	475,000		0		358,345		208,380	
Subtotal Statewide	34,850,557		0		18,128,061		27,328,260	

Utah Reclamation Mitigation and Conservation Commission
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FUNDING COMPONENT COMPLETE	Original Authority [1991]	1	Ceiling Transfers FY 1994 - FY 2004	2	Committed Funds FY 1994 - FY 2004	3	Indexed Balance & Remaining Auth [2004]	4
WCWEP and Daniels Replacement Pipeline	10,500,000		800,000	a	11,945,585	a	0	
Upper Provo River Reservoir Stabilization	5,000,000		(1,900,400)	b	3,423,348		0	
Washington Lake Campground	0		1,760,000	c	1,773,390		0	
Diamond Fork Area Assessment	40,000		0		40,000		0	
Diamond Campground	1,200,000		0		1,200,000		0	
Acquisition of Angler Access	2,414,000		(165,200)	b	1,575,459		838,541	
Fishery and Aquatic Resources Management	850,000		0		795,446		(0)	
Fish Habitat Improvement Programs	245,000		0		248,693		0	
Restoration of Agency Management Areas	1,300,000		0		1,360,684		0	
Support Jordan River Natural Areas Management Plan	24,015		0		22,000		0	
Wetlands Ecosystem Education Plan	117,000		0	b	115,971		0	
Native Fish Studies	0		0		0		0	
Subtotal Funding Component Complete	21,690,015		494,400		22,500,576		838,541	
FINANCIAL SUMMARY								
	Original Authority [1991]		Ceiling Transfers FY 1994 - FY 2004		Committed Funds FY 1994 - FY 2004		Indexed Balance & Remaining Auth [2004]	
Provo River / Utah Lake	61,353,662		25,891,020		62,196,643		40,740,461	
Diamond Fork	4,929,000		0		1,024,252		5,617,868	
Duchesne / Strawberry	23,898,000		4,942,775		13,981,864		21,096,753	
Great Salt Lake	12,643,000		(3,090,000)		11,060,415		700,497	
Jordan River	10,365,985		(1,545,000)		3,582,498		7,710,647	
Statewide	34,850,557		0		18,128,061		27,328,260	
Funding Component Complete	21,690,015		494,400		22,500,576		838,541	
Total	169,730,219		26,693,195		132,474,308		104,033,026	
COMMISSION FUNDING								
Title III Funding	145,316,000		0		92,809,100		84,416,900	
Section 201, 1988 Definite Plan Report Funding	24,414,219		4,513,500		16,527,233		19,231,206	
Title IV Funding	0		19,560,030		19,175,111		384,919	
Section 203(a)(5) Funding	0		2,619,665		1,343,200		0	
DOI: WCWEP/ DRP	0		0		2,619,665		0	
Total	169,730,219		26,693,195		132,474,308		104,033,026	

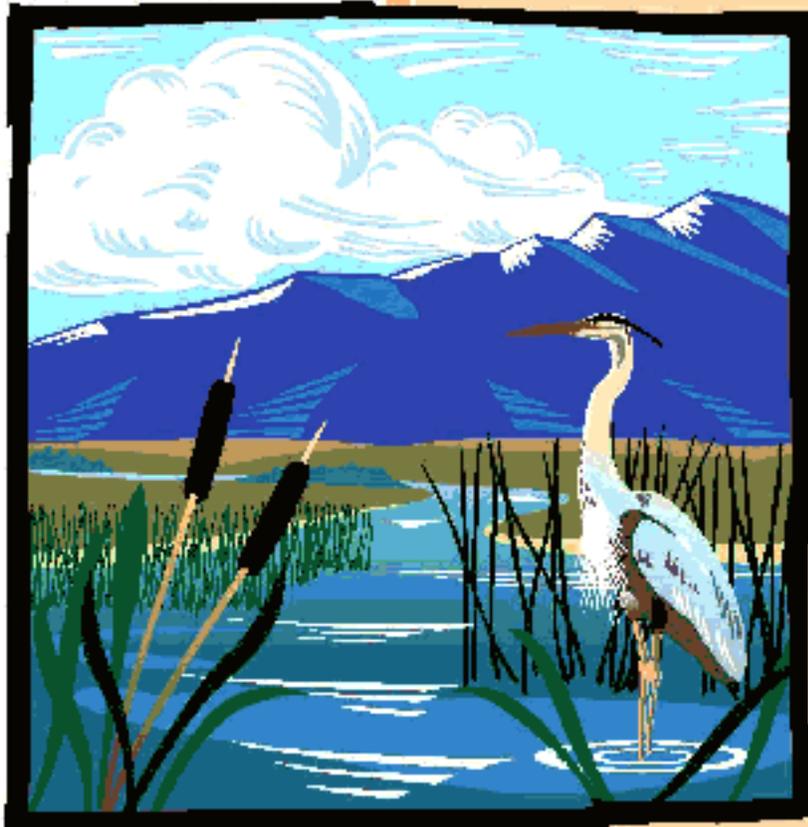
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NOTES:

- 1 Original Mitigation Authority is found in the Reclamation Projects Authorization And Adjustment Act of 1992 [P.L 102 575]
- 2 Reallocations are authorized by CUPCA Section 301(f) and are summarized as follows:
 - a Title IV Discretionary Funds Used on Projects:
 - Fiscal Year 1999: \$800,000 WCWEP / DRP
 - Fiscal Year 2000: \$3,856,000 PRRP Angler Access and Facilities Development; \$1,180,000 Utah Lake Wetland Preserve
 - Fiscal Year 2001: \$5,653,100 PRRP Angler Access and Facilities Development
 - Fiscal Year 2002: \$350,000 PRRP Fish and Habitat Restoration; \$1,922,600 SACS Angler Access and Related Facilities
 - b Reallocations implemented through the July 2000 Mitigation and Conservation Plan:
 - \$8,245,600 Increase for PRRP Angler Access and Facilities Development
 - (\$1,900,400) Decrease for Upper Provo River Reservoir Stabilization
 - (\$165,200) Decrease for Acquisition of Angler Access [Diamond Fork]
 - (\$3,090,000) Decrease for Great Salt Lake Wetlands Acquisition
 - (\$1,545,000) Decrease for Jordan River Wetland Acquisition
 - (\$1,545,000) Decrease for Utah Lake Recreation Improvements
 - c Programs established pursuant to CUPCA
 - \$1,227,600 established for Middle Provo River Diversion Dams and combined in PRRP Fish and Riparian Habitat Restoration
 - \$1,151,000 established for Highway-Related Deer Mortality Reduction
 - \$1,800,000 established for construction of the Washington Lake Campground
 - \$2,619,665 established from CUWCD under Section 203(a)(5) to Modify Diversion Structures
- 3 Committed Funds include appropriations that have been obligated and/or expended under each program element
 - a DOI paid \$1,343,200 during fiscal year 2000 under WCWEP / DRP authorization.
- 4 Indexed Balance & Remaining Authority includes (a) the Original Authority [\$1991], (b) + or - Reallocations, (c) Less Appropriations (d) Less Section 314(c) transfers, (e) Plus indexing increases and (f) plus funds that have been appropriated but not yet obligated.

Appendix B

Five-Year Budget & Schedule:
Fiscal Year 2005



UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

Appendix B

2005 Draft Plan Update Budget and Schedule

The 2005 plan update budget and schedule reflects Commission activities for fiscal years 1994 through 2009. Actual cumulative appropriations received are shown for prior years (fiscal year 1994 through fiscal year 2004) according to the Program Elements those funds were allocated against. Actual appropriations are shown for fiscal year 2005 (the current fiscal year) and the amounts shown for fiscal year 2006 reflect the President's proposed fiscal year 2006 budget. Planning-level budgets are presented for fiscal years 2007 through 2009. Budgets are always subject to appropriations by Congress; actual amounts received may vary substantially from those shown in this schedule. Please note that expenditures may not equal appropriations in some cases. More detailed financial information not included in this chapter, including obligation amounts and expenditure amounts, is available from the Commission through quarterly and annual financial reports (available upon request).

All funding authorized by CUPCA for use by the Commission is indexed (increased to adjust for inflation). The amount of the annual indexing is determined by published indices for engineering costs. Indexing is applied only to the remaining un-appropriated balance within an authorization. The amounts shown in this budget and schedule reflect indexing; therefore, amounts allocated to a specific authorization may in some cases appear to exceed the original amount authorized by CUPCA.

In fiscal years 1994 and 1995, the Commission's administrative costs (limited to \$1 million plus indexing) were funded from the annual contribution to the Commission from Western Area Power Administration (WAPA; Section 401(3) (B) of CUPCA). In fiscal years 1996, 1997 and 1998 the Commission has funded the agency administration costs from its Title III appropriations. In fiscal years 1999 through 2005, the Commission intends to again fund the agency administration costs using the annual contribution from WAPA.

2005 PLAN UPDATE

1/

Budget and Schedule

PROVO RIVER / UTAH LAKE	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL	Section Authority	
	(Prior Years)								
LOWER PROVO RIVER									
Acquisition of Instream Flows	3,882,000	0	0	9,017,000	11,509,000	6,814,000	31,222,000	302(a), 303(e), 202(c)	
Instream Flow / High Flow Study	568,605	0	0	0	0	0	568,605	303(e)	
June Sucker Recovery	1,314,087	30,100	50,000	185,000	200,000	200,000	1,979,187	307(5), 312(a), 307(2), DPR-6	
Stream Restoration	509,920	0	50,000	350,000	280,000	0	1,189,920	311(e), 307(2)	
Diversion Dam Modifications	481,000	0	0	200,000	300,000	300,000	1,281,000	302(c)	
Public Access and Facilities Development	25,000	0	0	15,000	0	0	40,000	311(d)(2), 312(a), 312(b)	
^{2/} Water Quality Improvements	-	-	-	-	-	-	-	No Funding Required	
MIDDLE PROVO RIVER									
^{3/} Provo River Project:									
Angler Access and Facilities Development	33,666,538	2,050,900	0	0	0	0	35,717,438	311(d)(2), 312(a), 315, 309(a)(4), 312(b), 313(a), DPR1, DPR4, DPR12	
Fish and Riparian Habitat Restoration	13,717,671	2,023,200	0	0	285,000	0	16,025,871	307(1), 308(c), 309(a)(1), 311(d)(2), 307(2), 315, 309(a)(4), DPR8, DPR11	
UPPER PROVO RIVER									
Highway-Related Deer Mortality Reduction	1,082,609	0	0	0	0	0	1,082,609	DPR10	
UTAH LAKE									
Utah Lake Fish Management	317,062	0	0	0	0	0	317,062	307(5)	
Utah Lake Wetland Preserve	11,754,270	1,495,200	100,000	1,200,000	1,725,000	1,200,000	17,474,470	306(c)(9)	
Utah Lake Drainage Basin Mitigation Commitments	327,876	20,000	20,000	0	200,000	200,000	767,876	DPR6	
Utah Lake Recreation Facilities	175,000	0	0	75,000	100,000	100,000	450,000	312(a)	
Terrestrial Habitat Conservation	0	0	0	400,000	500,000	125,000	1,025,000	305(b)	
Total Provo River / Utah Lake	67,821,638	5,619,400	220,000	11,442,000	15,099,000	8,939,000	109,141,038		
DIAMOND FORK	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL	Section Authority	
	(Prior Years)								
Aquatic and Riparian Habitat Restoration - Sixth Water	256,820	0	0	200,000	200,000	200,000	856,820	307(6), 309(a)(2), DPR3	
Aquatic and Riparian Habitat Restoration - Diamond Fork	319,000	0	0	125,000	150,000	200,000	794,000	DPR3	
Water Temperature Study	111,600	0	0	0	0	0	111,600	DPR2	
Recreation Facilities in Diamond Fork	2,383,000	432,200	0	0	0	0	2,815,200	DPR5	
Diamond Fork System Mitigation	10,000	0	16,000	0	0	0	26,000	DPR6	
Total Diamond Fork	3,080,420	432,200	16,000	325,000	350,000	400,000	4,603,620		

2005 PLAN UPDATE

1/

Budget and Schedule

STRAWBERRY / DUCHESNE	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL		
	(Prior Years)								
Angler Access and Related Facilities	7,499,178	1,442,400	0	565,000	300,000	325,000	10,131,578	315, 305(a) 309(a)(4), 312(b), DPR9	
Uinta Basin Replacement Project Mitigation	0	7,027,248	210,000	1,755,000	2,000,000	2,648,000	13,640,248	202(c)	
Duchesne Area Canal Wetland Mitigation	75,000	0	0	50,000	0	0	125,000	315	
SACS Wetland Mitigation	1,757,800	0	175,000	1,500,000	3,000,000	2,000,000	8,432,800	DPR7	
Strawberry Area Assessment, Watershed & WHR	495,344	0	10,000	100,000	250,000	100,000	955,344	307(3), 307(4), 315	
Sage Grouse Conservation & Recovery	568,680	0	0	100,000	100,000	100,000	868,680	315	
Wildlife Habitat Acquisition	581,900	164,000	0	0	0	0	745,900	307(8), 315, 305(a)	
Reduced Flow Study / Instream Flow Management	397,560	0	20,000	15,000	15,000	9,000	456,560	309(b)	
Modify Diversion Structures on the Duchesne & Strawberry Rivers	2,619,665	0	0	0	0	0	2,619,665	203(a)(5) - Not MCC Funding	
Recreation Improvements	50,000	0	0	0	0	0	50,000	312(b)	
Watershed Stabilization, Wildlife Enhancement & Access Mgmt	414,575	0	0	380,000	550,000	150,000	1,494,575	307(8), 309(a)(3)	
Total Strawberry / Duchesne	14,459,702	8,633,648	415,000	4,465,000	6,215,000	5,332,000	39,520,350		
<hr/>									
GREAT SALT LAKE	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL	Section Authority	
	(Prior Years)								
Great Salt Lake Wetlands Acquisition	10,210,927	0	0	340,000	340,000	20,000		306(a)	
Restoration & Management of Commission Acquired Properties	180,207	0	0	40,000	40,000	5,000	265,207	306(a)	
Wetland Preservation Strategies	1,327,477	0	0	20,000	20,000	5,000	1,372,477	306(a)	
Total Great Salt Lake	11,718,611	0	0	400,000	400,000	30,000	1,637,684		
<hr/>									
JORDAN RIVER	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL	Section Authority	
	(Prior Years)								
Jordan River Wetland Acquisition	3,141,435	0	0	0	0	0	3,141,435	311(c)	
Restoration & Management of Natural Areas	42,985	0	0	0	0	0	42,985	311(a), 311(b), 311(d)(1)	
Albion Basin Acquisitions	217,521	0	0	0	0	0	217,521	313(b)	
Total Jordan River	3,401,941	0	0	0	0	0	3,401,941		
<hr/>									
CRSP STATEWIDE	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL	Section Authority	
	(Prior Years)								
Fish Hatchery Restoration and Construction	17,953,930	650,000	235,000	3,000,000	4,000,000	1,500,000	27,338,930	313(c)	
Sensitive Species Inventory and Database	1,615,677	10,000	40,000	0	0	0	1,665,677	306(b)(2), 306(b)(4)	
Stream and Riparian Restoration Enhancement	65,500	0	0	100,000	450,000	200,000	815,500	315, 307(2), 309(a)(4)	
Small Watershed and Small Dam Improvements	1,216,154	0	0	0	0	0	1,216,154	313(b)	
Native Cutthroat Trout Restoration	486,925	0	20,000	40,000	0	0	546,925	307(7)	
Total CRSP Statewide	21,338,185	660,000	295,000	3,140,000	4,450,000	1,700,000	31,583,185		

2005 PLAN UPDATE

Budget and Schedule ^{1/}

FINANCIAL SUMMARY	FY 94-04	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	TOTAL
	(Prior Years)						
Provo River / Utah Lake	67,821,638	5,619,400	220,000	11,442,000	15,099,000	8,939,000	109,141,038
Diamond Fork	3,080,420	432,200	16,000	325,000	350,000	400,000	4,603,620
Strawberry / Duchesne	14,459,702	8,633,648	415,000	4,465,000	6,215,000	5,332,000	39,520,350
Great Salt Lake	11,718,611	0	0	400,000	400,000	30,000	12,548,611
Jordan River	3,401,941	0	0	0	0	0	3,401,941
CRSP Statewide	21,338,185	660,000	295,000	3,140,000	4,450,000	1,700,000	31,583,185
^{5/} Funding Component Complete	23,448,423	0	0	0	0	0	23,448,423
Subtotal	145,268,921	15,345,248	946,000	19,772,000	26,514,000	16,401,000	224,247,169

NOTES:

^{1/} The amounts shown in the table represent the Commission's proposed plan. The amounts are subject to revision and could vary as projects develop and plans are implemented. The Commission's budget is subject to annual appropriations from Congress.

^{2/} Under the Provo River / Utah Lake, Lower Provo River watershed, the Commission identified a program element for Water Quality Improvements. At this time, this item is in the planning stages and no funding is required to implement this program.

^{3/} The Commission has combined several PRRP Program Elements. Sources for additional funds to complete land acquisitions and restoration along the middle Provo River are identified in this Plan.

^{4/} Under the Duchesne / Strawberry watershed the Commission has identified a program element to Modify Diversion Structures. Funding for this program element comes from PL 102-575 Section 203(a)(5) and is appropriated to the Central Utah Water Conservancy District (CUWCD) which signed an agreement with the Commission in 1999 to implement this program element.

^{5/} As of fiscal year 2004, the funding element of the following program elements has been completed for a total of \$23,458,423:

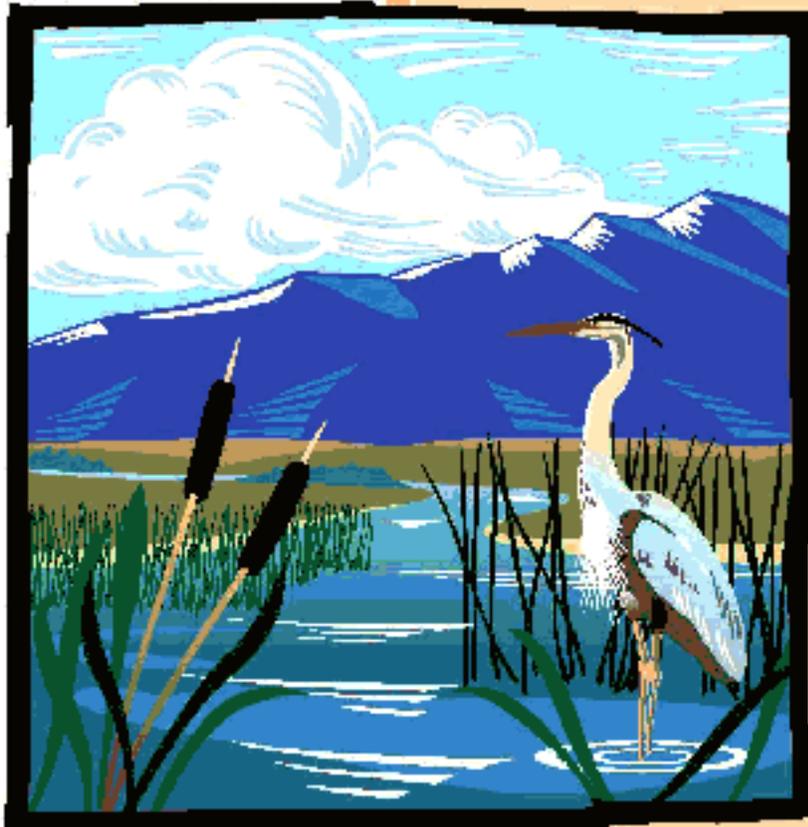
- WCWEP and Daniels Replacement Pipeline: Total funding of \$11,945,585
- PRRP Education and Interpretation: Total funding of \$129,306
- Upper Provo River Reservoir Stabilization: Total funding of \$3,423,348
- Washington Lake Campground: Total funding of \$1,773,390
- Diamond Fork Area Assessment: Total funding of \$40,000
- Diamond Fork Palmyra Campground: Total funding of \$1,200,000
- Acquisition of Angler Access: Total funding of \$2,414,000
- Fishery and Aquatic Resources Management: Total funding of \$795,446
- Fish Habitat Improvement Programs: Total funding of \$248,693
- Restoration of Agency Management Areas: Total funding of \$1,360,684
- Support Jordan River Natural Areas Management Planning: Total funding of \$22,985
- Wetlands Ecosystem Education Plan: Total funding of \$115,971
- Native Fish Studies: Total funding of \$0

The program elements identified under the Funding Component Complete section have been fully funded as of fiscal year 2001. In some cases, projects are still on going but no out year funding will be required for completion.

* The Commission's administrative costs (limited to \$1 million plus indexing) were funded from Title III in fiscal years 1996, 1997 & 1998. In fiscal years 1999 through 2005, the Commission used a portion of the annual contribution from Western Area Power Administration to fund the agency administrative costs and intends to continue this practice for fiscal years 2006 through 2009.

Appendix C

Comment Letters and Responses



UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

Appendix C

Comment Letters and Responses

This Appendix contains copies of the comments received on the Draft Report and Mitigation Plan. The Commission greatly appreciates the participation by each of the commenting entities and the support expressed for the Commission's programs. Below are responses to specific comments; recommended minor editorial changes have been made in the final text. Copies of the corresponding comment letters follow this page.

Central Utah Water Conservancy District

Suggested changes have been incorporated.

U. S. Fish and Wildlife Service

Page 20: The report identified is a high priority for the next plan period.

Page 21: The requested detail has been added.

Page 30: The requested information has been added.

Department of the Interior, Office of CUP Completion

Pages 4, 7, 8, 24: Indexed amounts have been updated, and section authorities cited.

Table 1 (page 31): Table 1 is intended only to display reallocations related to the Jordan River program; other reallocations are explained in the relevant portions of the Plan.

Appendices A and B: A number of comments address budget and expenditure data shown in Appendices A and B. Editorial and formatting comments have been incorporated. All headings and entries in Appendices A and B have been updated in coordination with the DOI. Comments that suggest more extensive revision of how budget and expenditure data are displayed will be considered in the next comprehensive review of the Plan, in 2006.

Duchesne County Commissioners

Duchesne County will be included as a Cooperating Agency in the planning process for the Lower Duchesne Wetland Planning Project.



Central Utah Water Conservancy District

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OFFICERS
Rondal R. McKee, President
Harley M. Gillman, Vice President
Don A. Christiansen, General Manager
Secretary/Treasurer

June 28, 2005

Diane Simmons
Public Information Officer
Utah Reclamation Mitigation and Conservation Commission
102 West 500 South, Suite 315
Salt Lake City, Utah 84101

Subject: Comments on Draft Annual Report and Mitigation & Conservation Plan

Dear Ms. Simmons:

The Central Utah Water Conservancy District is pleased to have the opportunity to review and comment on the Draft Annual Report and Mitigation & Conservation Plan, dated May 2005. Our comments are attached. There is a brief reference to the Utah Lake Drainage Basin Water Delivery System (ULS) on page 10 of the plan and a line item in the draft budget in Appendix B for ULS mitigation commitments. There is not adequate detailed information provided to evaluate or comment on the amount budgeted for the ULS commitments.

If you have any questions, please give me a call at 801-226-7139.

Sincerely,

H. Lee Wimmer, P.E.
CUPCA Program Manager

pc: Don Christiansen
Rich Tullis
Mark Breitenbach
Ron Johnston

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PROJECT	

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CODE	INITIALS
MC13	

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Comments on Draft Annual Report and Mitigation & Conservation Plan

General

In more than one location in the report, the ULS final EIS and URMCC Record of Decision on January 27, 2005 are mentioned. There is no mention of the DOI Record of Decision on December 22, 2004.

Page 3, last paragraph

The wording implies ULS will provide “minimum instream flows of 75 cfs”. The ULS will provide supplemental water for the Lower Provo River in years when water is being conveyed from Strawberry Reservoir to Utah Lake for purposes of making the CUP exchange to Jordanelle Reservoir as part of the Municipal and Industrial System. This supplemental flow supply is anticipated to be available in about 70 percent of the years. In about 30 percent of the years, no supplemental water or a limited amount will be available from Strawberry Reservoir, however some of the years when the flow would not be available would be wet years when there may already be sufficient minimum flow in the river, or the elevation of Utah Lake precludes importing water that would cause the lake level to rise above compromise level.

The ULS, when constructed and operational, will provide a dedicated capacity of 35 cfs in the peak summer months to convey supplemental flow for the lower Provo River. Additional flow capacity may be available on a space available basis, subject to municipal water supply demands. The average water supply of 16,000 acre-feet from the ULS ranges from zero in some years to as much as 34,000 acre-feet in others. More information on the pattern of the supplemental flow is found in Table P-8b-ii in Chapter 6 of Volume 5 of the Water Supply Appendix of the Supplement to the 1988 Definite Plan Report for the Bonneville Unit. The limitations on water delivery are identified in Contract WS-04-140.

Page 4, first paragraph

Contract WS-04-140 identifies the cost allocation to the URMCC for the SFC and SFPRC pipelines. This paragraph states that funds will be transferred towards ULS in partial payment of responsibilities “in lieu of continuing to attempt to acquire water rights”. This is confusing because the budget shows funding to continue to acquire water rights in future years.

Page 6

There is no mention of recent efforts and agreement to jointly study fish passage and/or diversion dam modifications on the lower Provo River.

Appendix B

Diversion Dam modifications have \$800,000 budgeted through 2009. Fort Field and other studies to address diversion dam modification for fish passage do not appear to be mentioned.

The Utah Lake Drainage Basin Water Delivery System mitigation commitments do not appear to be discussed in the text or itemized in the budget breakdown.



United States Department of the Interior
FISH AND WILDLIFE SERVICE

UTAH FIELD OFFICE
2369 WEST ORTON CIRCLE, SUITE 50
WEST VALLEY CITY, UTAH 84119

In Reply Refer To
FWS/R6
ES/UT
05-0818

July 11, 2005

MITIGATION COMMISSION
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PROJECT

JUL 13 2005

CODE	INITIALS
MC01	[Signature]
MC12	[Signature]

Michael C. Weland, Executive Director
Attn: Diane Simmons, Public Information Officer
Utah Reclamation Mitigation and Conservation Commission
102 West 500 South, Suite 315
Salt Lake City, Utah 84101-3148

RE: Draft Annual Report and Mitigation Plan, May 2005

Dear Mr. Weland:

The U.S. Fish and Wildlife Service (Service) has received for review the Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission) Draft Annual Report and Mitigation & Conservation Plan, May 2005. The document contains a report of project progress through September 2004, in addition to a plan for the upcoming year to five years, including program and project changes the Mitigation Commission proposes to make. The Service has had direct involvement in most of the Mitigation Commission activities presented in the plan and appreciates the effort made by the Mitigation Commission to further the mitigation goals of the Central Utah Project Completion Act (CUPCA) of 1992. Additionally, the Service values the broad based ecosystem approach the Mitigation Commission has taken in identifying and carrying out mitigation projects and activities, and we look forward to continuing the positive working relationship that exists between the Mitigation Commission, the Service, and other project collaborators.

General Comments

Provo River/Utah Lake Watershed

There is a statutory goal for providing minimum instream flows of 75 cfs in the lower Provo River. Although some water has been acquired by Central Utah Water Conservancy District (District) and the Mitigation Commission to begin to meet this instream flow, increasing costs and decreasing availability of water rights have required that these entities and the Department of the Interior incorporate this goal into the planning for the Utah Lake Drainage Basin Water Delivery System. This will require an allocation of CUPCA funds for the construction of facilities necessary for transfer of water to the lower Provo River. The Service approves of this new strategy to acquire flows as well as the allocation of funds. We understand that because it

may be 10 to 15 years before this water is delivered, the Mitigation Commission and other involved agencies will continue, in the interim, to try and acquire instream flows through other means.

The document states that the Mitigation Commission intends to commit staff resources and funds to analysis, planning, and implementation of potential projects to restore habitat in the lower Provo River. The Service approves of the lower Provo River habitat restoration in conjunction with the June Sucker Recovery Implementation Program as well as other Mitigation Commission supported activities (Provo River diversion removal) that will assist in recovery of June sucker.

As the document explains, the Mitigation Commission, the Service, and Utah Division of Wildlife Resources (UDWR) have determined that the most appropriate manner for mitigation of highway related deer mortality near Jordanelle Reservoir is via off-site mitigation. The Service believes this approach is appropriate given the projected residential and resort development of the surrounding area. The Service looks forward to working with the Mitigation Commission and UDWR to satisfy this mitigation need as well as collaborating on other terrestrial mitigation projects.

The Utah Lake Wetland Preserve (Preserve) is being established to protect migratory birds, wetland habitat and function, and wildlife habitat. The Service has had a limited role in establishing the Preserve but highly values Preserve natural resources. Because CUPCA mandates that the Preserve shall be managed in accordance with the substantive requirements of the National Wildlife Refuge System Administration Act of 1966, we request that we be more closely involved with the Mitigation Commission, UDWR, and Department of Interior CUP Completion Act Office in developing a draft and final Preserve Management Plan.

Diamond Fork Watershed

As stated in the document, in late 2004 the Mitigation Commission initiated a multi-agency coordination group to plan, implement, and assess mitigation measures for the Diamond Fork System. The Service is actively involved in this process and is pleased the Diamond Fork System mitigation has commenced with this multi-agency coordination group.

Jordan River Watershed

The text states that over the past few years the Mitigation Commission has found that increasing demand for recreational open space along the Jordan River is excluding the opportunity to preserve substantial wildlife habitat. Thus, the Mitigation Commission is terminating its land acquisition program along the Jordan River and reallocating funds that would be spent on this program to mitigation actions involving the Great Salt Lake wetlands, the middle and lower Provo River, and the Strawberry Aqueduct and Collection System. The Service is aware of the constraints that have developed along the Jordan River with respect to acquiring and managing mitigation properties and understands the Mitigation Commission's need to develop mitigation projects that will conform to the requirements of CUPCA. Additionally, the Service believes that those program areas that will receive reallocated Jordan River mitigation funds are high priority and meet Federal mitigation requirements.

Specific Comments

Page 18, highlighted text. Typographic error in dollar figures in text (e.g. \$951,300,000).

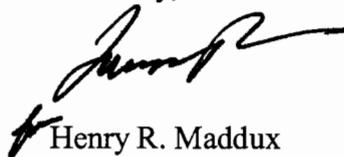
Page 20, first partial paragraph. The document states that one report regarding reduced stream flow effects was completed in 2002 and that a second was initiated but not yet completed. As this study is important in determining future restoration goals and measures in the Uinta Basin streams impacted by the Strawberry Aqueduct and Collection System, we recommend that completion of the report be made a priority.

Page 21, third paragraph. The document states that "... a major headcut was remediated, five drainages were put back into their natural channels, and several wetlands were stabilized." Please provide general locations for these activities.

Page 30, last paragraph. The last sentence states that the Mitigation Commission has completed its involvement in this program and the Table in Appendix A shows a balance remaining for the Albion Basin Acquisitions program. Please explain how these remaining funds will be dispensed.

The Service appreciates the opportunity to review this document and believes that past project activities and those mitigation projects planned for future years are very important in contributing to the conservation and management of Utah's natural heritage and contribute to the mitigation goals specified in CUPCA. If you need further assistance, please contact Paul Abate, Ecologist, at the letterhead address or (801) 975-3330 ext. 130.

Sincerely,



Henry R. Maddux
Utah Field Supervisor

cc: Rick Larson, UDWR - SLC
DOI_CUP Completion Act Office (Attn: Reed Murray)



United States Department of the Interior

OFFICE OF THE SECRETARY

Program Director
CUP Completion Act Office
302 East 1860 South
Provo, Utah 84606-7317



IN REPLY REFER TO:

CA-1300
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JUL 12 2005

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JUL 15 2005

Mr. Michael C. Weland
Executive Director
Utah Reclamation Mitigation and Conservation Commission
102 West 500 South, Suite 315
Salt Lake City, UT 84101

CODE	INITIALS
MCP1	MW
M12	

Subject: Draft 2004 Annual Report and 2005 Mitigation and Conservation Plan

Dear Mr. Weland:

This letter replies to your notice of May 12, 2005, that invited review and comment on the combined draft 2005 Mitigation and Conservation Plan (Plan) and draft 2004 Annual Accomplishment Report (Annual Report). The Plan and Annual Report have been prepared pursuant to Section 301(g) of the Central Utah Project Completion Act (CUPCA; P.L. 102-575).

General Comments

We have reviewed the draft report and accompanying financial tables in detail and we note the major shifts proposed in Commission emphasis and funding allocations. Your efforts to highlight these program changes for reviewers by means of shaded text are particularly effective. However, we note that not all of these funding reallocations appear in Table 1. See specific comments below.

In our opinion, the proposed redirections of program appear to be warranted by changing circumstances and are consistent with Commission authorities at Sections 301(f)2 and 301(h) of CUPCA:

1. Utah Lake/Provo River water rights acquisitions will be replaced by investments in CUP completion facilities.
2. Remaining funding for wetlands, fish and riparian habitat improvements and recreation along the Jordan River will be reallocated. We reluctantly concur with your assessment that the press for urban development and associated public recreation along the Jordan River corridor no longer justifies Commission participation. Logic dictates that local governments should lead in planning, and funding, the high intensity public uses that will be demanded of this corridor in the future.

3. Commission participation in Albion Basin is complete. Again, local governments should lead any further actions necessary for watershed protection and restoration in the Albion Basin.
4. Highway 40 deer mortality reduction efforts will be replaced with off-site mitigation through acquisition of big game ranges. Mitigation to reduce deer mortality by means of "at grade deer crosswalks" has progressed to its conclusion. Together with the extensive recreational resort development occurring within deer habitats around Jordanelle Reservoir, it is appropriate that the Commission seek other big game mitigation opportunities for its remaining funds.
5. Two new program elements - Utah Lake Recreation, and Terrestrial Habitat Conservation - are redirections warranted by changes in plans for completion of the Central Utah Project.

The Plan and Annual Report identifies a number of program elements for which funding is complete, or will be completed in the next 5-year planning period. Completed items are listed in Appendix tables. Items for which funding has been (or will soon be) expended include the Sensitive Species Inventory (2006), wetland preservation planning in northern Utah, Kaysville Wetland Education Ponds (2005), Duchesne-Strawberry Diversion dams, and the Provo River Restoration Project (2007). Altogether, this represents a significant record of progress by the Commission.

We support the emphasis in this Plan on management of Commission-acquired properties. As a landowner, it is important the Commission assume the responsibilities of care and maintenance. Management initiatives for the SACS angler access lands, Jordan River properties, Great Salt Lake and Utah Lake wetlands, and along Diamond Fork Creek should all be pursued aggressively in the next 5 years.

Specific Comments

Page 4, 1st paragraph lists the remaining authorization under Section 302(a) as \$13 million. According to our records the indexed figure as of October 2004 is \$14.1 million.

Page 7, 3rd full paragraph, we suggested editing to include the CUPCA section number. "The Commission is committing \$1.5 million that was formerly identified for **Section 311(c)**, Jordan River wetlands acquisition to completing PRRP acquisitions."

Page 8, first shaded paragraph lists the remaining authorization as \$2 million. Our records indicate the indexed figure as of October 2004 is **\$1.1** million. Also we suggest the following change to the text. "The Commission is committing \$1.1 million formerly identified for **Section 311(b)**, Jordan River fish and riparian habitat restoration..."

Page 24, shaded paragraph, we suggest the following change. “In accordance with CUPCA Section 301(f)(2), the Commission is reallocating funding (\$797,900) from the **Section 311(c)**, Jordan River wetlands acquisition program to the **Section ___**, Great Salt Lake wetlands program.”

Table 1 (page 31) is an effective way to display shifts in funding proposed by the Commission. The table shows where funds originate and the Commission’s revised plans for expenditure. However, the table includes only reallocations from the Jordan River activities. Other reallocations noted in the Plan and Annual Report are:

1. Reallocation of funds remaining for Utah Lake/Provo River water rights acquisitions to ULS mitigation.
2. Albion Basin remaining authorization
3. Highway 40 deer mortality mitigation
4. Sources and amounts to be shifted into the two new program elements.

Appendix Tables

It is unclear why the numbers in the columns headed “Committed Funds FY 1994-2004” in Appendix A and “FY 94-04 Prior Years” in Appendix B are not identical. These columns purport to show the same expenditures and should contain the same numbers.

Appendix A, page A-1, the heading “Indexed Balance & Remaining Auth [2004]” Seems to indicate the balance is some how indexed when only the remaining authorization is actually indexed. We suggest using a heading “**Balance and Indexed Remaining Auth [2004].**”

Appendix A, Provo River/Utah Lake, Lower Provo River – the original authorizations for Public Access, and for Water Quality do not appear to reflect indexing since 1994.

Appendix B, page B-1, Replace = with ‘ where appropriate.

Appendix B (page B-1), 3rd paragraph – the last sentence describing how the Commission intends to fund administrative costs needs to be updated for this next 5-year Plan period.

Appendix B, Lower Provo River, June Sucker Recovery – plans to spend just \$65,000 in the next 5 years seem inconsistent with expenditures to date exceeding \$1.1 million and the high priority we all attach to this recovery effort. We are aware that the Commission has provided major funding for the Recovery Implementation Program (RIP). For example, the Commission funded over \$482,000 for June sucker RIP Annual Work Plan actions in 2005, albeit from a number of different section authorities. We recommend expenditures for this line item be reviewed to ensure that sufficient funds are available going forward for this important activity.

Appendix B, Uinta Basin Replacement Project Mitigation –we recommend Section Authority be identified as “202(c)” rather than “Unidentified.”

Appendix B, Strawberry/Duchesne, Instream Flow Management (309b) – with the completion of studies on impacts of the Strawberry Collection System (SACS), there seems no reason to delay action on determining flow regimes necessary to sustain and improve riparian communities on the south slope of the Uinta Mountains affected by SACS. We recommend additional funds be scheduled through 2009.

Appendix B, Strawberry/Duchesne, Strawberry Area Assessment, Watershed – a commitment of just \$40,000 through 2009 does not track with the extensive planning that has been completed for this task and the apparent support for future actions described on pages 18-19. All indications are that the Commission and Forest Service are now ready to move ahead with mitigation projects in the Strawberry River basin. We recommend additional funding for this item.

Appendix B, Great Salt Lake, Restoration and Management of Commission Properties – the lack of funding for this item is at variance with the extensive management needs described on page 24. If sufficient funds are already available, this should be explained.

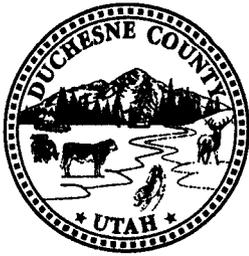
Appendix B, Jordan River, Restoration and Management – the zero funding level for this item is at variance with Commission commitments to move forward with management of 3 properties already acquired along the Jordan River (page 29).

Thank you for the opportunity to comment on the Draft Annual Report and Mitigation and Conservation Plan. If you have any questions please contact Mr. Ralph Swanson at 801-379-1254.

Sincerely,

ACTING FOR 
Ronald Johnston
Program Director

cc: Assistant Secretary, Water and Science (Attn: Mr. Jason Peltier)
Assistant Secretary, Policy, Management and Budget (Attn: Mr. Mark Davis)
Field Supervisor, U.S. Fish and Wildlife Service, 2369 Orton Circle, West Valley City, UT
84119



DUCHEсне COUNTY COMMISSION

Larry S. Ross, Chairman; Kent R. Peatross, Member; WR Rod Harrison, Member
P.O. Box 270
Duchesne, Utah 84021-0270
Phone (435) 738-1100
Fax (435) 738-5522

MITIGATION COMMISSION
OFFICIAL FILE COPY

CLASSIFICATION
PROJECT

MAY 27 2005

CODE	INITIALS
MC01	MR
MC02	WR
MC03	

MC07 W

May 26, 2005

Utah Reclamation Mitigation
And Conservation Commission
102 West 500 South, Suite #315
Salt Lake City, UT 84101

Gentlemen:

The Draft Annual Report and Mitigation Conservation Plan that is being circulated dated May 2005 states on page 17 that a final environment impact statement will be released on the Lower Duchesne Mitigation Project in 2005. Duchesne County has asked your office to include the county in the mitigation plan. You will recall, the county and private land owners were opposed to the previous mitigation plan. We are opposed to additional mosquito breeding waters and to any initiative to take private property. We asked you during the previous process to include the county in all deliberations concerning this project. We have not received any notice that a second draft is being written. Please inform the Duchesne County Commission as to your intentions.

Sincerely,

Larry S. Ross
Kent R. Peatross
W.R. Harrison -

Duchesne County Commission

LSR/aa



State of Utah

**Department of
Natural Resources**

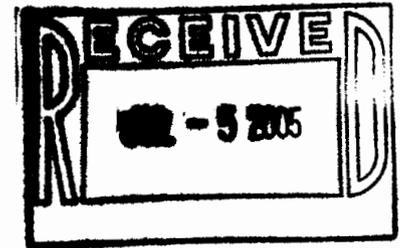
MICHAEL R. STYLER
Executive Director

**Division of
Wildlife Resources**

JAMES F. KARPOWITZ
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor



July 1, 2005

Mr. Michael C. Weland
Executive Director
Utah Reclamation Mitigation and Conservation Commission
102 West 500 South #315
Salt Lake City, Utah 84101

Attn: Ms. Diane Simmons

Subject: Draft Annual Report and Mitigation and Conservation Plan (Plan)

Dear Mr. Weland:

The Utah Division of Wildlife Resources (Division) appreciates the opportunity to review the Draft Annual Report and Mitigation and Conservation Plan.

The Division can appreciate the inherent complexities associated with the implementation of a mitigation program as comprehensive as that outlined in the Central Utah Project Completion Act. It is particularly challenging to effectively administer such a program and remain responsive to the inevitable changes in the political, economic, and biological landscape.

We believe the rationale in support of the proposed changes in program elements is sound, and the programmatic modifications and associated shifts in available fiscal resources outlined in the draft Plan represent a logical, responsible, and pragmatic approach that will allow the Mitigation Commission to continue to fulfill the mitigation goals and objectives outlined in the Central Utah Project Completion Act.

Sincerely

James F. Karpowitz
Director

MITIGATION COMMISSION OFFICIAL FILE COPY	
CLASSIFICATION	
PROJECT	

JUL - 5 2005

CODE	INITIALS
MCO1	MCS
JAC D.	J