FINAL

MITIGATION & CONSERVATION

FY2021-2025 Plan

and

FY2020 Annual Report

July 2021

UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

The Utah Reclamation Mitigation & Conservation Commission

FINAL

Mitigation & Conservation Plan

FY2021-FY2025

and

Annual Report

FY2020

July 2021

TABLE OF CONTENTS

Chapter 3 Program Elements and Priorities FY2021 - FY2025

Chapter 4 Comments and Responses

Appendices

Tables

Figures

Maps

LIST OF ACRONYMS

Abbreviation	Full Title
BOR	U.S. Bureau of Reclamation (Reclamation)
CFR	Code of Federal Regulations
CFS	Cubic Feet per Second
CUP	Central Utah Project
CUPCA	Central Utah Project Completion Act
CUWCD	Central Utah Water Conservancy District (District)
CRSPA	Colorado River Storage Project Act
DOI	U.S. Department of the Interior (Interior)
DPR	Definite Plan Report
DRACR	Duchesne River Area Canal Rehabilitation Program
DRP	Daniels Replacement Pipeline
DEIS	Draft Environmental Impact Statement
EA	Environmental Assessment
EIS	Environmental Impact Statement
FEIS	Final Environmental Impact Statement
FONSI	Finding of No Significant Impact
FWCA	Fish and Wildlife Coordination Act
GSL	Great Salt Lake
IBAT	Interagency Aquatic Biological Assessment Team
JORNAC	Jordan River Natural Areas Conservation Corridor
JSRIP	June Sucker Recovery Implementation Program
LDWP	Lower Duchesne Wetlands Mitigation Project
M&I	Municipal & Industrial
MOA	Memorandum of Agreement
MOU	Memorandum of Understanding
NEPA	National Environmental Policy Act
O&M	Operation & Maintenance

Chapter 1

INTRODUCTION

This document contains our final FY2021-2025 Mitigation and Conservation Plan and final FY2020 Annual Report. The Mitigation and Conservation Plan (Mitigation Plan *or* Plan) describes a 5-year program for restoring, protecting and conserving fish, wildlife and related recreation resources in Utah that were impacted by federal water development projects authorized under the Reclamation Act of 1902, as amended, particularly the Central Utah Project's (CUP) Bonneville Unit.

It was the intent of Congress to balance the mitigation debt resulting from these water development projects by establishing the Utah Reclamation Mitigation and Conservation Commission (Commission) and authorizing its programs through the Central Utah Project Completion Act (CUPCA; Public Law 102-575), enacted in 1992.

The Commission's responsibility under CUPCA is to mitigate for adverse effects to fish and wildlife resources caused by CUP's Bonneville Unit. A major impetus for environmental programs established under CUPCA was awareness that prior mitigation efforts had lagged behind CUP construction or were inadequate when measured against modern environmental standards.

The Commission is authorized to expend federal funds to carry out its mission. Actual funding depends on the amount Congress appropriates on an annual basis. Since 2014, the Commission has been authorized to expend interest earned from the Utah Reclamation Mitigation and Conservation Commission Account established under Title IV of CUPCA (Title IV Account). Management goals for the Title IV Account are determined by the Commission and enacted by its Executive Director. Investment strategies may differ from year to year, depending on the amount of interest needed to support adequate and effective Commission programs.

The Commission also was created in part to provide the opportunity to design and implement a comprehensive and integrated mitigation program, rather than having responsibilities spread among different agencies. The Commission's program, therefore, relies on partnerships with the larger natural resource community, and its Mitigation Plan encourages formation of partnerships that support programs identified in the Plan.

This document is intended to inform and involve the public on program progress over the last fiscal year and is to be used as a guide by the Commission as it carries out its responsibilities under CUPCA from FY2021 through FY2025. Chapter 2 contains the main body of the Plan and Annual Report. Changes to the Commission's program are identified in grey-highlighted text. Chapter 3 lists this Plan's Program Elements and priority of each. Appendix A contains expenditure reports for fiscal years 2016-2020. Appendix B contains

an overview of Commission funding for fiscal years 1994-2020. Appendix C contains anticipated program funding needs for fiscal years 2021-2025, as well as the Commission's proposed Title IV Account distributions to help meet those needs. Appendix D contains a partial list of CUPCA environmental commitments, focused on those that are not yet complete or recently completed (within the past five years).

DIRECTION FROM CONGRESS

Congress specified the Commission's program focus on four key factors. The program should employ:

- An Ecosystem Approach
- Public Involvement
- Measures Based on Best Available Scientific Knowledge
- Partnerships

CUPCA also directed that the planning process be guided by priorities established by the Commission.

OVERVIEW OF THE PLANNING PROCESS

The Commission developed a Planning Rule (43 CFR Chapter III Part 10005), based on Congressional direction, to define its process for developing the Mitigation Plan and to provide information to other agencies and the public about how they might participate. The planning process involves three steps: *solicitation*, *evaluation and public review*.

The Commission accepts recommendations for new programs, program direction, or potential projects throughout the year. The Commission meets formally on about a monthly basis. The public is notified of agenda items in advance of meetings and is invited to comment on proposed Commission activities at the meetings. In addition, the Commission formally solicits proposals from the public and partner agencies when it releases the draft annual report for the year prior to issuing a combined five-year plan and annual report.

The Plan as a Budget Aid

The Mitigation Plan does not constitute a commitment of resources for any given project. The commitment to expend resources is dependent upon Congressional approval of annual appropriations and, since 2014, on Title IV Account interest earnings. Following receipt of annual funds, Commission approval of specific projects is required; this occurs during public meetings of the Commission as previously described. The Commission will rely on the Mitigation Plan as the primary source of information for developing its annual budget request; however, any agency's budget request may undergo substantial alteration and

adjustment before the appropriation process is completed. The President's budget and subsequent Congressional appropriation statute enacted each year establishes the appropriated funding levels for carrying out the Mitigation Plan.

The Commission has more discretion regarding the Title IV Account interest earnings. By choosing which investments to make with the Title IV Account corpus, the Commission can garner higher than prevailing interest rates, which results in higher interest payments that can be retained for program expenditure. Generally, higher interest rate investments require either a greater length of investment (2+ years), or higher initial premium payment to "buy in" to a particular investment, or both. In this way, the Title IV Account can be managed to produce high interest payments, which can be expended to accomplish Commission programs. The effect on the Title IV Account, though, is a reduced corpus value. Further explanation of the Title IV Account is provided in Appendix B. Congress annually approves the use of Title IV funds to support Commission programs.

Plan Amendments

The Commission recognizes three types of revisions it may choose to make to its Mitigation Plans: *Comprehensive, Substantive* or *Technical*. The public may also petition the Commission to open the plan to amendment.

Comprehensive Revision

At the end of each 5-year period or as otherwise needed, the Commission undertakes a comprehensive review of the Plan to determine its adequacy and need for revision. Comprehensive revisions may be undertaken before the 5-year period, if the Commission deems it appropriate.

Since the last Plan review, Commission priorities have not changed (see "Commission Priorities" at the end of this chapter for more detail). Progress on the Commission's programs, as documented in the Commission's 2019 Annual Report, indicate steady progress in achieving the Commission priorities. ***Therefore, the Commission finds there is no need for a comprehensive revision to the 2021 Mitigation Plan. However, the scope of the Commission's program for the next 5 years is restricted, due to present and anticipated future funding limitations.***

Substantive Revision

From time to time a substantive change to the Mitigation Plan may be needed. Typically, this would take the form of substituting one Plan element with another, making changes to a specific Plan element, or making significant modifications to a program. If the Commission determines there is a need for such substantive changes, a formal announcement is made and interested parties given the opportunity to provide recommendations. Portions of the Plan proposed for modification are released in draft form, with the public given 30 days to provide comments prior to formal adoption by the Commission.

The 2021 Mitigation Plan is considered a Substantive Revision. This is due partly to Program Element accomplishments and goals for the future.

Technical Revision

Technical revisions include changes that correct inadvertent errors, provide new information or other minor revisions that do not substantively modify the Plan. Technical revisions do not constitute a formal amendment to the Plan and do not require the notification and reporting procedures of a formal amendment. Affected agencies and interests will, however, be consulted and the rationale for making the technical revision documented.

Public Petitions

Agencies and members of the public have the right, at any time, to petition the Commission to open the plan to comprehensive or substantive amendments. Petitions must be made in writing and should state the specific reason why action is requested. Petitions will be reviewed by the Commission, and if accepted, will be subject to review procedures established for the five-year plan (see Section 1005.21 (b) of the Planning Rule (43 CFR 10005)). Proposals for technical amendments do not require a formal petition. Written requests for technical amendments will be acted upon by the Commission in a timely manner.

Commission Priorities

The Commission established four distinct priorities for completing the environmental program under CUPCA. The priorities were first articulated in the 1996 Mitigation and Conservation Plan. The Commission has reviewed the priorities annually, and determined they are still appropriate guiding definitions. Commission Priorities are as follows:

Priority 1 Complete unfulfilled mitigation commitments of the Bonneville Unit of the Central Utah Project as per the 1988 Definite Plan Report (1988 DPR).

Priority 2 Implement mitigation and conservation measures required as a result of the environmental review (NEPA) process and Fish and Wildlife Coordination Act or Endangered Species Act compliance for Bonneville Unit Project features constructed pursuant to Title II of CUPCA.

Priority 3 Implement conservation projects within the Bonneville Unit area that restore fish and wildlife habitats and species populations and/or that provide related outdoor recreation opportunities.

Priority 4 Implement conservation projects that lie outside the Bonneville Unit that have substantial potential to restore fish and wildlife habitats and species' populations, or that provide habitats, populations and related recreation opportunities similar to those lost in the Bonneville Unit area due to CUP development.

Program Elements to be carried forward the next five years are listed in Chapter 3, along with their priority. In general, the Commission emphasizes accomplishing program elements in order of priority, with greatest emphasis on Priority 1, then Priority 2, and so on. However, the Commission recognizes some program elements may have aspects that address different priorities. Additionally, some sources of funding available to the

Commission can only be used for certain activities. Program elements of a lower priority may be implemented during the next five years, while a higher priority program element, may not be. This may be due to extraordinary or limited opportunity to accomplish a lower priority element, particularly if substantial partnerships are involved, or it may be because a specific source of funding can only be used for certain purposes that might be satisfied by a lower priority project.

Implementing Projects

The Commission implements its Plan through its approval of specific projects. For proposals determined to be within the scope of the Mitigation Plan, the Commission develops specific project agreements that contain detailed scopes of work and budgets. Agreements are presented at public Commission meetings usually one session prior to being voted upon.

Partnerships are important in moving projects forward, and the Commission generally gives priority to cost-share partners. Cost-sharing can be contributions of funds, in-kind staff time, and/or long-term operation and maintenance responsibility and funding.

MITIGATION PLAN AND ANNUAL REPORT

The Commission is directed to produce a fiscal year Annual Report of actions taken, to be taken and their effectiveness, and potential revisions to its Mitigation and Conservation Plan. The draft Annual Report released the year prior to issuing a new five-year plan includes a solicitation for ideas or comments and recommended actions to be included in the next Plan. The next Plan will contain the prior year's Annual Report. Accordingly, the last formal Plan solicitation was made with release of the FY2019 Annual Report. The Draft FY2020 Annual Report and FY2021-2025 Plan was released in March 2021 for a sixty day public review. This Final Annual Report and Plan incorporates and/or responds to comments received during the sixty-day review. Comments and response to comments are found in Chapter 4.

Chapter 2

Mitigation and Conservation Program By Watershed

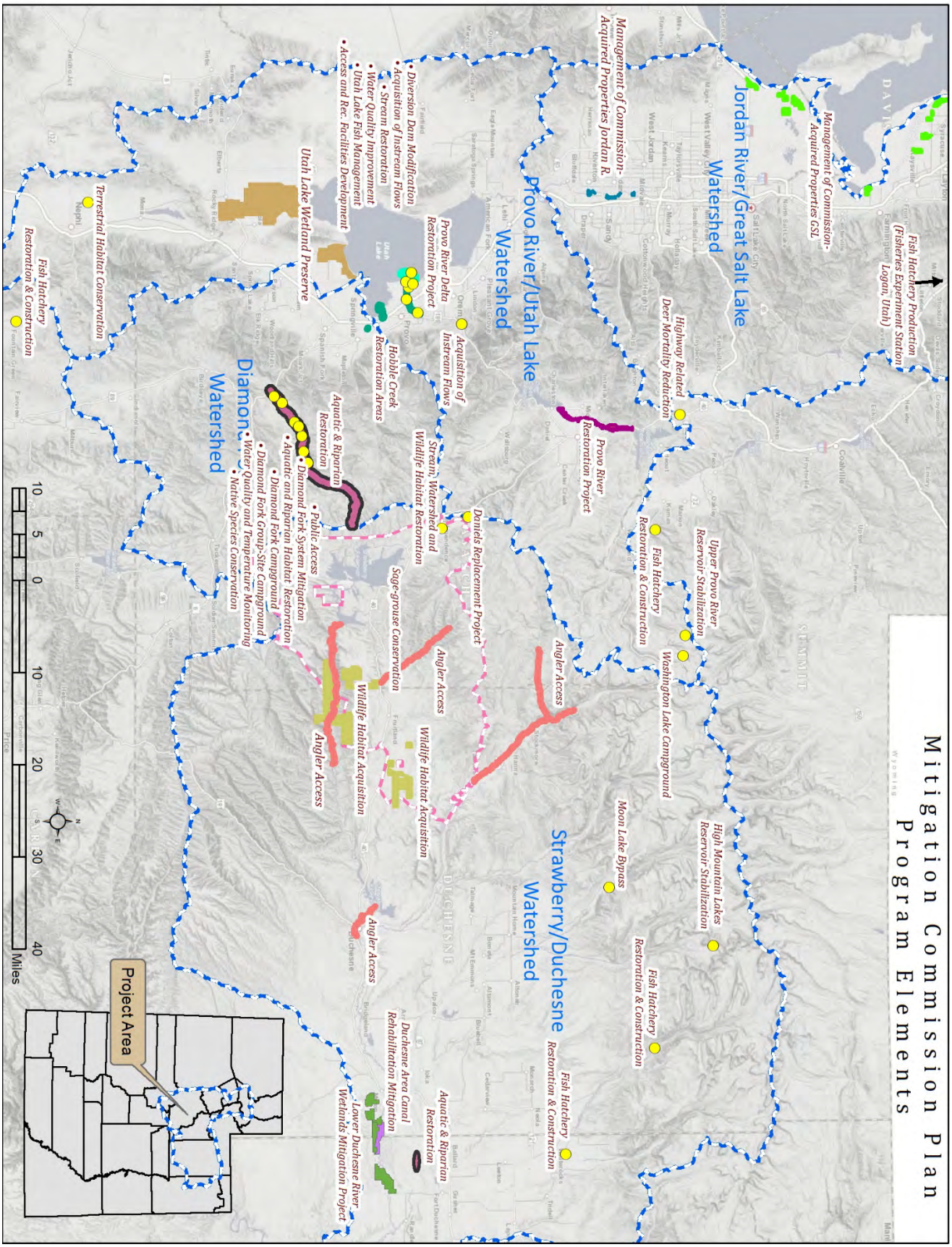
This chapter identifies each program element of our Mitigation Plan and is organized into the following Watershed units identified by the Commission for planning purposes: *Provo River/Utah Lake, Strawberry/Duchesne, Diamond Fork, Great Salt Lake* and *Jordan River*. There is also a *Statewide* program for projects found across watershed boundaries (see Map 1 on the following page).

The Commission will place increased emphasis in its 2021 Plan on seeking partnerships that can bring added resources to carry out its conservation projects. By doing so, the Commission hopes to amplify the impact of its future funding by leveraging resources with other agencies and non-governmental organizations to achieve common goals.

What follows is an overview of each watershed including a problem statement and a description of the Commission's program. Each Program Element within the watershed is then described, including progress made in FY2020 and objectives for the next five years, with proposed program changes highlighted in grey.

In implementing the Mitigation Plan over the last twenty-five years, many programs have been completed, or are moving towards completion. Chapter 3 lists the Commission's Program Elements in an easy-to-read format and Appendix C identifies estimated funding needs for the Fiscal Year 2021 through 2025 period.

Map 1. Mitigation Plan Watersheds and Program Elements



PROVO RIVER/UTAH LAKE WATERSHED

Overview and Problem Statement

Lower Provo

The Provo River and its adjacent riparian and wetland habitat historically supported a diversity of wildlife species. However, since settlement in Utah Valley by European pioneers in 1849, the River has been significantly altered throughout most of its length in Utah Valley. As a result, a natural riverine system remains only in a few short sections.

Impacts to the lower river section contributed to the significant decline of the endangered June sucker. Historically, a broad delta and floodplain once dominated the lower Provo River/Utah Lake interface. Similar conditions would have existed at the mouths of most Utah Lake tributaries. Threaded channels in the delta zone would have shifted position from season to season providing a diversity of habitat types including off-channel, shallow, warmer habitats with greater food resources and refuge from predatory fish. Such interdependent habitat zones are critical to support larval June sucker survival, development and recruitment to more developed life stages (USFWS 1999). The lack of these conditions through many years of dredging and channelization of the lower Provo River, together with other factors, have significantly limited the recruitment of June sucker.

Middle Provo

Fish and wildlife habitat in and along the middle reach of the Provo River in Heber Valley was altered and degraded by the Provo River Channel Revision Project constructed by the U.S. Bureau of Reclamation as a component of the Provo River Project in the 1950s. The channel revision project was constructed to increase channel capacity, while creating dikes and securing flood easements to protect Heber Valley from flooding.

The project was essential to developing water supply for the Provo River Project under valid existing water rights, and local water users are repaying project costs to the Federal government in accordance with Reclamation law.

A substantial portion of the Provo River Project's water supply is provided by transbasin diversions of water to the Provo River drainage from the Weber River and the North Fork Duchesne River. The Weber-Provo Diversion was completed in 1948 and the Duchesne tunnel was completed in 1954. These importations at times occurred on top of flood flows originating in the Provo River drainage.

As a result of channel revision and other man-made changes, the river system morphology was completely altered. The river was straightened, and long sections were diked. Some sections of river were dredged on an annual basis to isolate adjacent lands from natural and artificially augmented flood flows. With completion of Deer Creek Dam in 1941 and the Weber and Duchesne diversions, many miles of the Provo River and its associated wildlife habitat upstream from Deer Creek Reservoir were inundated or severely damaged. The completion of Jordanelle Reservoir in 1993 inundated another 5 miles of stream.

Irrigation diversions on the middle Provo River were capable of completely dewatering sections of the river during part of the year. The Valeo and Wasatch Canal diversions, Midway and Island Ditch diversions, and others historically dewatered several stream miles. Following the filling of Jordanelle Reservoir in 1996, requirements of prior Reclamation decisions, as well as CUPCA, to maintain minimum instream flows of 125 cfs in the river between Jordanelle Dam and Deer Creek Reservoir, went into effect. Water managers faced many challenges in administering water deliveries and diversions while bypassing instream flows.

Until the Mitigation Commission began its program in this area, the middle Provo River flowed through mostly private land. Recreational and angler use were restricted by private landowners in most areas.

Upper Provo

Many natural lake basins in the upper Provo River drainage of the Uinta Mountains were dammed in the early 1900s to provide water storage. Management of these reservoirs for water supply and delivery caused extreme fluctuations, making fisheries management difficult and creating unsightly mudflats when the reservoirs were drawn down. The fluctuations inhibited growth of aquatic plants needed to provide cover and food for fish and other aquatic life. Low oxygen concentrations in the winter, caused in part by low water levels, resulted in winter fish kills in some reservoirs.

Cumulative impacts from decades of reservoir operation severely degraded many watersheds and riparian areas below the dams. Typically, dams were closed in winter, allowing little or no flow to the downstream channel, and then opened fully in the summer with flows often exceeding channel capacity. Streams downstream from the dams suffered from extensive bank and channel erosion, loss of instream structure and increased width-depth ratios resulting in loss of fish habitat, degradation of water quality, and damage and loss of riparian wetlands. Additionally, like the middle Provo, portions of the upper Provo were channelized downstream from the Duchesne tunnel.

Construction of Jordanelle Dam in the 1990s required relocating segments of two State highways and a segment of U.S. Highway 40. The new highway segments were placed higher on the foothills of adjacent mountain ranges in order to remove them from the valley floor and the reservoir basin. The new highway segments traverse terrestrial habitats used by large game animals, particularly mule deer. Collisions with motor vehicles resulted in significant loss of big game animals and increased risk of human injury.

Utah Lake

Utah Lake in Central Utah is one of the largest naturally occurring freshwater lakes in the western United States. Its wetlands are recognized locally and nationally for their critical importance to fish and wildlife resources. The Utah Lake wetland ecosystem is nationally important as a breeding area and stopover for many migratory birds in the Pacific Flyway. Approximately 226 species of birds are known to use Utah Lake wetlands, as well as 49 mammalian species, 16 species of amphibians and reptiles and 18 species of fish. Utah Lake also provides feeding areas for birds nesting on the Great Salt Lake.

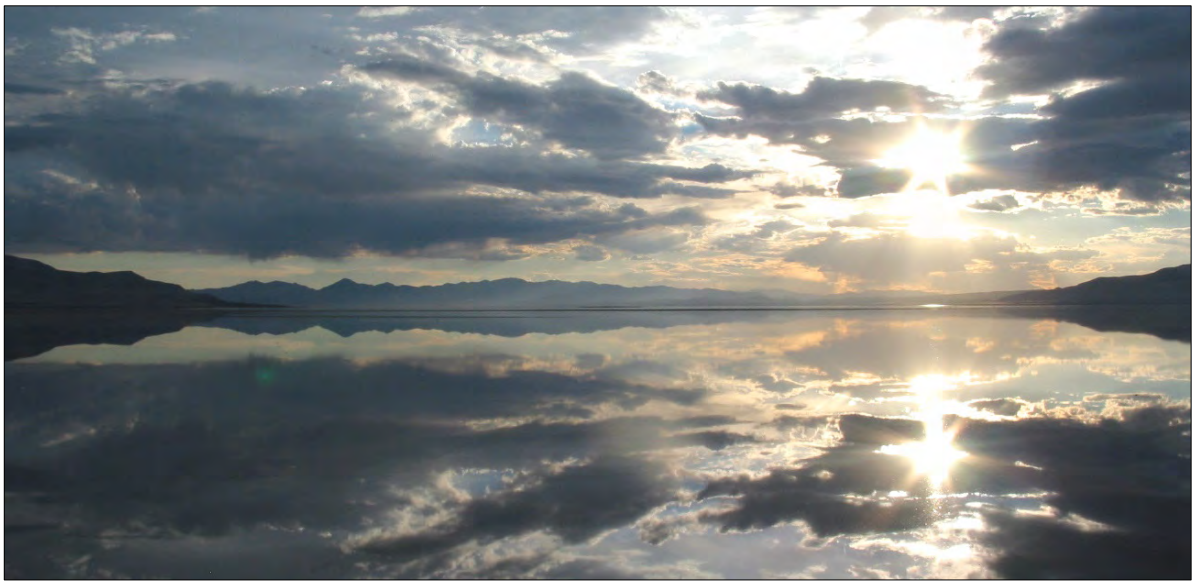
Wetlands that adjoin the Utah Lake environment are, for the most part, privately owned, whereas the bed of the lake is owned by the State of Utah. Current private ownership and management for non-wildlife purposes often conflicts with wildlife use and habitat protection goals and constrains public access and enjoyment of the area. This ownership pattern has resulted in wetland losses in the past. Remaining wetlands continue to be threatened by proposed residential developments, diking, airport expansions, new highways and recreational developments.

Program Description for Provo River/Utah Lake

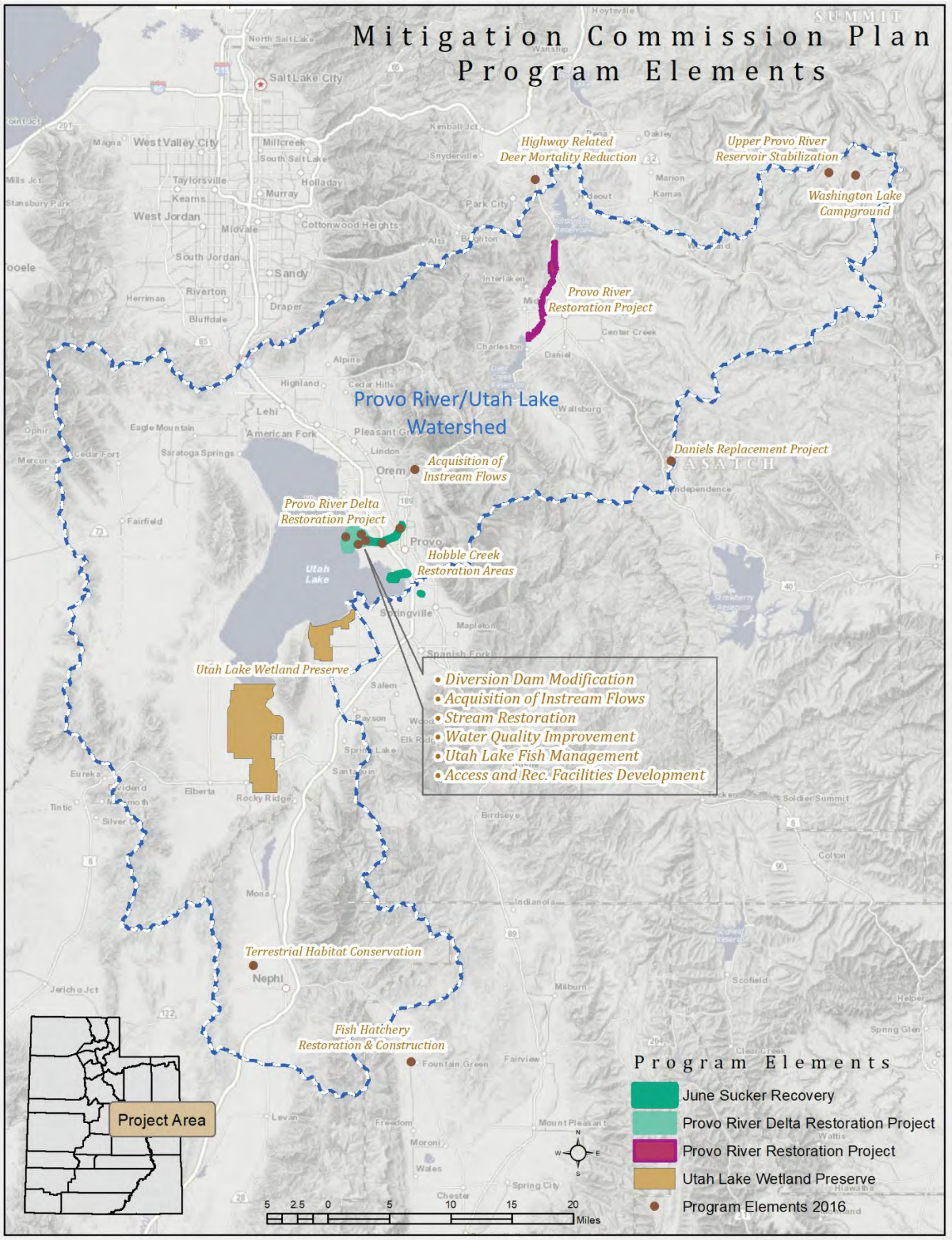
The *Provo River/Utah Lake Watershed* is a high priority resource area for the Commission. Despite the many ecological problems described above, portions of this watershed still support abundant fish and wildlife resources, with high potential for restoration and recovery. Priority goals are to complete unfulfilled mitigation requirements of the Bonneville Unit and ongoing water resource development features and projects authorized by Title II of CUPCA and to implement other measures that are complementary. An ecosystem approach is utilized to develop the Commission's program for fish, wildlife and related recreation mitigation and conservation. In order to facilitate planning for this program, the basin is subdivided into four units, although it is recognized these units are not in fact discrete and isolated but are highly interrelated from a management and ecosystem perspective. The four areas are:

- Lower Provo River (Utah Lake to Deer Creek Dam)
- Middle Provo River (Deer Creek Reservoir to Jordanelle Dam)
- Upper Provo River (Jordanelle Reservoir to headwaters)
- Utah Lake and Connected Wetland Environments

In the next 5 years, most of the Commission's new efforts will be focused on the lower Provo River near and including Utah Lake.



Map 2. Provo River/Utah Lake Watershed



Lower Provo River – Utah Lake to Deer Creek Dam

The Commission's program for the lower Provo River contained two Program Elements in its 2016 Plan: June Sucker Recovery, and the Provo River Delta Restoration Project (PRDRP). These two elements comprised several components, including acquisition of instream flows, modification of diversion structures, stream and riparian habitat restoration, public recreational access and facilities, and water quality improvements. For this Plan, the Commission has reinstated 'Acquisition of Instream Flows' as a stand-alone program element. This acknowledges the importance of working cooperatively with partners to provide instream flows throughout the length of the lower Provo River, including reaches generally not regarded as being inhabited by June sucker. The Commission anticipates working cooperatively with the Central Utah Water Conservancy District (CUWCD), U.S. Department of the Interior – Central Utah Project Completion Act Office, June Sucker Recovery Implementation Program (JSRIP), and others to implement the Lower Provo River program elements.

JUNE SUCKER RECOVERY

June sucker (Chasmistes lioris). Photo courtesy Utah Division of Wildlife Resources

Supporting efforts to recover the June sucker is a Priority 1 program element for the Commission. The JSRIP was formed in 2002 and the Commission was among its original members. In addition to funding program actions to support June sucker recovery - such as the PRDRP, acquisition of lower Provo River water rights, restoration and enhancement of river and riparian areas, diversion dam modifications, and planning and development of a native species fish hatchery - the Commission has directly provided funding to support the JSRIP Annual Work Plans and its many focused efforts.

FY2020 Progress

Based on successes of the JSRIP and plans for restoring the Provo River delta, the U.S. Fish and Wildlife Service proposed downlisting the June sucker to 'threatened' status in November 2019. The Final Downlisting Rule is anticipated early in 2021.

Plan for FY2021-2025
The Commission will continue working closely with the JSRIP. While the PRDRP is being implemented, funding to support the JSRIP base program may be reduced.

Diversion Dam Modifications

Section 302(c) of CUPCA authorizes measures to combine, relocate or redesign and reconstruct diversion dams on the Provo River between Murdock Diversion and Utah Lake. Some potential water conservation projects carried out by others might involve combining diversions, resulting in elimination of one or more structures. In its 2016 Plan, the Commission announced the expansion of the Diversion Dam program to include modifying diversions on Hobble Creek, the secondary June sucker spawning tributary, which is required under the June Sucker Recovery Plan.

FY2020 Progress
The JSRIP is pursuing a commitment from water users on Hobble Creek to modify their diversions for bypass of instream flows to lower Hobble Creek.

Plan for FY2021-2025
This program element remains in the Commission's Plan for FY2021- 2025, subject to appropriations and willing partners.

Acquisition of Instream Flows

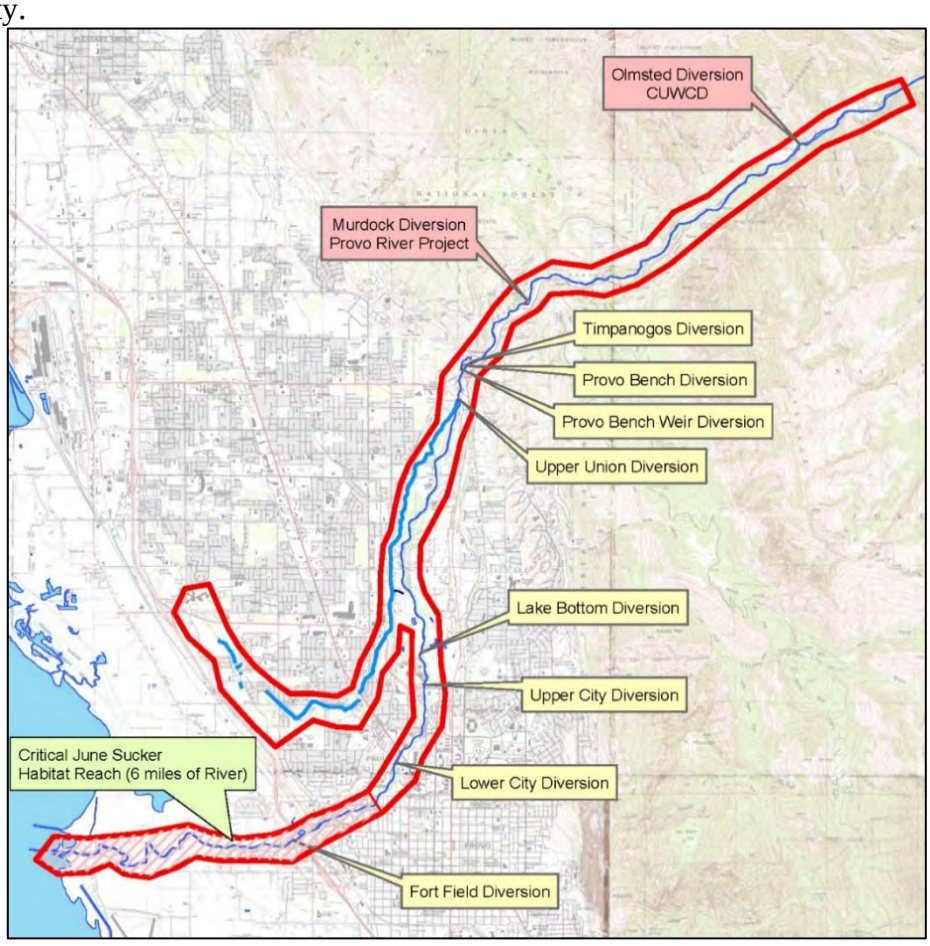
This program element is to plan and implement actions that provide instream flows in the lower Provo River as authorized by CUPCA. The 1987 Final Supplement to the 1979 Final Environmental Statement for the Municipal and Industrial System of the Bonneville Unit (1987 Final Supplement) required minimum instream flows of 100 cubic feet per second (cfs) from Deer Creek to Olmstead Diversion year round, and 25 cfs from Olmstead Diversion to Utah Lake during the non-irrigation season. These minimum flows are provided by the yield and operating plans of the Bonneville Unit. CUPCA additionally authorized acquisition of water rights in the lower Provo River, with the goal of providing a minimum flow of 75 cfs in the lower Provo River from Olmsted Diversion to Utah Lake. The Commission purchased additional water shares in 2020 in a mutual water company that will provide 48 acre feet of water for use as instream flows.

Given competing demands and increased cost of water since passage of CUPCA, the Commission believes that providing minimum instream flows will not be achievable solely through purchase of water rights. This program element therefore may include strategies in addition to direct acquisition of water rights for instream flows. For example, the Commission, CUWCD and U.S. Department of the Interior (Interior) incorporated the objective of providing minimum instream flows of 75 cfs into the planning for the Utah Lake Drainage Basin Water Delivery System (ULS). Constructing and operating (under full demand) the ULS was anticipated to provide an average of 16,000 acre feet of supplemental water annually (range from 0 to 34,601) to be delivered to Utah Lake via the lower Provo River and was expected to help accomplish the goal of providing a 75 cfs minimum instream flow in portions of the lower Provo River.

In its Record of Decision for the ULS, the CUWCD and Interior also committed to develop water conservation projects (in accordance with Section 207 of CUPCA) sufficient to be able to provide an additional 12,165 acre feet of conserved water annually to be used for Provo River instream flows to support June sucker recovery. This has been accomplished.

The Commission contributed $22.2 million of budget authority ($15 million of authority as of 2005, indexed forward to FY2020) as authorized under Section 302(a) of CUPCA toward the proportionate share of the cost of those specific ULS facilities used to deliver instream flow water. The Section 302(a) authorization was adjusted in 2020 by that amount. Additional funds will be allocated under Section 202(c) of CUPCA to pay for the remaining proportionate share of the cost. This funding paid for priority capacity of 35 cfs in the Spanish Fork-Provo Reservoir Canal Pipeline for delivery of water for instream flows when exchange water and/or conserved water needs to be or can be delivered to Utah Lake.

Although many partners have made substantial progress in acquiring water for instream flows, there remain reaches of lower Provo River still subject to near-dewatering under current water rights and operations. A particularly troublesome reach is between the Murdock diversion and Olmsted Power Plant return channel - a distance of about 1 ¼ miles. The Commission previously acquired water rights that allow for about 6 cfs to remain in that reach during the hottest portion of the summer irrigation season, under a full river supply. However, that amount is inadequate to support a viable aquatic ecosystem and fish community.



FY2020 Progress

The Commission entered into an agreement in FY2020 that provides for CUP water rights to be bypassed at the Olmsted Diversion and to remain instream through the Murdock Diversion and to the Olmsted Power Plant return. Establishment of such a flow will benefit the aquatic and riparian ecosystem but would potentially cause a reduction in power generation at the Olmsted Power Plant. The Commission agreement provides enough funding to offset power losses due to these instream flows, of up to 10 cfs for up to 90 days annually. Actively cooperating with the Commission, CUWCD and Interior, and providing funding, are Trout Unlimited, Utah Division of Wildlife Resources (UDWR), and others. The partners will continue to try to find other long-term solutions to this problem reach.

Plan for FY2021-2025

The Commission plans to continue to support instream flows in the problem reach by contributing funding to offset power generation losses for the 2021-2025 period. Approximately $3.3 million of authorization as of FY2021 remains available under Section 302(a) of CUPCA to pursue acquisition of water rights or other instream flow solutions, subject to available appropriations.

PROVO RIVER DELTA RESTORATION PROJECT (PRDRP)

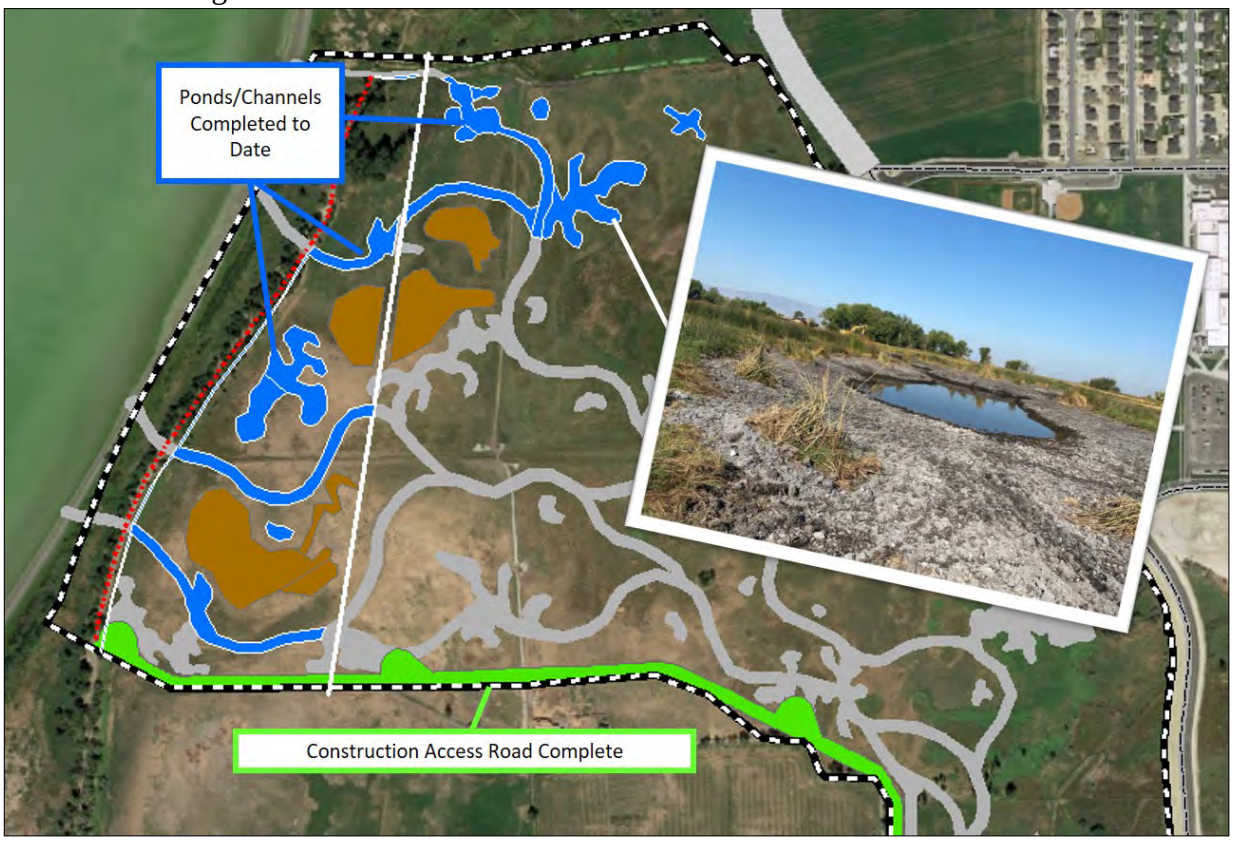
The Commission, Interior and CUWCD finalized an Environmental Impact Statement (EIS) and signed Records of Decision in 2015, approving the Provo River Delta Restoration Project (PRDRP). The main purpose of the project is to help recover the endangered June sucker, and in doing so, restore the area's natural ecosystem. The project will provide and improve recreational experiences along the existing lower Provo River and in the newly restored delta area. By building this project, JSRIP partners help ensure important water projects linked to June sucker recovery stay on track.

Ryan Proctor, U.S. Bureau of Reclamation, uses a backhoe stabilized on a "swamp mat"(a connected series of large timbers), to begin excavating the first channel in the delta restoration area in June 2020.

To accomplish this, a majority of lower Provo River flow will be diverted out of the existing river channel at a point just downstream of Lakeshore Bridge Trailhead parking area, north into a newly constructed system of braided channels and wetlands that connect with Utah Lake. The northern end of Skipper Bay dike, which was initially constructed in the 1940s to keep Utah Lake water out of the project area, will be lowered to allow the Lake to again expand eastward, closely approaching its historic shoreline. The diversity of habitats and function supported by the restored delta will provide necessary conditions for juvenile June sucker to develop to a size where they can survive in Utah Lake. Bird monitoring and mosquito and weed control are ongoing project elements.

FY2020 Progress

The Commission initiated construction of the PRDRP in 2020 using crews from U.S. Bureau of Reclamation (Reclamation), UDWR, private contractors, and others. In a big milestone for a project decades in the making, crews mobilized in early March to begin site work. Under contract with Dominion Energy Utah, a high-pressure gas pipeline traversing the project area was relocated to a depth of over 100 feet below ground surface so it would not interfere with restoration work. Crews built a construction access road along the southern project boundary. This road will eventually become a berm and trail. "Swamp mats", a connected series of large timbers laid on the ground surface, were used to facilitate movement throughout the construction site.



Delta feature excavation progress as of September 25, 2020.

The ceremonial "first scoop" of delta excavation was publicized in early June. As of late September, excavation of river channels and delta ponds was progressing ahead of schedule;

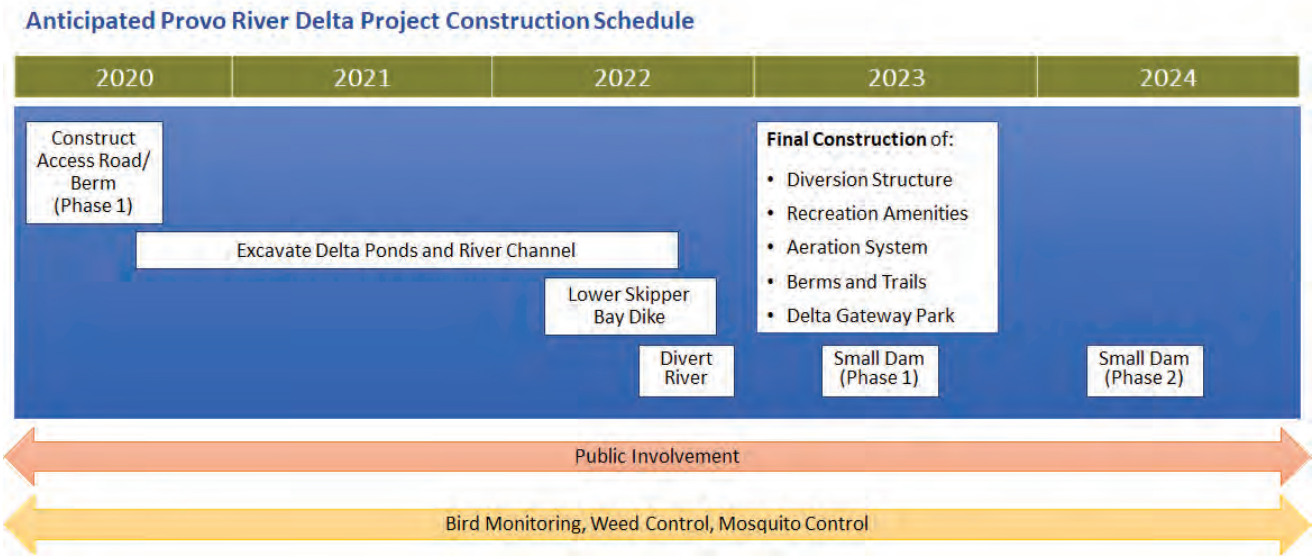
approximately 4,100 feet of new channel, an entire 2-acre pond, and several other smaller pond and wetland features had been excavated; and, more than approximately 50,000 cubic yards of excavated materials had been hauled to Provo City's nearby Regional Sports Park site to help raise its ground to the elevation required, saving both partners potentially millions in material haul-off and import costs.

Other progress includes:

- Completed the third year of a bird monitoring and movement study to gather baseline information on avian abundance and movement in and around the project area.
- Designs for a small dam and a diversion structure to stabilize water levels and provide water to the existing river channel advanced to 90% completion
- Provided funding for mosquito monitoring and weed control efforts on project properties.
- In partnership with Provo City Parks Department and the local community, finalized the design for Provo River Delta Gateway Park.
- Initiated several agreements with State and local agencies to engage them in planning and long-term management of project features.

Plan for FY2021-2025

The Commission will pursue completion of the PRDRP, subject to funding. The project is expected to cost in excess of $45 million for construction. It will provide public access and expanded recreational opportunities when completed, which is estimated to be in 2024. A small dam and an aeration system will be installed in the existing Provo River channel to stabilize water level, increase dissolved oxygen content and address past water quality problems created by high temperature and low flows.



Middle Provo River – Deer Creek Reservoir to Jordanelle Dam

The Commission's program for the middle Provo River has been substantially completed. The Commission will continue cooperative efforts with CUWCD, Reclamation and others to assure instream flows and water quality requirements of the 1987 Final Supplement to the Final Environmental Impact Statement for the Municipal and Industrial System are achieved. Those requirements are incorporated in the following projects.

Middle Provo River before restoration in 1999 (left). Same section in 2020 (right) post restoration, photo by Darren Olsen.

Provo River Restoration Project (PRRP)

The Provo River Restoration Project (PRRP) is designed to restore the diversity and productivity of fish and wildlife habitat along the middle Provo River between Jordanelle Dam and Deer Creek Reservoir. It partially offsets losses of fish and wildlife values caused by the CUP and other federal reclamation projects in Utah. Project construction is complete.

Curious young moose in the PRRP.

First catch by Rachael Rich, courtesy Utah Division of Wildlife Resources

FY2020 Progress

The Commission continued management of the PRRP with assistance from UDWR. Several trespass issues were addressed with assistance from Reclamation.

Big and little anglers enjoy the restored middle Provo River in Midway, Utah.

FY2021-2025 Plan

The Commission will perform minor stream channel realignment and bank stabilization work on two localized segments in the PRRP corridor in FY2021. These efforts are being implemented to maintain the PRRP and secure fencelines along the PRRP property boundary.

Constructing and managing angler access and education facilities are part of the Provo River Restoration Project

During the next five years, emphasis will remain toward continuing community outreach, developing a management plan and agreements for the PRRP corridor, and securing the properties against trespass, encroachment, and other prohibited activities. The management plan will also address allowed and disallowed uses of the property. The Commission will discontinue mosquito control efforts on the PRRP beginning in FY2021.

Wasatch County Water Efficiency Project (WCWEP) with Daniels Replacement Pipeline (DRP)

This program element has been completed. It accomplishes more than one-fourth the required mitigation for aquatic resources impacted by CUP's Strawberry Aqueduct and Collection System (SACS) in the Bonneville Unit. Water conserved through irrigation efficiencies is provided to Daniels Irrigation Company, replacing water supplies previously diverted from Upper Strawberry River and several of its tributaries in the Uintah Basin, to the Bonneville Basin.

The Commission is cooperating with the U.S. Forest Service and UDWR to monitor stream flows on the upper Strawberry River above Strawberry Reservoir. [More information on this program is described under the Strawberry/Duchesne Watershed.]

FY2021-2025 Plan

The Commission will formalize its commitment of 2,900 AF of water obtained through the WCWEP/DRP, for use in the Strawberry/Duchesne Watershed for instream flow purposes.

Upper Provo River - Jordanelle Reservoir to Headwaters

The Commission's program for the upper Provo River drainage initially focused on completion of unfulfilled mitigation commitments of the Bonneville Unit. Of the three original upper Provo River program elements, one (described below) remains. However, upon publication of this Plan and concurrence by U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources, it will also be completed.

Highway-Related Deer Mortality Reduction Mitigation

During early planning for the CUP Municipal and Industrial System, the Utah Division of Wildlife Resources and U.S. Fish and Wildlife Service estimated that relocation of new highways around Jordanelle Reservoir would result in an increased mortality of approximately 12 deer per year from vehicle collisions. A study of deer movement patterns in 1991, the first year the new highways were in operation, documented the death of at least 174 deer from vehicle collisions. Subsequently, the Commission, U.S. Fish and Wildlife Service, and Utah Division of Wildlife Resources determined the most appropriate solution for mitigating impacts to deer and other big game would be through off-site mitigation.

FY2020 Progress

Since 2006, the Commission has acquired approximately 10,700 acres in the Uintah Basin to provide mitigation for big game, sage grouse, and other habitat types. Official consultation under the Fish and Wildlife Coordination Act began in FY2020 with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources; these acquired properties are anticipated to meet the need for mitigating the impacts of highway-caused big game mortality around Jordanelle Reservoir. A Final Environmental Assessment and Finding of No Significant Impact was completed in FY2020 addressing transfer of these acquired properties, plus others, to the Utah Division of Wildlife Resources. [See Strawberry/Duchesne Watershed for more information].

FY2021-2025 Plan

The official consultation is expected to be completed in FY2021. Upon completion of this mitigation measure, any remaining authorization of funds for this purpose will be reprogrammed to other high priority mitigation requirements, including the Provo River Delta Restoration Project.

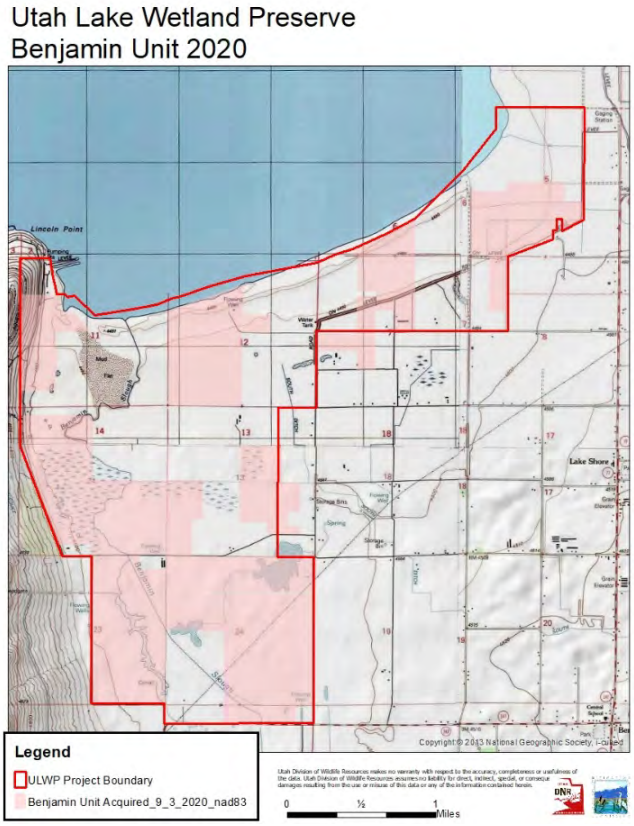
Utah Lake

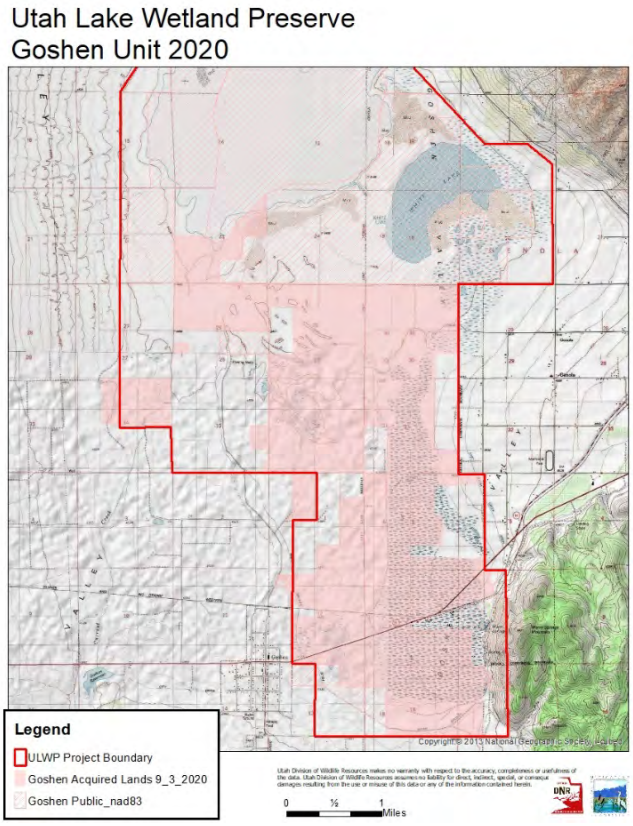
JUNE SUCKER RECOVERY

Measures to aid June sucker recovery and other Utah Lake ecosystem components have been and will be based on recommendations of the JSRIP. In addition to providing general funding support to the JSRIP, the Commission and other partners will implement the Provo River Delta Restoration Project to address this program element.

Utah Lake Wetland Preserve

The Utah Lake Wetland Preserve, a network of wetland and interspersed upland habitats near the southern end of Utah Lake, is being established to partially mitigate for past and anticipated future impacts of CUP water development features and to conserve wetlands and habitat for many wildlife species in perpetuity. Initial efforts were focused on acquiring land and water rights to establish the preserve. Although acquisitions will continue to be a program emphasis in the future (depending on appropriations), there will also be greater emphasis on planning for and implementing habitat restoration and development and long-term management of the Preserve.





The Preserve is composed of two geographical "units", Benjamin Unit and Goshen Bay Unit, and encompasses about 21,750 acres. About 15,782 acres are under management of project cooperators (Mitigation Commission, 7,200 acres; Bureau of Land Management, 4,150 acres; State of Utah, 4,500 acres (most of this total are open water at normal lake elevation, e.g. Goshen Bay, and is administered by Utah Division of Forestry, Fire and State Lands); and Utah County, 19 acres). While establishing the Preserve through land acquisition on a willing-seller basis is still a high priority, funding is expected to be limited over the next five years.

FY2020 Progress

The Commission acquired a127-acre parcel (see photo below) for the Benjamin Unit, including a portion of Benjamin Slough.

The Commission also initiated a planning process late in FY2020 to develop a comprehensive management plan for the Utah Lake Wetland Preserve. The management objective for the Preserve is to manage the public lands for wildlife values in a way that minimizes conflicts with neighboring traditional land uses.

Other objectives include managing the Preserve in accordance with CUPCA and substantive requirements of the National Wildlife Refuge System Administration Act of 1966, as amended; and, providing accessible opportunities for public with disabilities, and other types of uses.

Opportunities for public involvement and National Environmental Policy Act (NEPA) compliance will be part of the Preserve Plan development. The plan and NEPA compliance will also address transfer of Commission-acquired Preserve lands in the Preserve from the Commission to Utah Division of Wildlife Resources.

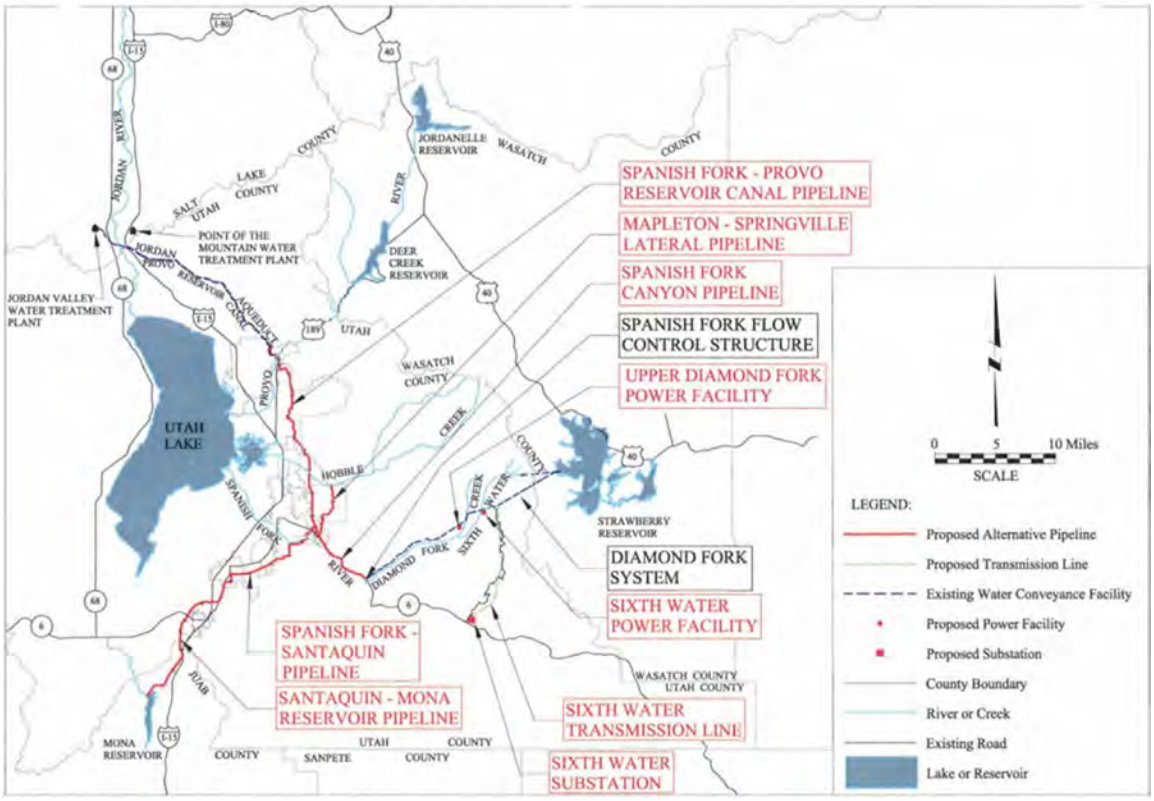
FY2021-2025 Plan

The Commission plans to complete the Preserve Plan and NEPA compliance over the next five years. Implementation of a selected alternative, if any, will depend on available funding. Based on the final management plan, an operation and management agreement among Interior, U.S. Fish and Wildlife Service, UDWR and the Commission would be developed.

Antelope on the Utah Lake Wetland Preserve. Photo by Dave Lee, Utah Division of Wildlife Resources

UTAH LAKE DRAINAGE BASIN MITIGATION COMMITMENTS

The Utah Lake Drainage Basin Water Delivery System (ULS), which represents completion of the major Bonneville Unit water development features, is in the implementation phase. The Commission is responsible for mitigating its adverse impacts to fish and wildlife and was a joint-lead agency with Interior and CUWCD for the environmental impact assessment process. Mitigation commitments are completed (wetlands mitigation) or are ongoing.



ULS proposed action features identified in the project's final Environmental Impact Statement, September 2004.

ULS environmental commitments extend to a few Commission watersheds; mitigation measures required in the Provo River/Utah Lake Watershed include:

· Continue to acquire water shares from irrigation companies to provide flows in the lower Provo River to meet the 75 cfs target flow. [ongoing, subject to appropriations]
· Provide 3,348 acre feet of irrigation company shares of water to flow unregulated toward the 75 cfs target flow in the lower Provo River. [ongoing]
· 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. [complete; the facility was reconstructed in 2009]

UTAH LAKE RECREATION FACILITIES

Sections 311(d)(2) and 312(a) of CUPCA authorize funds for recreational improvements along the lower Provo River and Utah Lake. Through planning for the Provo River Delta Restoration Project, with input from local partners and the public, a number of recreational and visitor resources are planned.

FY2020 Progress

Planning and design of recreational improvements continued. Through an Agreement with Provo City, designs were moved into final phase for the planned Delta Gateway Park.

FY2021-2025 Plan

Under this program element, the Commission plans to expend remaining authorized funds (about $1.7 million as of October 1, 2020), subject to appropriation, plus other funds for recreation improvements at Utah Lake directly associated with the Provo River Delta Restoration Project. Trails, a viewing tower, the Delta Gateway Park, and other public access facilities will be constructed as the PRDRP continues through FY2024.

TERRESTRIAL HABITAT CONSERVATION

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 (I&D) System of the Bonneville Unit. However, the ULS System which replaced the I&D System does not utilize any of those canals as Bonneville Unit facilities. The Commission reallocated this authorization in 2005 (about $1.78 million as of October 1, 2020) to a new program element that will provide greater benefit to such resources, such as acquisition and/or restoration of sagebrush-steppe vegetative communities along the southern Wasatch Front. No projects were funded under this program element in 2016-2020 due to funding limitations.

FY2020 Progress

No additional terrestrial habitat was acquired in FY2020.

FY2021-2025 Plan

No acquisitions are anticipated in the 2021-2025 time period due to funding limitations.

Diamond Fork Watershed

Overview and Problem Statement

The Diamond Fork watershed was used to transport water from Strawberry Reservoir to agricultural lands in Utah Valley since the Strawberry Valley Project was constructed in the early 1900s. The transbasin diversion of water from Strawberry Reservoir through the Strawberry Tunnel into Sixth Water and Diamond Fork Creeks provided a substantial water supply, but artificially high flows, in excess of 500 cfs during summer irrigation season, caused extensive deterioration of natural stream channels.

Between 1916 and 2004, streamflow in Diamond Fork was often high enough to mobilize the streambed for months at a time. In many areas, severe downcutting of the channel occurred, and the stream was effectively detached from its floodplain. In other locations, especially in the lower reaches, these high flows caused constant mobilization of the streambed material. The result was an extremely wide braided channel that was constantly shifting and moving. The activity of the channel bed prevented establishment of riparian vegetation in many areas because the surfaces where trees were germinating were reworked before the small trees could establish a firm root system. This all resulted in severely limited fish production, loss of soils, loss of riparian and wetland habitat, and greatly reduced recreational experiences.

Since completion of the Diamond Fork System in 2004, high flows have generally been delivered through a tunnel and pipeline system, providing the opportunity to restore a more naturally functioning riverine system in Sixth Water and Diamond Fork.

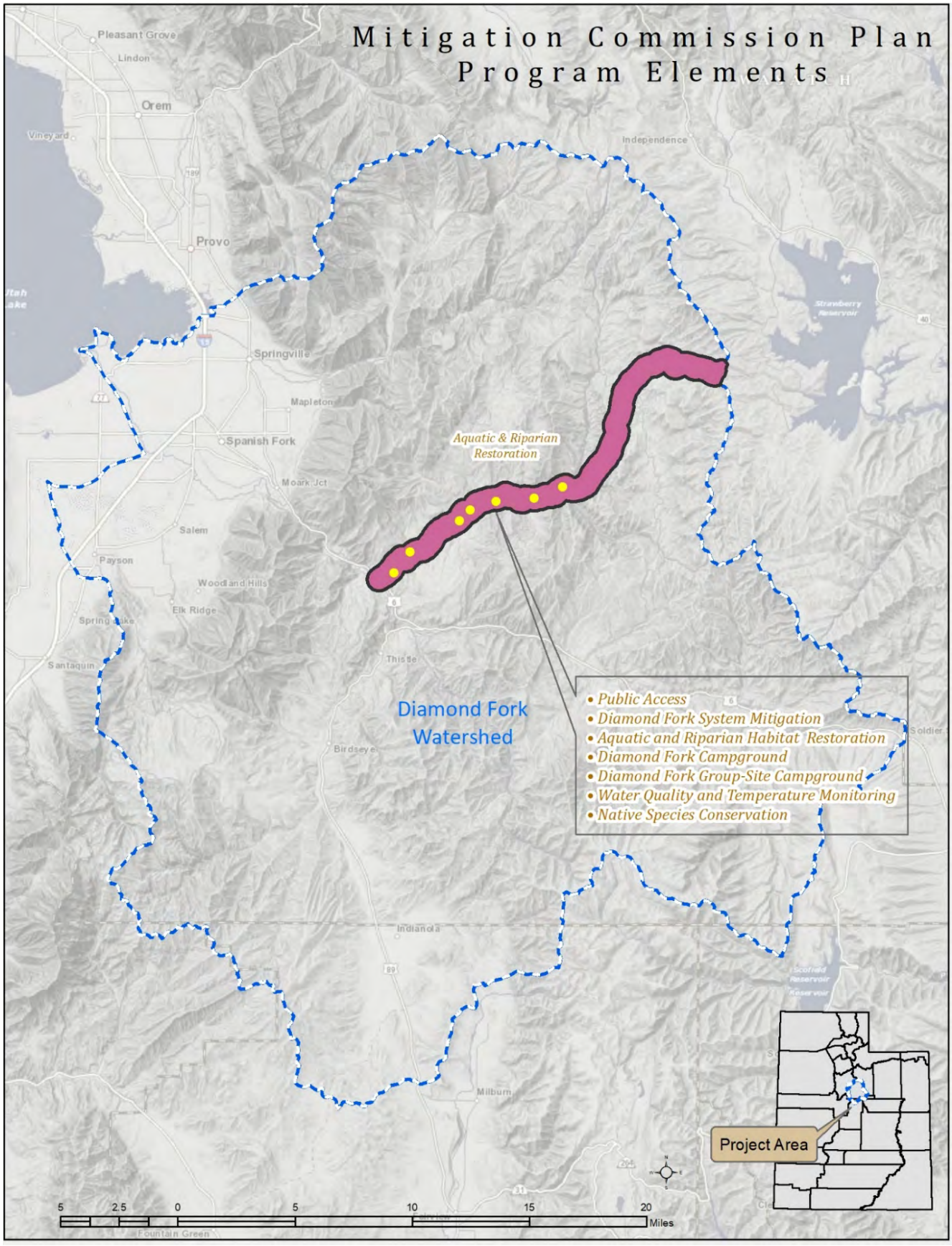
Program Description for Diamond Fork

The Commission's program for Diamond Fork puts priority on planning and implementing actions to restore or enhance aquatic and riparian habitats degraded by water development activities in early 1900s, and by sustained operation of the Diamond Fork System and ULS under CUPCA minimum instream flows. The Commission recognized that planning for riparian and aquatic habitat restoration should consider the role of minimum instream flow requirements and their effects on those resources.

This program includes water quality monitoring, an environmental commitment in the 2004 Final Supplement to the Definite Plan Report (DPR). The Commission and Central Utah Water Conservancy District (CUWCD) have cooperatively conducted water quality and temperature monitoring in Sixth Water and Diamond Fork since 1996. The program will continue, subject to revision; if monitoring indicates potential problems for down-stream resources, the Commission will work with CUWCD and others to try to resolve the problem.

Support for native species conservation, particularly southern leatherside and Ute ladies'-tresses, is also part of the program - as is management of acquired mitigation lands on lower Diamond Fork to ensure angler access is provided and benefits of the Diamond Fork Pipeline and stream and riparian restoration efforts are realized.

Map 3. Diamond Fork Watershed



Diamond Fork Watershed Program Elements

AQUATIC AND RIPARIAN HABITAT RESTORATION - SIXTH WATER AND DIAMOND FORK

As part of its planning for habitat restoration and enhancement, the Commission recognized that substantial changes in stream channel size and form, especially in lower Diamond Fork Creek, have continued to occur since the minimum winter and summer instream flows specified under CUPCA went into effect.

The minimum instream flow levels specified in CUPCA were based on recommendations for earlier proposed infrastructure versions of the 1984 Diamond Fork Power System Environmental Impact Statement (EIS) and the 1990 Supplement to the EIS. At that time, a very different set of water management features was planned, including Monk's Hollow Dam and Reservoir, and a lower-capacity tunnel system.

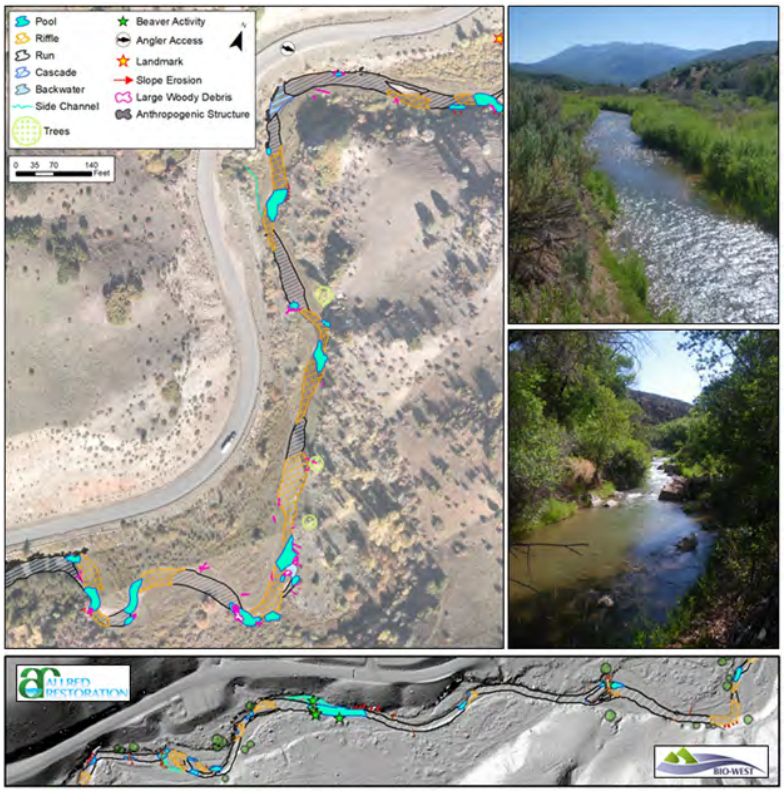
Minimum flow releases from Strawberry Tunnel were established at 25 cfs (Nov-April) and 32 cfs (May–Oct) in 1996; and below Monks Hollow Outlet were established at 60 cfs (Oct-April) and 80 cfs (May–Sep) in 2004. The upper portion of Sixth Water Creek (above Sixth Water Flow Control Structure Outlet) has been adjusting to minimum (reduced) flow for 24 years. The balance of Sixth Water Creek and Diamond Fork River below the Sixth Water Flow Control Structure Outlet has been adjusting to reduced flow for 16 years.

The Commission thinks it essential to consider the influence of minimum (and other) instream flow levels on aquatic and riparian habitat in developing restoration plans. Ecosystem condition monitoring since 2005 has indicated that minimum instream flow quantities might be too high. The Commission therefore funded a comprehensive study to examine the CUPCA-specified instream flows and determine if a different flow regime might improve stream ecosystem health and fisheries.

Another reason for the instream flow study was because, since completion of the Sixth Water Flow Control Structure, Diamond Fork River minimum instream flows have been delivered through sleeve valves at the Sixth Water Flow Control Structure and via the Monks Hollow outlet. The sleeve valves within the Sixth Water Flow Control Structure were designed for high water pressure releases at high volumes. The release of low flow volumes through the Sixth Water sleeve valves, to meet the required winter month Diamond Fork River minimum flow, has damaged the sleeve valves. Consequently, CUWCD, Interior and the Commission determined that winter instream flows for Diamond Fork River can no longer be safely and efficiently delivered from the Sixth Water Flow Control Structure; winter instream flows for Diamond Fork River and Sixth Water Creek will need to be made through the Strawberry Tunnel.

The Commission became concerned that releasing higher flows from Strawberry Tunnel may cause adverse impacts to the ecological condition of Sixth Water Creek; and, that minimum flow requirements established by CUPCA may also be too high especially during certain times of year, causing adverse impacts to ecological conditions on both streams.

The Commission collaborated with and funded Utah State University from 2016 to 2019 to complete studies on Diamond Fork River and Sixth Water Creek to determine desired flow regimes. The studies indicated that reducing minimum instream flow requirements to approximately 22 cfs in the reach below Strawberry Tunnel and approximately 40 cfs on lower Diamond Fork should support improvements in overall stream ecological and fishery health. Numerous informational meetings were held with the public and natural resource agencies. NEPA compliance to evaluate potential instream flow level changes, and to address other Diamond Fork System operations and maintenance concerns, was initiated in 2019 by CUWCD, Interior, and the Commission as joint-lead agencies.



In 2019, the Commission also completed an assessment of aquatic habitat conditions on lower Diamond Fork that identified opportunities where direct physical habitat restoration and enhancement interventions may be effective in promoting faster and more self-sustaining ecosystem recovery and health than changes to flow alone.

FY2020 Progress

UDWR and U.S. Forest Service completed planning and obtained approvals to implement small-scale habitat improvements in Fall 2020 (early FY2021).

FY2021-2025 Plan

Early in FY2021, the U.S. Forest Service and UDWR plan to install a pilot-scale Post Assisted Log Structure project in Diamond Fork. The Commission anticipates supporting implementation of similar aquatic habitat enhancement projects in the next five years through partnership with UDWR, U.S. Forest Service, Trout Unlimited, and others.

NEPA compliance to evaluate potential instream flow level changes, as well as address other operations and maintenance concerns is expected to be complete in FY2021. CUWCD and Interior also initiated plans to install a smaller valve at the Sixth Water Flow Control Structure that would be capable of safely delivering lower quantities of water to supplement instream flows, if needed, and to meet other project demands. That project is expected to be completed in 2022.

WATER QUALITY AND TEMPERATURE MONITORING

The Commission, Interior, U.S. Fish and Wildlife Service, UDWR, and CUWCD agreed in 2005 that water quality monitoring was still a valid environmental commitment. Monitoring needs were reviewed and adjusted in light of construction of the Upper Diamond Fork Tunnel, and the Diamond Fork System operation and maintenance schedule. Monitoring of several parameters (e.g. temperature, dissolved oxygen, pH etc.) occurs regularly and continues through the present.

Several springs along upper Diamond Fork contain a very high concentration of hydrogen sulfide (H_2S) that causes accelerated corrosion of facilities at the Upper Diamond Fork Flow Control Structure. Solutions to resolve this problem are being evaluated in the NEPA process discussed above regarding instream flow levels.

FY2020 Progress

Additional water quality data was collected in FY2020 and feasibility of options to address the H_2S issue continued.

FY2021-2025 Plan

The NEPA process is anticipated to be completed in FY2021 to early FY2022.

DIAMOND FORK MITIGATION LANDS

As partial mitigation for impacts of the Diamond Fork System, Reclamation and the Mitigation Commission acquired approximately 170 acres of lands on lower Diamond Fork to ensure angler access is provided and the benefits of the Diamond Fork Pipeline and stream and riparian restoration efforts are realized. The Commission also implemented wetland enhancement on the property.

Diamond Fork River and riparian habitat

FY2020 Progress

The area was managed; trespass issues were addressed and resolved.

FY2021-2025 Plan

The Commission envisions transferring administration of these federal lands to the U.S. Forest Service during the next five years.

STRAWBERRY/DUCHESNE WATERSHED

Overview and Problem Statement

Water development projects in Strawberry Valley were constructed starting in the early 1900s. Strawberry Reservoir was constructed as the major feature of the Strawberry Valley Reclamation Project, Utah's first Federal reclamation project. Water was diverted from several streams in Strawberry Valley as well upper Currant Creek and delivered to Strawberry Reservoir for storage. From there, stored water was delivered from Strawberry Reservoir via a tunnel, through the Wasatch Mountains into Sixth Water Creek, a tributary of Diamond Fork River, for irrigation in portions of Utah County. This water supply was and still is used primarily for irrigation in Utah County. Other water development activities impacted the valley by substantially reducing Strawberry River flows. Man-made canals used to transport water would often "dump" unnaturally high flows into small natural channels causing severe erosion, headcuts and entrenchment. Abandoned canals also became a source of erosion and headcuts.

Strawberry Valley has since become the hub of the Central Utah Project's Bonneville Unit. The Duchesne River and its tributaries, including Strawberry River, provide the water supply for the Bonneville Unit. Three of its six systems are located within this watershed: Starvation Collection System, Uinta Basin Replacement Project, and Strawberry Aqueduct and Collection System.

The Starvation Collection System includes as its major features: Starvation Reservoir, located on the Strawberry River about 6 miles upstream of the town of Duchesne, and the Knight Diversion Dam, located on the Duchesne River. Most of the water supply for Starvation Reservoir is collected from the Duchesne River and transported to Starvation Reservoir for storage. Water is used locally in the Uinta Basin, primarily for agriculture. Other features include the Duchesne River Area Canal Rehabilitation program (DRACR), which improved 41 miles of canals in the project area, but adversely affected riparian and wetlands supported by the canals' seepage. Reclamation acquired 1,090 acres of land along the lower Duchesne River in the 1980s to be used for riparian and wetland mitigation. The restoration and enhancement measures on the mitigation property remain largely unfulfilled.

The Strawberry Aqueduct and Collection System (SACS) is a key component of the Bonneville Unit. It develops water supply out of the Duchesne River system in the Colorado River Basin for delivery to the Bonneville Basin. Under full operation, the Bonneville Unit is expected to deliver about 102,000 acre feet of water to the Wasatch Front in an average year.

In the early 1970s, Soldier Creek Dam was constructed a few miles downstream of the original Strawberry Dam. In the mid-1980s, Soldier Creek Reservoir filled to the level of the old Strawberry Reservoir and the reservoirs were equilibrated. Water supply for Soldier Creek Reservoir (referred to as "enlarged Strawberry Reservoir" or "Strawberry Reservoir") is developed by a series of reservoirs, on-stream diversions, and a 37-mile long aqueduct connecting Upper Stillwater Reservoir, located on Rock Creek, to Strawberry Reservoir.

Along its course, SACS intercepts water from a total of ten streams (Rock Creek, South Fork Rock Creek, Hades Creek, Twin Creek, Wolf Creek, West Fork Duchesne River, Currant Creek, Layout Creek, Water Hollow Creek, and Strawberry River).

Creation and subsequent enlargement of Strawberry Reservoir profoundly impacted the valley by replacing a naturally flowing river system with a permanent reservoir, and by inundating a large segment of the Strawberry River and portions of several of its tributaries. Stream fisheries were replaced by a reservoir fishery managed by the Utah Division of Wildlife Resources. Inundation of thousands of acres of land resulted in habitat loss for numerous wildlife species. All but one sage grouse strutting ground known at that time and numerous brood-rearing areas in the valley were lost when the reservoir was enlarged.

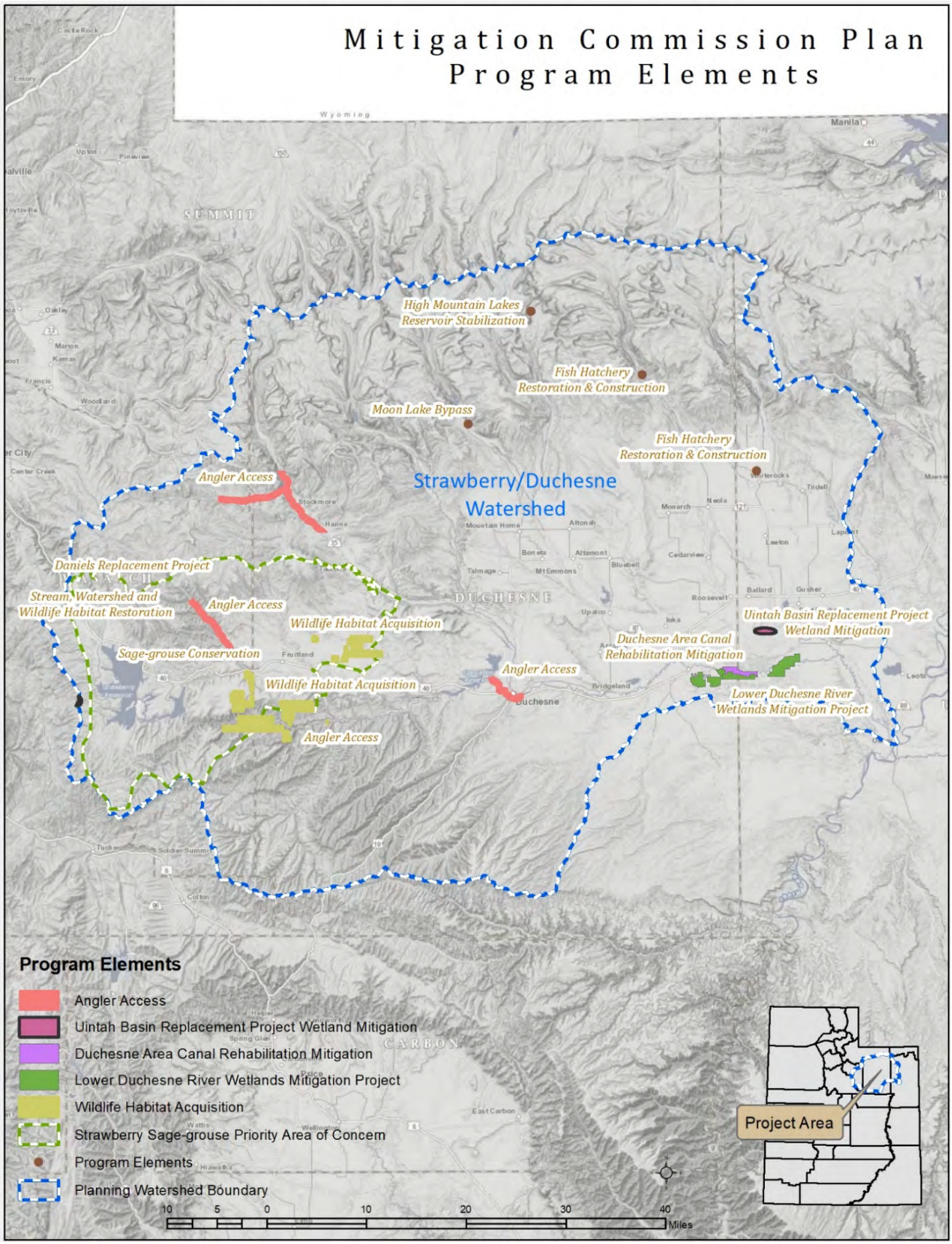
Since development of the Strawberry Valley Reclamation Project in the early 1900s, lands surrounding the reservoir were managed intensively for livestock production and other purposes. Water tables were lowered, stream banks became increasingly unstable and beaver populations declined. The result was erosion and subsequent loss of crucial trout spawning habitat. Tributary degradation also caused detrimental sedimentation and eutrophication of reservoir waters. Overall range degradation resulted in severe noxious weed infestations.

In 1988, Congress transferred administration of the 56,775-acre Strawberry Valley Management Area from Reclamation to the U.S. Forest Service (P.L. 100-563). Since then, the Forest Service has worked cooperatively with the Commission, Reclamation, and UDWR to rehabilitate lands surrounding the reservoir, develop and manage recreational use of the area, and enhance the fishery. The program has been an outstanding success; however, challenges remain, including reservoir fluctuations, intense fishing pressure, stocking program limitations and angler access. In addition, more visitors are attracted to the facilities and are seeking increasingly diverse recreation experiences, such as snowmobiling, mountain biking, dispersed camping and horseback riding.

The Uinta Basin Replacement Project (UBRP) was authorized under Title II, Section 203 of CUPCA. The Final Environmental Assessment was prepared by the CUWCD and signed by Interior in October 2001. Project construction began in 2003. The Commission issued its Decision Notice in 2004. The project included enlarging the existing Big Sand Wash Reservoir to store another 12,000 acre feet, constructing a new diversion and water distribution facilities, and water conservation.

UBRP'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. Mitigation measures completed by the Commission with great assistance from Reclamation, U.S. Forest Service, UDWR, and others, involved: stabilizing thirteen high mountain lakes within the High Uintas Wilderness Area that were historically dammed for irrigation water storage - water rights were transferred downstream for storage in the enlarged reservoir; modifying the Moon Lake Dam outlet works to allow instream flow releases; and, implementing wetlands mitigation and habitat improvements at the Utah Division of Wildlife Resources' Montes Creek Wildlife Management Area.

Map 4. Strawberry/Duchesne Watershed



Program Description for Strawberry/Duchesne

Over the past 25+ years of CUP development in the Duchesne and Strawberry river drainages, substantial investments in fish and wildlife mitigation and conservation plus related recreational facilities have been made, and numerous opportunities to enjoy fish and wildlife populations have been provided. Significant progress has been made toward restoring fish and wildlife habitats, but work remains, as described in the following.

Strawberry/Duchesne Watershed Program Elements

Angler Access and Related Facilities

The 1988 Aquatic Mitigation Plan for the Strawberry Aqueduct and Collection System identified acquisition of approximately 51 miles of stream access on the Duchesne, North Fork Duchesne, West Fork Duchesne, Currant Creek, Strawberry River and Rock Creek to provide partial mitigation for lost angling opportunities resulting from SACS construction and operation. Angler access was to be acquired where instream flows were provided.

FY2020 Progress
The angler access acquisition program element is complete. The Commission provided funding to UDWR to manage the access areas.

FY2021-2025 Plan
In the 2021–2025 period, the Commission will focus on transferring the angler access easements and several land parcels to UDWR for ongoing management.

SACS Wetland Mitigation

Duchesne River Area Canal Rehabilitation (DRACR) Program Mitigation

A 1,090-acre parcel of land on the lower Duchesne River, now referred to as the "Riverdell North property," was acquired by Reclamation in the early 1990s for use as a mitigation site for DRACR. The Riverdell North property was to be managed by the U.S. Fish and Wildlife Service as part of the Ouray National Wildlife Refuge; however, the U.S. Fish and Wildlife Service was unable to provide management of these lands as originally planned and turned restoration, enhancement and management back to Reclamation in 1994.

In 2019, the Commission and Reclamation together renewed the planning process for the DRACR program on the Riverdell North property. Feasibility studies were initiated to evaluate different ways of delivering the substantial water right to the property so wetlands and wildlife habitat could be created and enhanced.

FY2020 Progress
Investigations continued in 2020 and a 30% design was reviewed by the Commission.

FY2021-2025 Plan

During the next five years, the Commission will initiate required wetland mitigation for the DRACR program. A final mitigation plan and NEPA compliance are anticipated to be complete in calendar year 2021. Long-term ownership and management of the property will be transferred to UDWR in accordance with the Fish and Wildlife Coordination Act. The Commission intends to commit the remaining authorization under CUPCA for SACS wetland mitigation to the DRACR mitigation program. Implementation of a selected plan will be dependent on future appropriations from Congress.

Lower Duchesne River Wetlands Mitigation Project

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 commitments made to the Ute Indian Tribe in the 1960s that promised development of six waterfowl management areas. A Final EIS and Record of Decision were completed for the Lower Duchesne River Wetlands Mitigation Project (LDWP) in 2008. The Commission, with assistance from Reclamation, acquired over 1,800 acres of lands for the project between 2010 and 2012. On-the-ground construction of wetlands features began in 2013 and was completed in 2019.

Lower Duchesne River Wetlands

FY2020 Progress

The Commission and the Ute Tribe made progress on development of a management plan for the LDWP. The U.S. Army Corps of Engineers accepted the final five-year wetland monitoring reports for two of the three management units that compose the LDWP. Monitoring and reporting on wetland habitats will continue in the third management unit, which has not yet reached its five-year post construction monitoring submittal requirement. Additional plants were installed as part of revegetation efforts for work areas affected in 2019. Weed control and mosquito control efforts continued in 2020.

FY2021-2025 Plan

The Commission plans to continue to provide funding annually to the Ute Indian Tribe for management and maintenance of the LDWP, including mosquito control and weed control. A final management plan is in preparation and expected to be complete in 2021.

Sage Grouse Conservation and Recovery

Federal Reclamation projects, including the enlarged Strawberry Reservoir, significantly impacted sage grouse populations in Strawberry Valley. The Commission has supported efforts to aid conservation and recovery of sage grouse in Strawberry Valley since 1998. Numerous research projects have led to greater understanding of issues that contributed to the decline of sage grouse populations and current threats to their recovery.

FY2020 Progress

Studies supported by the Commission from 2015 through 2020 employed GPS collars, in combination with VHF collars, to monitor seasonal habitat utilization and movement. GPS collars collect location data three times per day and provide much finer grained information on seasonal habitat utilization and movement patterns, resulting in a greater understanding of habitat utilization. The GPS data also reveal critical migration corridors that connect these habitats and support different life stages of sage grouse.

FY2021-2025 Plan

The Commission plans to continue to contribute funding to vital monitoring and research programs. Brigham Young University, U. S. Forest Service, Utah Division of Wildlife Resources, and U.S. Fish and Wildlife Service are key partners in the effort. The amount of funding available will be dependent on annual appropriations. The Commission will continue to monitor threats to sage-grouse habitat in Strawberry Valley from third party projects, including energy development and transportation.

Duchesne River Drainage Stream, Watershed, and Wildlife Habitat Restoration

This program element includes actions to protect mitigation investments in the Watershed from outside threats and challenges, including energy development.

FY2020 Progress

The Commission continued consultation with partners and TransWest Express, LLC regarding potential placement of high voltage power lines across portions of CUP wildlife mitigation lands, discussing required mitigation if such use were to be permitted.

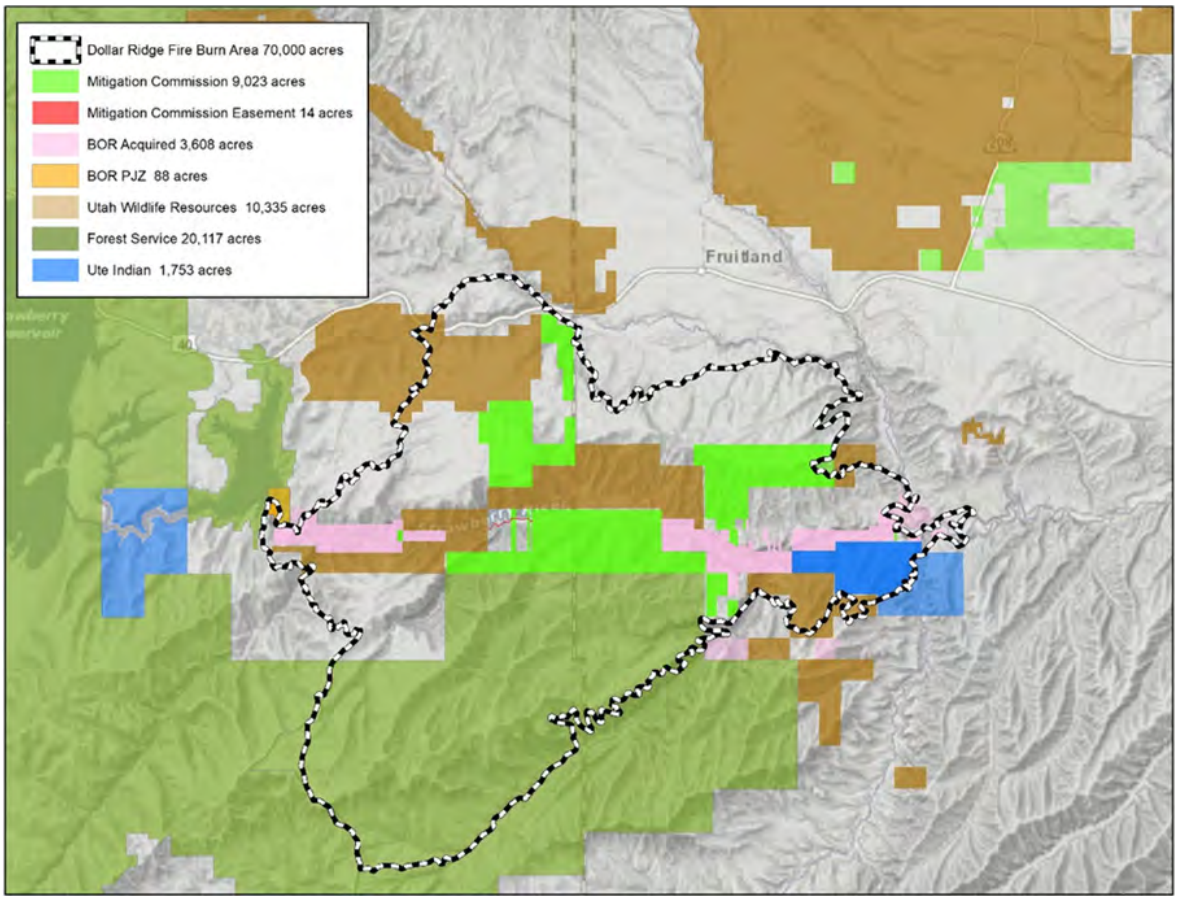
FY2021-2025 Plan

The Commission intends to continue consultations until final decisions are reached and legally-enforceable mitigation measures are identified. Follow-through accordingly, if use is allowed.

DOLLAR RIDGE FIRE

The Commission is cooperating with UDWR, Duchesne and Wasatch Counties, Reclamation, Interior's CUPCA Office, U.S. Forest Service, non-profit entities and other partners to assess impacts of the 2018 Dollar Ridge Fire and to implement restoration actions.

The 2018 Dollar Ridge Fire burned approximately 70,000 acres. This fire was centered over the Strawberry River watershed, which has been a focal point of Central Utah Project fish and wildlife mitigation for almost 40 years. Working cooperatively, UDWR, Reclamation, and the Commission have acquired and manage over 23,000 acres of property for fish and wildlife habitat, angler access, and related recreation uses, as shown below.



The fire itself severely affected the river corridor, destroying riparian habitat and displacing wildlife populations, but catastrophic impacts occurred during at least three (to date) separate monsoonal rain events that caused severe flooding and debris flows. Large amounts of mud and debris from surrounding burned upland areas washed into the stream channel clogging river bridge underpasses with sediment and creating numerous mud flats in the floodplain. These events led to loss of 10 miles of road and bridges, loss of public access, and numerous downstream impacts on private property, infrastructure and access to private property.

Water quality in Starvation Reservoir was significantly impacted as the Strawberry River carried silt and debris laden flows into the reservoir. Municipal water supplies from Starvation Reservoir are at risk. CUWCD anticipates $28 - 30 million will be needed to modify their existing water treatment plant to be able to provide drinking water to municipal users in the Uinta Basin. Wildlife habitat was severely degraded, and fish populations were nearly extirpated from over 20 miles of the Strawberry River. The river corridor remains at risk from storm events until vegetation becomes well established.

Over 13,000 acres, primarily uplands, were re-seeded in the fall of 2018 through the State/Federal partnership called the Watershed Restoration Initiative at a cost of more than $1 million.

FY2020 Progress

Duchesne County partnered with USDA-Natural Resources Conservation Service on an $8 million dollar effort through the Emergency Watershed Protection Program to help address these problems. The program got underway in July 2020 and was substantially completed in December 2020. Wasatch County began partnering with USDA-Natural Resources Conservation Service on a similar agreement for implementation in 2021.

FY2021-2025 Plan

Late in FY2019, the Commission received funding under P.L. 116-20 to help recover from 2018 wildfires. The Commission provided a portion of those funds to UDWR to develop a

comprehensive watershed assessment and restoration plan for the river corridor and affected watershed area. UDWR will use the funding to contract for services to perform the watershed assessment and prepare a plan to guide future restoration efforts. They issued a Request for Proposals in November 2020 and expect to award a contract in early 2021.The Commission intends to participate in the planning and to pursue partnerships with affected and interested parties to obtain funding for implementing restoration recommendations. The Commission also plans to cooperate in completing Wasatch County's Emergency Watershed Protection projects to help address problems, primarily with roads and other infrastructure. The Commission has authorization of approximately $4.5 million remaining under Section 307 of CUPCA which could be applied to recovery efforts, if appropriations are increased to provide funding for this program element.

Upper Strawberry River Restoration

The Commission, Forest Service, UDWR and others began an effort in 2005 to look at the upper Strawberry River as a potential restoration site. A reach above Strawberry Reservoir goes dry by summer most years. Stream flow monitoring, tracer-dye studies, and groundwater monitoring with piezometers were inconclusive in determining where or whether subsurface flows were resurfacing. The Commission participated in plan development to use an abandoned historic river channel to convey streamflow and bypass the losing river reach. The Forest Service initiated a pilot project in 2019 to construct an artificial beaver dam in the river to divert a significant portion of stream flow just upstream of the losing reach, into the historic river channel. The flow in the historic channel carried water farther down the valley as was the desire. While results were promising, the full project is still under review.

FY2020 Progress
The Forest Service monitored the discontinuous reach in FY2020.

FY2021-2025 Plan
The Commission will continue coordinating in this with the Forest Service and UDWR.

Instream Flow Management

The Commission participates in monitoring the flow regime necessary to sustain riparian communities and fisheries on streams affected by SACS. Coordination with the Interagency Aquatic Biological Assessment Team (IBAT) occurs several times per year. Under direction of the U.S. Fish and Wildlife Service, the Commission and other partners participate in development of instream flow recommendations for streams affected by the Streamflow Agreement of 1980 and its 1990 Amendment: Strawberry River (Soldier Creek Dam to confluence with Duchesne River); West Fork Duchesne River (U.S. Forest Service boundary to North Fork confluence); Duchesne River; and Rock Creek (Stillwater Dam to Uinta & Ouray Reservation boundary).

FY2020 Progress
The Commission continued participating in IBAT and recommending stream flow regimes.

FY2021-2025 Plan
The Commission plans to make a formal determination in accordance with Section 303(b) of CUPCA regarding allocation of 2,900 acre feet of water, secured through the Daniels Replacement Project, to instream flow in specific segments of the Duchesne River System.

Wildlife Habitat Acquisition

A substantial portion of terrestrial habitat mitigation for the Bonneville Unit occurred in this watershed 30 or more years ago, prior to CUPCA's passage. At that time, the landscape surrounding some of the acquired properties was significantly different. Surrounding areas, which were predominately rangeland, have undergone residential and commercial development and the ecological function of surrounding properties has been severely compromised.

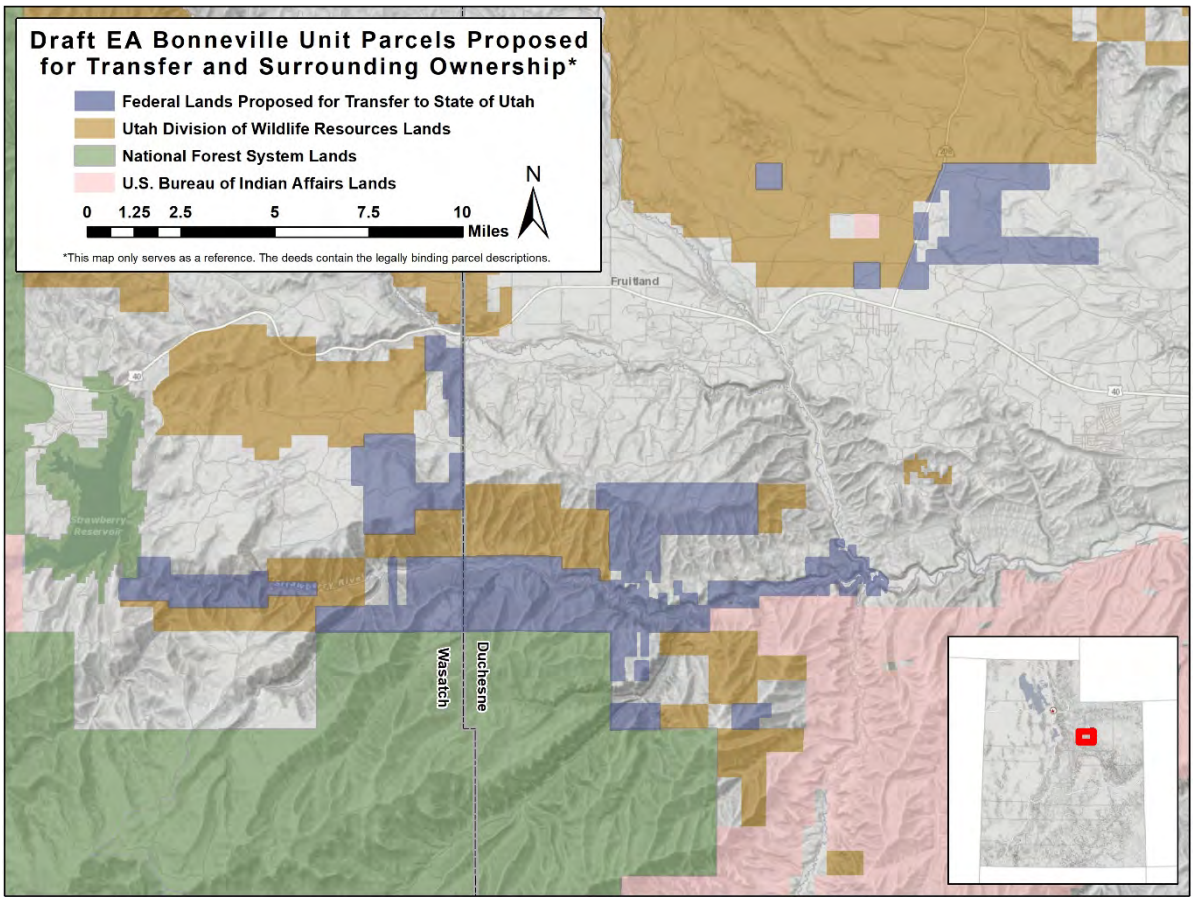
In the past 15 years, with assistance of the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources, the Commission identified and acquired high-priority terrestrial habitat for CUP wildlife mitigation. Acquisitions were focused on key parcels that consolidated and connected other important wildlife habitat, including some of the earlier-acquired properties, and land that facilitated management capability for achieving wildlife objectives. These properties were acquired to mitigate for the Highway-Related Deer Mortality described in the Upper Provo River basin (see page 2-15).

FY2020 Progress
The Commission, Reclamation and Interior's CUPCA Office finalized an Environmental Assessment and Finding of No Significant Impact in 2020 that provides for Reclamation and the Commission to transfer approximately 16,500 acres of federal lands to UDWR for ongoing stewardship for mitigation purposes.

FY2021-2025 Plan
The lands transfer is anticipated to be complete in 2021. The Commission does not anticipate purchasing additional land in this watershed for wildlife mitigation. The Commission would continue to consider willing-seller acquisition opportunities for only high-priority properties that complement existing CUP mitigation lands and objectives. However, future acquisitions would also be limited due to funding constraints.

Watershed-Wide Program Element

New technologies, oil independence priorities and consumer demand have resulted in a substantial increase in oil and gas development in the Uintah Basin. Infrastructure to support these activities fragments habitat, impacts habitat quality, increases noxious weeds, results in increased predation, and impacts wildlife through noise and visual disturbances. In most cases when Reclamation and/or the Commission acquired lands for CUP mitigation, the mineral estate (including oil and gas rights) was not acquired. Usually those rights had already been severed from the surface estate or withheld initially by the Federal government.



Map from the Environmental Assessment to transfer federal mitigation lands to the State of Utah for ongoing stewardship.

So, while the Commission as surface owner can request reasonable restrictions on oil and gas development, we are unable to stop it in most instances. This type of threat was not contemplated when most of the mitigation lands were acquired. Thus, it is vital to engage in the planning for these activities in order to protect mitigation values to the extent possible.

In addition to oil and gas development, there are several multi-state electrical transmission lines that would directly and indirectly impact CUP mitigation properties in ways similar to oil and gas development.

FY2020 Progress

Commission staff continued consultation with TransWest Express regarding a proposed multi-state electrical transmission line that would cross CUP wildlife mitigation lands. Discussions have included appropriate mitigation required, if crossing is approved, as well as analysis of alternate alignments across CUP wildlife mitigation lands

FY2021-2025 Plan

We anticipate reaching a decision in 2021, in consultation with Reclamation, Interior, UDWR, and others regarding the TransWest Express proposed transmission line project. The Commission plans to remain fully engaged in such planning activities to protect the federal investment in CUP mitigation properties and to ensure those properties' mitigation values are not compromised.

JORDAN RIVER WATERSHED

Overview and Problem Statement

The Jordan River lies in the heart of Utah's urbanized center. It extends 45 miles from Utah Lake in the south, to the Great Salt Lake in the north. Land uses near the river vary from farms and scattered homes, to urban, industrial and residential uses. What was once a natural, meandering river corridor providing abundant fish and wildlife habitat has been compromised by human development. These increasing developments are largely a consequence of population growth.

The river has suffered from industrial and municipal waste discharges; encroachment of industrial, commercial and residential activities on its flood plain; dredging and channelization; extensive water diversions and manipulations; and, polluted runoff from streets and fields.

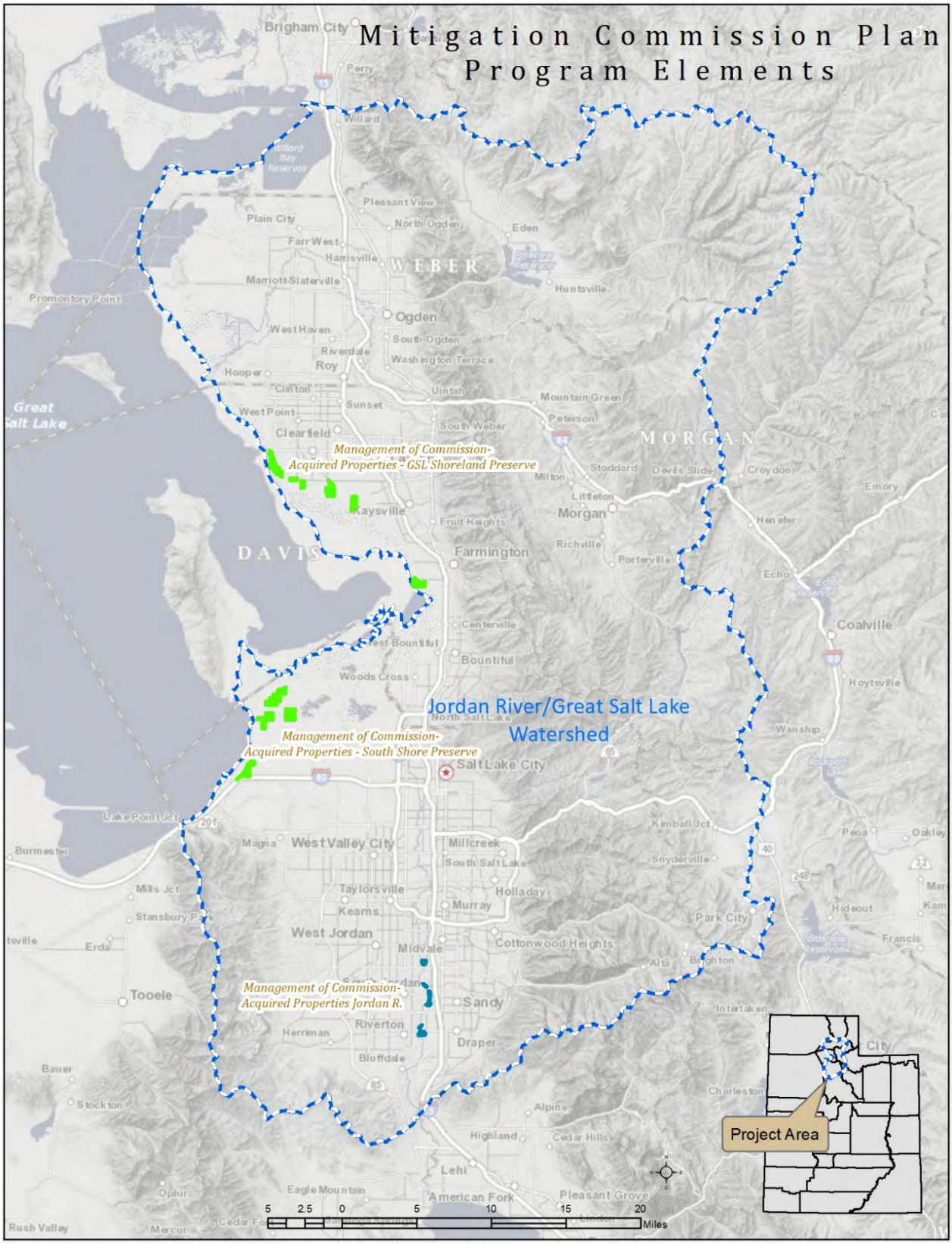
Society's ideas of acceptable uses of this river corridor and its condition have changed greatly in the past 20 years, in part due to early efforts by the Commission and other partners to establish a broad vision for the Jordan River Corridor. Several planning iterations have led to the 2008 Blueprint Jordan River, a vision for the Jordan River corridor, now being updated by the Jordan River Commission, a government entity comprised of cities, counties, state agencies, and special districts working together to improve, restore and revitalize the Jordan River Parkway.

Other organizations focused on the Jordan River corridor include the Jordan River Foundation, a nonprofit that funds conservation, trail development, signage, natural areas restoration, trail and river clean ups, and education. Tracy Aviary recently opened the Jordan River Nature Center in South Salt Lake, a 2nd campus providing education and conservation opportunities. Hogle Zoo and other entities have established community science programs associated with Jordan River Restoration. Communities along the Jordan River, especially in Salt Lake County, have planned and implemented a series of nature parks, trails, community fishing ponds and parks.

Program Description for the Jordan River

The Commission has been involved since 1994 in planning and implementing habitat restoration and Jordan River corridor management with various partners. The Commission will remain committed to stewardship efforts on its acquired Jordan River Natural Areas but will work with local communities and organizations to find long-term ownership and management solutions for those areas. During the 2021-2025 period, the Commission's Jordan River program will primarily entail pursuing permanent transfer of its holdings near 10600 South and 12300 South to suitable entities in order to address immediate and long-term management needs of those properties.

Map 5. Jordan River/Great Salt Lake Watershed



MANAGEMENT OF COMMISSION-ACQUIRED PROPERTIES

UCC Salt Lake City crew members worked with the Commission in June 2020 to plant native showy milkweed on Commission property near 10600 South as part of a partnered biodiversity project. The partnership operates in conjunction with the University of Utah StemCAP program. Youth from the Decker Lake Youth Correctional facility grew the seedlings as part of this program that works with the Juvenile Justice System to help youth gain access to educational opportunities.

Properties north of 9000 South Street

The Commission acquired approximately 43 acres of private property along the Jordan River at 90th South in two separate acquisitions more than twenty years ago. The vision was to encourage and leverage local governments to protect some of the last remaining undeveloped riparian habitat along the Jordan River corridor that was destined for development if not protected. Lowland riparian habitat (below 5,500 feet in elevation) is considered the single most important type in the State for avian species. The significance and rarity of riparian habitats for breeding birds make the limited remaining Jordan River bird habitat an important area for restoration.

The City of West Jordan shared the Commission's vision of a restored and protected Jordan River corridor and acquired 25 acres of property adjacent to the 43 acres acquired by the Commission. The 68-acre site provides a unique opportunity to restore the degraded ecosystem structure, function, and dynamic river processes to a more natural condition. The "Big Bend" restoration project will re-align the existing channel through the acquired 68 acres. The realigned river channel will provide for periodic over-bank flooding at high river flows which will help restore riparian habitat that has been lost to urban development and encroachment. The project would also provide an array of compatible outdoor recreational opportunities including the construction of a 4-acre fishing pond, trails, a viewing platform, educational and interpretive facilities, picnic tables, parking and restrooms.

The "Big Bend" project also includes transfer of the federally owned portion of Big Bend property to West Jordan City, including placement of a conservation easement to be held by Utah Division of Forestry, Fire and State Lands.

FY2020 Progress
The Commission made significant progress in FY2020 in its Big Bend land transfer negotiations with West Jordan City and Utah Division of Forestry, Fire and State Lands.

FY2021-2025 Plan
The transfer is expected to be completed early in fiscal year 2021.

Properties near 10600 South Street
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. In 2008, the Commission issued a license agreement to Sandy City to construct an access road to the city's park and fishing pond, components of the Jordan River Parkway in Sandy City. The Commission donated the underlying fee plus adjacent acreage of approximately 3.8 acres to Sandy City for their use and maintenance as open space in 2018.

FY2020 Progress
The Commission continued managing these properties, including partnering with a local high school to replant native vegetation and document the project through a visual arts class.

FY2021-2025 Plan
Property management will continue, while the Commission plans to enter discussions with several parties with the intent of identifying a suitable entity to transfer the federally owned property to for ownership and management.

Properties near 12300 South Street
A 70.8-acre acquisition was completed along the Jordan River in 1996 near 12300 South. 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.

FY2020 Progress
The Commission continued management of this property in FY2020.

FY2021-2025 Plan
Property management will continue, while the Commission plans to enter discussions with several parties with the intent of identifying a suitable entity to transfer the federally owned property to for ownership and management.

GREAT SALT LAKE WATERSHED

Overview and Problem Statement

The Great Salt Lake (GSL) is a saline water body in the Bonneville Basin in the heavily populated area of the Wasatch Front, which includes Salt Lake City, Ogden, Provo and other major urban areas in Utah. For this Mitigation Plan, the Commission has limited the definition of the Great Salt Lake watershed to the area immediately adjacent to the lake. This in no way diminishes the importance or value of its tributaries. The tributaries are critical to bringing fresh water and hydrologic function to the wetlands of the Great Salt Lake. Consideration from local governments, industry and landowners to protect water delivery and water quality is critical to the function and value of the wetlands and the lake ecosystem.

The Great Salt Lake wetland ecosystem is recognized internationally for its importance as a vital link in the migration corridor for water birds. The GSL was designated as one of only 17 Hemispheric Reserves that make up the Western Hemisphere Shorebird Reserve Network. In all, more than 1,500 square miles of water environments are available to the millions of migratory birds that use the GSL in their annual migration.

The GSL wetlands ecosystem represents the largest wetland area in the State of Utah. About 400,000 acres of wetlands exist along the shore of the lake, which represents almost 75 percent of all the wetlands in the State. Wildlife associated with the GSL and its periphery is abundant and diverse, including migratory waterfowl, shore and wading birds, and marsh-oriented songbirds. Over 250 different species have been identified using the area. Several million individual birds use these wetlands during spring and fall migrations.

In addition to birds, the GSL ecosystem also hosts 23 species or subspecies of fish, eight species of amphibians and 64 species or subspecies of mammals. The variety of plants and invertebrates, especially brine flies and brine shrimp, occurring in and around the lake provide an invaluable food source for these other species.

This critical ecosystem has been significantly impacted by human activities over the last century. Over 60 percent of Utah's 3.2 million people live within 20 miles of the GSL's wetlands. This results in direct and indirect impacts on the resource. Habitat encroachment by human development is obvious. Less obvious are impacts such as altered or contaminated aquifers, solid waste, invasive exotic species and effects of air pollution

Ownership and administration at the GSL is complex, involving the Commission, Utah Division of Wildlife Resources, Utah Division of Forestry, Fire and State Lands, U.S. Fish and Wildlife Service, U.S. Bureau of Land Management, The Nature Conservancy, National Audubon Society, and several counties, municipalities and private interests. The State of Utah has completed a plan for the Great Salt Lake; however, it did not include a detailed plan for coordinated management that extended beyond State jurisdiction.

Program Description for Great Salt Lake

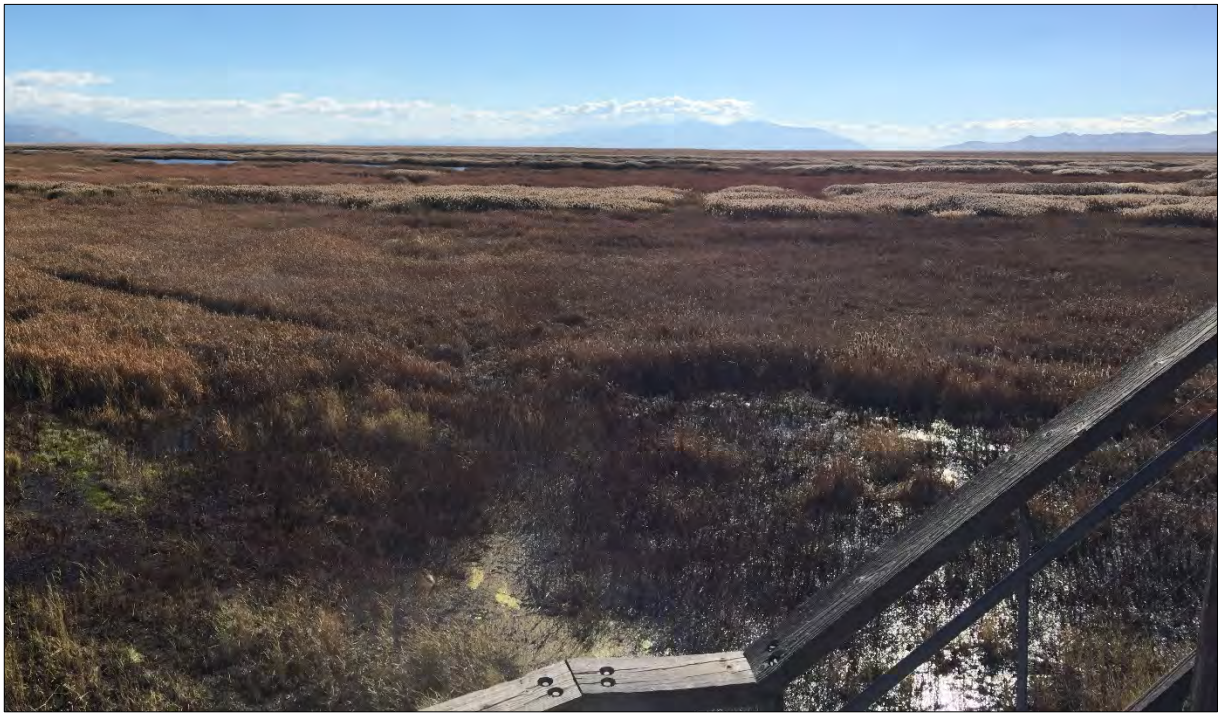
Section 306(a) of CUPCA authorized funds for planning and implementing projects to preserve, rehabilitate and enhance wetland areas around the Great Salt Lake. The Commission expended approximately 30 percent of the funding to restore State and Federal-managed wetland areas along the shore of the Great Salt Lake; to enhance existing wetlands to increase or improve the quality of wildlife habitat; and, to assist public understanding of the Great Salt Lake and its ecosystem. The remaining 70 percent of the funding was used to provide perpetual wetland area conservation through acquisition of land and water rights. The Commission uses Title IV funds to protect and manage its acquired properties.

The Commission's program focus over the next five years will be on assuring its investments in conservation are protected and secured for the future.

Great Salt Lake Program Elements

Management of Commission-Acquired Properties

Since 1994, 2,714 acres of vital wetland and upland habitats primarily around the eastern and southern shores of the Great Salt Lake were acquired by the Commission. The purchases were possible through tremendously successful partnerships with The Nature Conservancy (TNC), National Audubon Society, the U.S. Bureau of Reclamation, and others. The Commission's acquisitions complement other area acquisitions, some made by TNC and National Audubon Society, and some by private entities for wetland mitigation banking.



Wetlands of the Great Salt Lake Shorelands Preserve

FY2020 Progress

The Commission completed an Environmental Assessment to transfer iownership of and management authority for its approximately 1,300 acres within the Great Salt Lake Shorelands Preserve to TNC. Negotiations proceeded to complete the transfer for conservation and management as a valuable element of the natural habitat of the Great Salt Lake ecosystem.

FY2021-2025 Plan

Actual conveyance to TNC is expected early in FY2021. The Commission will pursue a similar arrangement with National Audubon Society for the Commission's holdings within the larger South Shore Ecological Reserve.

The Commission's focus over the next five years will be on assuring its investments in conservation are protected and secured for the future.

View from Eccles Wildlife Learning Center at Farmington Bay, for which the Commission transferred acquired property

STATEWIDE PROGRAM

Overview and Problem Statement

Several authorizations under CUPCA, which the Commission has placed in its Statewide program area, are intended to satisfy mitigation and conservation needs that are in addition to those identified in prior Definite Plan Reports and Fish and Wildlife Coordination Act reports for the Central Utah Project or the Colorado River Storage Project. The Central Utah Project was authorized over 60 years ago and has been under construction for more than 50 years. Several of these 'Statewide' authorizations from Congress provide some limited funding authority to address needs of maintaining mitigation values from prior activities. In planning the use of these 'Statewide' funds, emphasis is placed on projects that add to or preserve prior mitigation efforts under CUP's Bonneville Unit, or under the Colorado River Storage Project, in that order. The Commission is keeping several Statewide program elements in this Plan, although opportunities to proceed with most of these program elements may be minimal due to funding limitations.

Statewide Program Description

The Central Utah Project and other reclamation projects created many reservoirs in Utah. These flatwater areas provide a variety of water-related recreation opportunities, including fishing. Most reservoir fisheries are heavily used and are not able to sustain themselves through natural recruitment, requiring management programs dependent on stocking hatchery-reared fish. Fish stocking demands in Utah for reclamation projects have not always been met in the past, despite combined efforts of both State and Federal hatcheries. CUPCA identifies funding for planning and implementing improvements to existing hatcheries and/or the development of new fish hatcheries to increase production of warm-water and cold-water fish for areas affected by the Colorado River Storage Project in Utah.

Planning for a fish hatchery program considered the need for hatchery improvements, types of fish to be raised, effects on native species from stocking fish, and budget and scheduling of implementation. Through the planning process, the need to develop facilities for producing sensitive species, such as native cutthroat trout, and threatened or endangered species, has also been addressed. The Commission's Statewide program contains an element for funding hatchery improvements and construction to help meet these demands.

The funding authorization in CUPCA for fish hatchery improvements and development is not intended to replace natural production, nor should it be viewed as an alternative to the Commission's other programs that emphasize habitat restoration objectives. Support for this program does not diminish the Commission's commitment to implement measures that achieve ecosystem restoration and biological diversity through its other programs.

Statewide Program Elements

Fish Hatchery Restoration and Construction

The Commission's support for cold-water hatchery improvements is essentially complete. Reconstruction of three State coldwater hatcheries and construction of a cold-water hatchery for Ute Indian Tribe have accomplished the goals of increasing production for waters affected by the Colorado River Storage Project in Utah. The authorization under CUPCA has been expended for cold-water hatcheries.

Warm-water and native species hatcheries have also been constructed and/or upgraded. Authorization under Section 313(c) of CUPCA allocated to warm-water and native fish culture facilities remains as of the end of FY2020. Although authorization under CUPCA remains, the Commission does not anticipate adequate funding being made available to participate in facility construction or improvements.

FY2020 Progress
No funding was appropriated under this authority in FY2020.

FY2021-2025 Plan
The Commission will consider partnering with Utah Division of Wildlife Resources in these efforts, if funding is made available.

Stream and Riparian Restoration/Enhancement and Public Access

The Commission supports projects designed to restore ecosystem health and function to aquatic and riparian areas and public access to enjoy recreational opportunities.

FY2020 Progress
No funding was appropriated under this authority in FY2020.

FY2021-2025 Plan
Any funding made available in the future under this authorization will be prioritized towards June sucker recovery (through the Provo River Delta Restoration Project).

Native Aquatic Species Conservation

Native Cutthroat Trout
Natural resource management authorities and interested publics have developed Conservation Agreements, in accordance with the Endangered Species Act, that identify strategies and actions for conserving native cutthroat trout in Utah. The Commission is a signatory party to the agreement for the Colorado River cutthroat trout and the Bonneville cutthroat trout and supports both strategies. The Commission will review each conservation agreement to identify priority projects compatible with Commission objectives and select projects for implementation. Prior support has been primarily for identification of suspected

remnant populations of native cutthroat trout using a combination of geographic, meristic and DNA analyses.

FY2020 Progress

The Division of Wildlife Resources completed genetic analysis of several cutthroat trout populations in FY2020.

Bonneville (top) and Colorado River (bottom) Cutthroat Trout. Courtesy Utah Division of Wildlife Resources

FY2021-2025 Plan

The Commission will also strive to take actions on other projects that support native cutthroat trout conservation goals, but funding for restoration and conservation of native cutthroat trout habitats is likely to be limited during the next five years. The Commission anticipates continuing to support genetic assessments of populations at a reduced level, subject to available funding.

Other Native Aquatic Species

FY2020 Progress

The Division of Wildlife Resources continued conservation actions for Bluehead sucker and Southern leatherside with funding provided by the Commission.

FY2021-2025 Plan

In this Plan, leatherside are recognized priority species; others, such as Columbia spotted frog, bluehead sucker and least chub, may be addressed in the next five years if synergistic opportunities are presented and if funding is available.

Chapter 3

Program Elements and Priorities FY2021 - FY2025

The Commission is responsible for carrying out numerous "environmental commitments" for CUP's Bonneville Unit. These are commitments the Commission has made, or the U.S. Bureau of Reclamation (Reclamation) made prior to the Commission's formation. Most, but not all, were created in response to consultation with the U.S. Fish and Wildlife Service and the Utah Division of Wildlife Resources, under authority of the Fish and Wildlife Coordination Act of 1958, as amended. Some commitments came about as a result of consultation under the Endangered Species Act of 1973, as amended, or as a result of National Environmental Policy Act (NEPA) documents and Records of Decision.

Most of the environmental commitments Reclamation established for the Bonneville Unit, and those the Commission, Central Utah Water Conservancy District or U.S. Department of the Interior made under CUPCA, have been completed. More recent environmental commitments, for example those associated with the Provo River Delta Restoration Project, are being integrated into the Commission's Program Elements and will be fulfilled upon project completion. A complete list of environmental commitments was updated by the Commission in 2016. Appendix D contains an update of those environmental commitments that were not complete or were in an 'ongoing' status in 2016.

For the next five years, the Commission will continue its focus on Priority 1 and 2 projects in central Utah watersheds to most efficiently use its limited appropriation of funds. Those watersheds are the Provo River/Utah Lake, Strawberry/Duchesne, and Diamond Fork. The Commission will also continue to implement a few projects throughout the state that address mitigation, conservation or restoration of fish and wildlife resources lost due to CUP.

Program elements of a lower priority (3 or 4) may be implemented during the next five years, while those of a higher priority, may not. This could be due to extraordinary or limited opportunity to accomplish a lower priority element, particularly if substantial partnerships are involved, or it could be because a specific funding source can only be used for certain purposes satisfied by a lower priority project. In general, however, the Commission will emphasize accomplishing program elements in order of priority.

PROGRAM SUMMARY for FY2021 - FY2025:

- The Commission proposes to focus on June sucker recovery efforts, especially restoration of the lower Provo River at its mouth at Utah Lake (the Provo River Delta Restoration Project-PRDRP) to restore habitat needed to support all life stages of

June sucker, young-of-the-year and juvenile life stages in particular, and other aquatic species. Emphasis will include a program to use authorized Utah Lake recreation facilities funding to replace, modify, expand or construct recreation facilities as part of the PRDRP. Rehabilitation or replacement of diversion dams on the lower Provo River and/or Hobble Creek will be included as funding allows.

- The Commission proposes to continue with planning and NEPA compliance for compensatory mitigation for wetland and riparian losses that occurred when the Duchesne River Area Canal Rehabilitation Program was implemented along the Duchesne River corridor. This is a long-standing commitment of the Bonneville Unit prior to establishment of the Commission.

- The Commission proposes to continue its partnering efforts with Central Utah Water Conservancy District and CUPCA office to complete NEPA compliance for altering instream flow levels, remediating hydrogen sulfide impacts on water delivery system infrastructure, and modifying operation and maintenance criteria for the Diamond Fork System. The Commission also intends to contribute funds towards a program on Sixth Water and Diamond Fork Creeks to manage instream flows and sustainably restore or enhance stream and riparian habitats, as required mitigation for the completed Diamond Fork System.

- The Commission proposes to continue to prepare plans and NEPA compliance documents and to transfer ownership of acquired lands to suitable entities for long-term ownership and management.

- The Commission proposes to continue to support efforts to conserve sage grouse in Strawberry Valley and nearby locations crucial to the population, and to cooperate with Wasatch-Cache-Uinta National Forest and others to restore stream flows on Strawberry River upstream of Strawberry Reservoir.

- The Commission proposes to continue to pursue and encourage efforts to aid restoration of terrestrial, riparian and riverine environments of the middle Strawberry River corridor impacted by the Dollar Ridge Fire of 2018 and subsequent flood and debris flow events.

- The Commission envisions continuing its many partnerships and expanding new ones with the greater natural resources community to amplify collaboration and funding opportunities.

A listing of the FY2021-FY2025 Mitigation Plan Program Elements and their assigned priority are described in the tables that follow. All Program Elements and descriptions are subject to available funding.

Lower Provo River/Utah Lake Watershed Program Elements

Lower Provo River Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
June Sucker Recovery	Support the June Sucker Recovery Implementation Program and help fund implementation of the June Sucker Recovery Plan. Subject to available funding. Focus will be on Provo River Delta Restoration Project.	1, 2	1
Acquisition of Instream Flows* **** May Complement June Sucker Recovery***	Acquire and/or provide additional instream flows in the lower Provo River through management agreements or other manners. Work with partners to find implementable solutions. This includes entire reach from Murdock Diversion to Utah Lake.	2	2
Provo River Delta Restoration Project* ****Complements June Sucker Recovery***	• Stream Restoration Plan and implement delta restoration on the lower Provo River in concert with the JSRIP. • Public Access and Facilities Development Acquire and/or develop and improve public access and facilities along the lower Provo River. • Provo River Water Quality Improvements Implement aeration of the lower Provo River channel.	2 2 2	1 1 1
Diversion Dam Modifications* **** Complements June Sucker Recovery***	With emphasis on June sucker recovery, plan and implement diversion dam modifications along the lower Provo and/or Hobble Creek to restore river continuity and provide for fish passage, measurement and bypass of instream flows, and improvement of stream and riparian conditions where possible. Subject to available funding.	3	3

Middle and Upper Provo River Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
Provo River Restoration Project	Ongoing community outreach and management of public access and federal lands surrounding the middle Provo River in concert with the Provo River Restoration Project. Develop and implement long-term management plan and agreement, would require NEPA. Continue to protect boundary from encroachment.	1	2

Program Element	Description	CUPCA Priority	Funding Priority
June Sucker Recovery	• Continue to implement Environmental Commitments of the Utah Lake Drainage Basin System (ULS) associated with June sucker recovery. • See Provo River Delta Restoration Project.	1, 2	1
Provo River Delta Restoration Project	• Utah Lake Recreation Facilities - Construct recreation facilities directly associated with Provo River Delta Restoration Project habitats of the lower Provo River and its interface with Utah Lake. • See other Provo River Delta Restoration Project program elements under 'Lower Provo River Program Elements' in Chapter 2.	2 2	1 1
Utah Lake Wetland Preserve	Conduct NEPA compliance and develop Comprehensive Management Plan for Commission-acquired federal lands in the Goshen Bay and Benjamin Slough areas of the Utah Lake Wetland Preserve. Support ongoing management. Acquire additional land as funding allows. Implement development plan as funding allows. Transfer properties to Utah Division of Wildlife Resources in accordance with CUPCA.	3	3
Terrestrial Habitat Conservation	Measures such as acquisition and/or restoration of sagebrush-steppe vegetative communities along the southern Wasatch Front. None anticipated during the 2021-2025 period.	3	4

Diamond Fork Watershed Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
Aquatic and Riparian Habitat Restoration – Sixth Water and Diamond Fork	Conduct NEPA compliance regarding alteration of instream flows on Sixth Water and Diamond Fork to improve ecosystem health and fisheries. Implement selected aquatic and riparian habitat restoration or enhancement measures on Sixth Water and/or Diamond Fork creeks as funding allows.	2 1	2 2
Water Quality and Temperature Monitoring	Continue water quality and water temperature monitoring program in Diamond Fork as determined through agency coordination and consultation.	1	2
Diamond Fork Mitigation Lands	Continue management of public access on lower Diamond Fork outside the Uinta National Forest boundary. Resolve boundary management issues. Carry out environmental commitments of the ULS System in Diamond Fork. Transfer properties to the U.S. Forest Service in accordance with Fish and Wildlife Coordination Act and CUPCA.	1	2

Strawberry/Duchesne Watershed Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
Angler Access and Related Facilities	Plan and conduct NEPA compliance on transfer of ownership and management of federal lands and easements for access, small parking areas and other facilities on the West Fork, North Fork and main stem of the Duchesne River, and Currant Creek. Transfer properties to Utah Division of Wildlife Resources and/or the U.S. Forest Service in accordance with Fish and Wildlife Coordination Act and CUPCA.	1	2
SACS WETLAND MITIGATION – Duchesne River Area Canal Rehabilitation (DRACR) Program Wetland Mitigation	Plan and conduct NEPA compliance on mitigation strategies and actions for the 1,087 – acre property owned by US Bureau of Reclamation to fulfill mitigation for Duchesne River Area Canal Rehabilitation (DRACR) wetland and riparian impacts. Implement plan, subject to funding available. Transfer properties to Utah Division of Wildlife Resources in accordance with Fish and Wildlife Coordination Act, and CUPCA upon project completion.	1	2

SACS WETLAND MITIGATION – Lower Duchesne River Wetlands Mitigation Project	Support Ute Indian Tribe in managing, protecting, restoring and enhancing the Lower Duchesne River Wetlands Mitigation Project as funding allows.	1	2
Sage Grouse Conservation and Recovery	Continue support of sage grouse conservation in Strawberry Valley and nearby areas used by the population.	3	2
Duchesne River Drainage Stream, Watershed, and Wildlife Habitat Restoration *Priority on CUP mitigation properties*	• Cooperate with Utah Division of Wildlife Resources, Duchesne and Wasatch Counties, Bureau of Reclamation, DOI-CUPCAO, U.S. Forest Service, non-profit entities and other partners to assess impacts of the 2018 Dollar Ridge Fire and implement restoration actions. Protect mitigation investments from outside threats and challenges, including energy development. • Cooperate with Forest Service, Utah Division of Wildlife Resources and others to find and implement measures to provide stream flow continuity in segment of upper Strawberry River.	1,2,3	3
Instream Flow Management	Continue to participate in monitoring the flow regime necessary to sustain riparian communities and fisheries on streams affected by SACS via coordination with the Interagency Aquatic Biological Assessment Team. Make a formal determination in accordance with Section 303(b) of CUPCA regarding allocation of 2,900 acre-feet of water secured through the WCWEP/DRP, to instream flow in specific segments of the Duchesne River System.	1	1
Wildlife Habitat Acquisition	Acquire high priority terrestrial habitats in Strawberry River, Currant Creek and/or adjacent drainages that are inholdings, or that complement, buffer or protect prior investments in fish and wildlife mitigation lands, subject to available funding. Transfer ownership of any properties acquired to Utah Division of Wildlife Resources and/or the U.S. Forest Service in accordance with Fish and Wildlife Coordination Act and CUPCA.	3 1	4

Great Salt Lake Watershed Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
Management of Commission-Acquired Properties	Transition from interim management agreements to permanent transfer of property to suitable entities to address immediate and long-term management needs of Commission-acquired properties. Transfer properties to suitable entities in accordance with CUPCA. Continue to vigilantly protect its interests and those of its partners from encroachment.	3	3

Jordan River Watershed Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
Management of Commission-Acquired Properties	Transition from interim management agreements to permanent transfer of property to suitable entities to address immediate and long-term management needs of Commission-acquired properties. Transfer properties to suitable entities in accordance with CUPCA.	3	3

Statewide Program Elements

Program Element	Description	CUPCA Priority	Funding Priority
Fish Hatchery Restoration and Construction	Support fish hatchery production to assist in meeting warm-water and native fish production and stocking needs for CRSP-affected waters in the State, and to augment native fish populations. Included are measures for culture of amphibious and other aquatic-dependent species. Subject to available appropriations.	3, 4	4
Stream and Riparian Restoration and Enhancement	CUPCA Authorization will be directed toward June Sucker Recovery through the Provo River Delta Restoration Project at Provo River/Utah Lake interface. Subject to available appropriations.	2, 3	1
Native Aquatic Species Conservation	Support native aquatic species conservation and restoration projects (including those in the Diamond Fork Watershed) that are compatible with the Commission's priorities and Conservation Agreements and Strategies. In this Plan, cutthroat trout and leatherside chub are recognized priority species; others, such as bluehead sucker and least chub, may be addressed in the next five years if synergistic opportunities are presented.	2, 3, 4	3

Chapter 4

Comments and Responses

This chapter contains the comments letters received and our responses to those comments on the Draft 2021 Mitigation and Conservation Plan and 2020 Annual Report. Comments were received during the draft plan and report's 60-day public review period, which ended on May 21, 2021.

Commenters

The table below lists the comment letters received.

Letter Number	Agency/Organization	Date	Page # of Response
1	Central Utah Project Completion Act Office	4/9/2021	4-4
2	The Nature Conservancy in Utah	5/21/2021	4-7
3	High Country Fly Fishers, Park City Trout Unlimited, Stonefly Society Chapter Trout Unlimited, Utah Council Trout Unlimited, Weber Basin Anglers Chapter Trout Unlimited, Western Conservation Waters & Habitat Program	5/21/2021	4-11

Comments and Response to Comments

The written comments received on the Draft Plan and Report and the responses to those comments are presented below. Each comment letter has been assigned a number, and individual comments in each letter have also been numerically coded to facilitate responses. For example, the letter from the Central Utah Project Completion Act Office is identified as Comment Letter #1, with comments noted as 1-1, 1-2, etc. Copies of each comment letter are provided prior to each response.

Comment Letter #1

United States Department of the Interior

OFFICE OF THE SECRETARY
Central Utah Project Completion Act Office
302 East Lakeview Parkway
Provo, Utah 84606

CA-1300
2.1.4.17

VIA ELECTRONIC MAIL ONLY – mholden@usbr.gov

Mr. Mark Holden
Executive Director, Utah Reclamation
Mitigation and Conservation Commission
230 South 500 East, Suite 230
Salt Lake City, Utah 84102

Subject: Review of Draft Mitigation and Conservation FY2021-2025 Plan and FY2020 Annual Report – Section 301(c)(4) – Central Utah Project Completion Act

Dear Mr. Holden:

Thank you for providing the Draft Mitigation and Conservation FY2021-2025 Plan and FY2020 Annual Report for our review. We find the Plan and Report well written and very comprehensive. 1-1

At the bottom of page 2-7, the document states that the June sucker downlisting rule is anticipated. That needs to be corrected, and the date the rule was published should be given. Throughout the Report the June sucker is referred to as being endangered instead of threatened. This should be corrected. 1-2

We disagree with the statement in the first paragraph on Page 2-40 that states, *"These developments are largely a consequence of population growth, which in part has been due to Federal Reclamation projects in Utah."* It may be true that Federal projects promoted agricultural growth, however, planning for municipal and industrial needs in the Central Utah Project has always responded to population projections and not the other way around. For example, the Utah Lake System Environmental Impact Statement is clear that planning followed the population projects of the Governor's Office of Planning and Budget, the Mountainland Association of Governments in Utah County, and the Wasatch Front Regional Council of Governments in Salt Lake County. The projections of future Municipal and Industrial water needs also incorporated the State of Utah's water conservation goals. 1-3

Finally, on page B-5 we request that the chart identify the 2009 ARRA funding received, perhaps as a footnote. 1-4

Again, thank you for the opportunity to review the Plan and Report. If you have any questions regarding our review please contact Mr. W. Russ Findlay at (801) 379-1084 or by e-mail at wfindlay@usbr.gov. For Text Telephone Relay Service access, call the Federal Relay System Text Telephone (TTY) number at (800) 877-8339. 1-5

Sincerely,

Digitally signed by REED MURRAY
Date: 2021.04.09 11:42:25 -06'00'

Reed R. Murray
Program Director

ec: rrmurray@usbr.gov
wfindlay@usbr.gov
amarvin@usbr.gov

Comment Letter #1: Dept. of the Interior, Central Utah Project Completion Act Office

Response 1-1

Thank you for your comment.

Response 1-2

Thank you for your comment. We realize the current status of the June sucker is 'threatened'. However, as this report is based on status and accomplishments through the end of fiscal year 2020, the text reflects the status of the June sucker as 'endangered' as of September 30, 2020.

Response 1-3

The text has been revised and states that "These increasing developments are largely a consequence of population growth."

Response 1-4

Thank you for pointing out the omission of approximately $8.5 million in funds appropriated in 2009 under the American Recovery and Reinvestment Act on our chart on page B-5 of the draft document. We have corrected that for the final.

Response 1-5

Thank you for your review and for your comments on the draft plan and report. The Commission greatly appreciates its relationship with the CUPCA Office, and it is a pleasure working with you and staff.

The Nature Conservancy
Protecting nature. Preserving life.™

The Nature Conservancy in Utah
559 East South Temple
Salt Lake City, UT 84102

tel [801] 531-0999
fax [801] 531-1003
nature.org/utah

May 21, 2021

Mr. Brad Barber
Chair, Utah Reclamation, Mitigation and Conservation Commission
230 South 500 East, Suite 230
Salt Lake City, Utah 84108

RE: Comments on DRAFT URMCC FY21-FY25 Plan

Dear Brad:

Thank you for the opportunity to comment on the Utah Reclamation, Mitigation and Conservation Commission's (URMCC)'s FY2021-2025 Plan. As you know, The Nature Conservancy has had a long and productive relationship with URMCC for almost two decades. The completion of the 11-mile long Great Salt Lake Shorelands Preserve would not have happened without URMCC's participation. Likewise, the acquisition by the Conservancy and transfer to federal ownership of much of the Strawberry River corridor has helped to protect a blue-ribbon trout stream and haven for wildlife. We have completed many important projects together and consider the Commission a major contributor to the preservation of Utah's natural world. 2.1

In reviewing URMCC's FY2021-2025 Plan, we do have some questions. One concerns the ability to generate a funding stream in perpetuity as promised in the Completion Act. Our understanding of the intent of the Completion Act, (negotiated at the time involving sportsmen and environmental groups, the Central Utah Water Conservancy District and Congressman Wayne Owens), is that the trust fund was created to be a funding stream for fish and wildlife conservation and restoration projects in perpetuity. 2.2

The Commission was initially authorized at $145.3 million in Title III funds. Has this amount been fully appropriated? 2.3 Appendix A shows that, on average, the Commission has spent $9 million annually in interest generated from the trust account augmented by $1.2 million in appropriated funds. 2.4 Is this the correct balance, or should this proportion be revised? Appendix B reports that the trust account declined from $180 million in 2012 to approximately $135 million in 2020. This suggests that both interest and principal are being drawn from the trust account and that the trust account principal is being invaded. 2.5 At this rate of spending, the trust account will be exhausted in roughly 15 years, and no longer be a source for future URMCC conservation work. It would be helpful to know if more appropriated funds should be requested annually, so that the trust account's principal can be safeguarded in order to meet the "in perpetuity" requirement.

With budgets projected to stay the same as in the past, some current Mitigation Commission projects will likely suffer, as will upcoming future conservation efforts. In 2028, the devastating Dollar Ridge fire and related flood events destroyed the Strawberry River corridor, it's fishery and wildlife habitat. In Appendix C, Table C-1B, the budget for the entire Strawberry-Duchesne area for the next 5 years is only $3 million. It appears, no monies are being allocated to fund the extensive stream habitat restoration needed. 2.6

The Nature Conservancy, together with its board, members and financial supporters, played a key role in acquiring lands along the Strawberry River Corridor for conservation purposes. This river corridor has been one of the crown jewels of the CUP mitigation program. Accordingly, the Conservancy strongly supports securing the funding needed, through additional appropriations or otherwise, to properly restore the Strawberry River and its watershed to pre-fire conditions. 2.7

Thank you for this opportunity to comment. We are grateful for all that URMCC has done and continues to do for our state – and we are hopeful that more funds can be found to support the restoration of the Strawberry River. 2.8

Sincerely,

Dave Livermore
Utah State Director

cc: Mark Holden, Chris Montague, Elizabeth Kitchens, Megan Nelson

Comment Letter #2: The Nature Conservancy in Utah

Response 2-1

Thank you for your comment. The Commission has always regarded The Nature Conservancy in Utah (TNC) as one of its finest partners and appreciate the support of TNC for many years.

Response 2-2

The trust fund you refer to was established according to Title IV of the Central Utah Project Completion Act of 1992 (CUPCA). The purposes of the Title IV Account are to provide an ongoing source of funding for preservation, management and maintenance of environmental features constructed under CUPCA; and to address known and unknown environmental impacts and/or enhancement needs in the areas affected by the Bonneville Unit of CUP and/or the Colorado River Storage Project in Utah. The CUPCA legislation was amended in 2003 by Public Law 108-137. The contribution of $5 million (indexed from 1991) annually to the Commission from the Western Area Power Administration (WAPA) was changed from a perpetual contribution as originally established, to terminate as of September 30, 2013. The amendment authorized the Commission to begin spending interest earned and accrued on the initial contributions to the Title IV Account beginning in fiscal year 2014.

The balance of the Title IV Account at the end of fiscal year 2020 was just over $138 million. Under current law, the initial deposits to the Title IV Account may not be expended. That amount totals approximately $111.6 million. So there remains a defined floor to the balance of the Title IV Account, which will generate interest funds in perpetuity under current law. However, with current rates of return for the U.S. issued investments available for the Title IV Account at less than ½ percent, the amount of annual interest (funding available to expend) that can be generated is limited.

Response 2-3

The initial authorization under Title III of CUPCA for the Commission was $145,316,000. Through an Agreement with the U.S. Department of the Interior, the Commission was also given authority over $24,414,219 of funds authorized under Title II of the Act. The amount of unappropriated funds at the end of each fiscal year is indexed, or adjusted, based on national cost indices. For fiscal year 2021, $9,836,432 of budget authority remains under Title II and $70,202,100 remains under Title III, for a combined total of $80,038,532.

Response 2-4

The amount of interest generated by the Title IV Account since fiscal year 2014 began has been designed to “fill the gap” between the amount of funds appropriated and the amount of funding needed to support the Commission’s aggressive program of environmental mitigation and conservation. Stepping back to fiscal year 2006, when appropriations for the Commission declined substantially, non-appropriated funds have supported the majority of the Commission’s expenditures. Under CUPCA, the annual contribution from WAPA could be expended by the Commission or deposited into the Title IV Account. From fiscal year 2006 through fiscal year 2013, the Commission directly expended $49.5 million of WAPA-contributed funds to support its program. Appropriations under Titles II and III of CUPCA for the Commission averaged $1.55 million annually during this period. Funding from WAPA terminated at the end of fiscal year 2013. Beginning in fiscal year 2014, the Commission has directly

expended $59.7 million of interest from the Title IV Account. Appropriations under Titles II and III of CUPCA for the Commission averaged $1.18 million annually during this same period. The Commission has submitted requests for additional appropriations during those time periods, but ultimately the budget is determined by and emerges as the President's budget, which the Commission supports. See pages B-1 and B-2 of Appendix B for a brief description of the budgetary process for discretionary funding.

Response 2-5

There are a couple of aspects to this response. As indicated in the response to Comment 2-4 above, the Commission has requested increased appropriations. Other national priorities for spending have limited the amount of appropriations for the Commission and the entire CUPCA program, but the annual appropriated amount did increase in fiscal year 2020 for the Commission. The Commission will continue to work with government officials on future budget requests.

As indicated in Response 2-2 above, under current law, the Title IV Account balance may not drop below $111,558,020. Although management of the Title IV Account by the Commission has been designed to provide high interest yields for the past several years, that trend cannot continue indefinitely. The Commission's projected Title IV Account balance based on annual appropriations at current (fiscal year 2020) levels, would be near $120 million by the end of fiscal year 2023, and about $112 million by fiscal year 2025 (as shown in Appendix B).

Response 2-6

Your observation is correct, and your comment is appreciated. Under the level-funding scenario, funding is prioritized and heavily weighted for the Provo River Delta Restoration Project, intended to help recover the June sucker and provide associated recreational opportunities. Several other obligations will take the remainder of the budget. The Dollar Ridge Fire did cause extensive damage to the Strawberry River watershed from Soldier Creek Dam to Starvation Reservoir. Arguably the worst of the damage occurred in the reach from Soldier Creek Dam to Red Creek.

Response 2-7

The Commission as well as other agencies and partners share the concerns about the recovery efforts, which will take years and substantial funding. There are several authorizations under Title III of CUPCA that could be used to help recovery efforts, if additional appropriations are received. Without substantial additional funding for a number of years, the fiscal ability to support restoration work will be limited.

Response 2-8

Thank you for your comments and for interest in and support of Commission programs for over two decades. The Commission intends to collaborate with its partners in restoring the Strawberry River corridor and will continue to seek funds for that purpose.

Comment Letter #3

482 12th Avenue
Salt Lake City, Utah 84103

Brad Barber, Chairman
Utah Reclamation Mitigation & Conservation Commission
230 South 500 East Suite 230
Salt Lake City, UT 84102-2045

Dear Mr. Barber,

We are commenting on the Utah Reclamation & Mitigation Commission's Draft 2020 Annual Report and 2021 Five-Year Mitigation Plan in behalf of the various groups comprising Utah Trout Unlimited. We are deeply appreciative of the remarkable accomplishments of this Commission on the Provo River, Diamond Fork Creek, and the Duchesne River Watershed. The Stonefly Society Chapter of Trout Unlimited was integrally involved in developing the legislation that was passed by Congress as the Central Utah Project Completion Act in 1992. The passage of the Central Utah Project Completion Act (CUPCA) represented a sweeping compromise designed by leaders of the Central Utah Water Conservancy District such as Don Christiansen, national environmental groups, Senator Jake Garn, Congressman Wayne Owens, and local environmental groups. These groups set aside legislative infighting to allow passage of this act.

As explained in Appendix A of the report, the Commission has put more than $265 million on-the-ground for fish and wildlife habitat projects. Much of this this investment has paid for land acquisition during a time of absolutely exploding land values in the state of Utah. The results of the Commission's work, together with its many partners through the years is of huge benefit to the resources, and the people of Utah. 3-1

The Commission's remarkable portfolio of accomplishments is the main reason for the comments that follow in this letter. We are concerned that the commitment to preservation embodied by this list of accomplishments not become merely a legacy, but that the Commission's restoration and preservation work envisioned by CUPCA continues. Several aspects of the Draft 2020 Annual Report and Five-Year Plan concern the leadership and members of the Trout Unlimited and its Stonefly Society Chapter. 3-2

The CUP Completion Act wisely planned for the creation of a "Trust Fund" to help with long-term unanticipated environmental impacts of the CUP. In Appendix B, the charts show that during the past seven years, a sizable share of funds expended by the Commission on its projects has been funded using money intended for this wildlife Trust Fund. The balance of the Trust Fund has dropped from $180 million in 2012 to $138 million in 2020. The Commission has predicted the Trust Account balance will drop even more over the next five to fund time-critical activities of the Commission. How much more funding will be needed from the fund? Why has the Commission chosen to expend such a large amount from the trust fund account instead of requesting appropriations from Congress? 3-3

The Commission and its highly skilled staff have calculated that to complete its next 5-year mitigation plan the legally mandated conservation obligations will cost $54,005,000 for program funding and 7,800,000 in administrative support. Most of this money is planned to be spent on the Lower Provo River/Utah Lake Ecosystem and the streams and wetlands along the Duchesne River system. These are areas that have been heavily impacted by Central Utah Project construction and project operations.

As shown in the Commission's work plan a more realistic funding based on current appropriations would only support a program costing about $41 million for both projects and administration. Again, much of this funding is depleting the Trust Fund. 3-4

In Appendix C, two alternate planning budgets are shown for the next five years. There is a difference of about $21 million between the two. A big portion of that difference, $10.5 million, would come out of the Strawberry/Duchesne watershed. Five million of that amount is needed to complete the wetlands mitigation for the Duchesne River Area Canal Rehabilitation project, that was completed in the 1980s. This mitigation was also needed to partially replace wetland functions lost to due to the high flows of the Duchesne River being captured by the CUP's Strawberry Aqueduct diverting water into Strawberry Reservoir.

Another $5.5 million is proposed to be taken from Stream, Watershed and Wildlife improvements. This money is desperately needed in the next five years, and additional funding after that, to help recover the fishery in Strawberry River that was wiped out by the Dollar Ridge Fire in 2018 and subsequent flooding and debris flows along with Emergency Watershed Protection work implemented by Duchesne County and the NRCS, primarily to rebuild the road up the canyon. The wild Strawberry River Management Area in addition to supporting a Blue Ribbon trout fishery, also supports native suckers and the canyon has been a haven for wildlife. All that habitat has been lost and substantial funds will be needed to help restore some of those habitats in our lifetime. We support additional funding particularly for the Strawberry/Duchesne watershed area. How does the Commission intend to obtain funding for this gap of 5 to 20 million dollars during the next five years? 3-5

Utah is facing desperate pressures on its aquatic and wildlife resources with exploding population growth along the Wasatch Front. The work of the Mitigation Commission is vital and needed into the future. Continued construction of the Central Utah Project was predicated upon a comprehensive mitigation program designed and constructed by the Mitigation Commission. The compromise that created the CUP Completion Act was based on fully implementing the programs to be designed and constructed by the Mitigation Commission. In the future, we believe completion of the mitigation obligations being carried out by the Commission to be a legal obligation of the Central Utah Project and intertwined with the overall operation of this water project. 3-6

Consequently, we regard the current funding problems confronting the Commission and indirectly the Central Utah Water Conservancy District as a dilemma that requires resolution and we are willing to work collaboratively with the Mitigation Commission to resolve this funding gap. The Stonefly Society and Trout Unlimited support the CUP Completion Act program and the work of the Mitigation Commission. 3-7

Sincerely,

Justin Grover, President
Stonefly Society Chapter Trout Unlimited

Austin Flint, President
Weber Basin Anglers Chapter Trout Unlimited

Eric Luna, President
High Country Fly fishers, Park City

Fred Reimherr
Conservation Chairman
Stonefly Society Chapter Trout Unlimited

Scott Antonetti, Chairman
Utah Council Trout Unlimited

Paul Burnett
Utah Water & Habitat Program Lead,
Trout Unlimited Western Conservation Water & Habitat Program

Comment Letter #3: Trout Unlimited, et al

Response 3-1

Thank you for your comment. A key word in your comment is 'partners'. The Mitigation Commission has been fortunate to work with many outstanding partners through its 26-year history, and Stonefly Society and other Trout Unlimited affiliates are among them.

Response 3-2

Thank you for your concern for the future work of the Mitigation Commission. The Mitigation Commission regards its mission as unfinished and is committed to pursuing additional projects and to obtain sufficient funds to do so. At the start of fiscal year 2021, $9,836,432 of authorization remains under Title II and $70,202,100 remains under Title III, for a combined total of $80,038,532.

Response 3-3

You are correct. Since 2012, the balance of the Title IV Account (you refer to this as the Trust Fund) has dropped from $180 million to just over $138 million by fiscal year 2020. You ask how much more funding will be needed from the Account? That is difficult to predict precisely. But the answer is it depends to some degree on the amount of annual appropriations the Mitigation Commission receives in the future. The draw of earned interest from the Title IV Account in the past seven years has averaged over $8.5 million annually because appropriations during that same period have averaged just under $1.2 million. Costs of the Commission's program have been funded heavily by the Title IV Account earned and accrued interest for that reason. Under current law, the Title IV Account balance may not drop below $111,558,020. The budgeting process for CUPCA and all similar 'discretionary' funded programs is briefly described on pages B-1 and B-2 of Appendix B. See also Response 2-2 to letter 2 on preceding pages for further explanation.

Response 3-4

Your comment refers to Table C-1B in Appendix C of the Plan and Report. That potential allocation of future funding is based on a presumption that annually appropriated funds remain constant for the next five years, at FY2020 levels ($1.8 million). It also assumes that rates of return on Title IV Account investments remain at current levels (less than ½ percent). A change in either source of funding would affect the ability of the Mitigation Commission to carry out either program shown in Table C-1A or C-1B. If appropriated funding and rates of return on Title IV Account investments were to increase substantially during the next five years, the Mitigation Commission would be able to implement an expanded program (closer to that shown in Table C-1A) and/or reduce the draw on earned and accrued interest from the Title IV Account, thus ending fiscal year 2025 with greater than the estimated $112 million balance predicted with Table C-2.

Response 3-5

The Mitigation Commission recognizes the importance of the middle Strawberry River corridor not only as a hub of aquatic and wildlife mitigation for the Bonneville Unit of the CUP, but as a special place for the people of Utah. The Dollar Ridge Fire did cause extensive damage to the Strawberry River watershed from Soldier Creek Dam to Starvation Reservoir. The reach from Soldier Creek Dam to Red Creek was especially hard-hit. There is authorization under Title III of CUPCA that could be directed toward recovery efforts. The degree to which that may happen in the future will depend on the amount of annual appropriations. Funding from earned and accrued interest of the Title IV Account will be maximized under the current projected programs by FY2025. Thereafter the amount of annual earned interest (currently less than ½ percent) will be available for expenditure (or reinvestment into the account). Without substantial additional funding for a number of years, the fiscal ability to support restoration work will be limited.

Response 3-6

Thank you for your comment in support of continuing the Mitigation Commission's work. The Mitigation Commission supports all programs identified in Titles II through VI of the CUPCA legislation being fulfilled.

Response 3-7

Thank you for your support of the CUPCA program, the Mitigation Commission in particular, and your willingness to assist in seeking resolutions to funding issues. Expressing support for completing the work of the Mitigation Commission, and adequate funding for its programs, is important.

Appendix A

Financial Supplement
Fiscal Years 2016-2020

UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

Appendix A

Financial Supplement

The financial supplement on the following page summarizes Commission funding received and expenditures for fiscal years 2016 through 2020. More detailed financial information not included in this appendix, including obligation amounts, is available from the Commission 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 of an authorization. The amounts shown in this budget and schedule reflect indexing; therefore, amounts available under a specific authorization may in some cases appear to exceed the original amount authorized by CUPCA.

ANNUAL REPORT FINANCIAL DATA
As of September 30, 2020

FUNDING

Fiscal Year	Annual Appropriations	Title IV Interest	Total Funding
FY 2016	$1,000,000.00	$5,318,306.00	$6,318,306.00
FY 2017	$1,300,000.00	$9,479,013.00	$10,779,013.00
FY 2018	$898,000.00	$808,000.00	$1,706,025.00
FY 2019	$1,248,000.00	$5,667,679.59	$6,915,679.59
FY 2020	$1,800,000.00	$9,120,387.23	$10,920,387.28
FY 2016 to FY 2020 Total	**$6,246,000.00**	**$30,393,410.87**	**$36,639,410.87**

EXPENDITURE

Fiscal Year	Annual Appropriations	Title IV Interest	Total Expenditures
FY 2016	$1,058,075.90	$4,125,160.97	$5,183,236.87
FY 2017	$915,375.30	$5,536,660.48	$6,452,035.78
FY 2018	$2,134,347.85	$11,274,633.28	$13,408,981.13
FY 2019	$858,888.79	$8,069,886.57	$8,928,775.36
FY 2020	$1,116,343.27	$16,067,784.95	$17,184,128.22
FY 2016 to FY 2020 Total	**$6,083,031.11**	**$45,074,126.25**	**$51,157,157.36**

END OF YEAR BALANCE OF TITLE IV ACCOUNT

Fiscal Year	Account Balance	Interest Due*	Total Net Value
FY 2016	$153,413,009.98	$8,401,681.48	$161,814,691.46
FY 2017	$140,139,730.47	$7,056,762.70	$147,196,493.17
FY 2018	$153,732,168.84	$1,972,369.35	$155,704,538.19
FY 2019	$138,144,026.75	$16,250,832.39	$154,394,859.14
FY 2020	$138,144,026.75	$5,423,860.11	$143,567,886.86

*** Value of known future interest payments based on distribution from investments in effect as of September 30 of that year.**

FY 1994 to FY 2020 CUMULATIVE FINANCIAL SUMMARY

Time Period	Account	Projects	Administration	Cumulative Total
FY 1994 to 2020	Funding	$275,852,978.50	$34,143,900.00	$309,996,878.50
FY 1994 to 2020	Expenditures	$265,632,347.36	$33,966,819.65	$299,599,167.01
FY 2021	Carryover	$10,220,631.14	$177,080.35	$10,397,771.49

Appendix B

Mitigation Funding Under CUPCA Fiscal Years 1994-2020

UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

Appendix B

Mitigation Funding Under CUPCA

The Central Utah Project (CUP) was originally authorized in 1956 as a participating project of the Colorado River Storage Project. The CUP was planned by the Bureau of Reclamation (Reclamation), and construction began on the project in 1966. For convenience, the CUP was originally divided into six units. The Bonneville Unit was the largest and last of the CUP units to be established. Reclamation continued the planning and construction of the CUP until October 30, 1992, when the Central Utah Project Completion Act (CUPCA), Public Law 102-575, was enacted.

CUPCA provides for the orderly completion of the CUP by increasing the appropriations ceiling and authorizing features and measures for the delivery of water for municipal, industrial, and irrigation purposes; water conservation; wildlife mitigation; and in-stream flows. CUPCA also provides for cost-sharing of project costs, establishes a water conservation program, allows local entities to construct project features, and requires compliance with environmental laws.

CUPCA established a partnership arrangement among the Department of the Interior (Interior), the Central Utah Water Conservancy District (the District), the Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission), and the Ute Indian Tribe. The District was given the responsibility for completing the water conveyance facilities, and the Mitigation Commission was tasked with completing the environmental mitigation. To implement CUPCA, the Interior established a small office in Provo, Utah (CUPCA Office) under the direction of the Assistant Secretary-Water and Science, to oversee completion of the project and the related activities of the District, Mitigation Commission, and Ute Indian Tribe.

The CUP annually provides 62,000 acre feet of water for irrigation of over 30,000 acres and 94,750 acre feet for municipal and industrial purposes, meeting the needs of approximately 400,000 people. This water is necessary to provide for the needs of the population of the Wasatch Front, one of the fastest growing areas in the Nation. The program is also a key component of meeting water challenges in Utah and the Colorado River Basin, and supports water conservation, development of the new energy frontier through renewable hydropower, and the river restoration component of the America's Great Outdoors initiative.

Federal funding for implementing CUPCA is subject to annual appropriations (budgetary) processes. The process starts when the President submits a detailed budget request for the coming fiscal year, which begins on October 1.This budget request is developed through an interactive process between federal agencies and the President’s Office of Management and Budget (OMB) that begins the previous spring (or earlier) and plays three important roles.

Among other things, the President’s budget lays out relative priorities for federal programs: how much he/she believes should be spent on defense, agriculture, education, health, and so on. The President's budget is very specific and recommends funding levels for individual federal programs or small groups of programs. As discussed below, the budget comprises different types of programs: some that require new funding each year to continue (such as CUPCA) and others that are ongoing and therefore do not require annual action by Congress. The President recommends funding levels for annually appropriated programs.

Annually appropriated programs, such as CUPCA, fall under the jurisdiction of the House and Senate Appropriations Committees. Funding for these programs must be renewed each year to keep government agencies open and the programs operating. These programs are known as "discretionary" because the laws that establish those programs leave Congress with the discretion to set the funding levels each year. Altogether, discretionary programs make up about one-third of all federal spending. The President's budget spells out how much funding he/she recommends for each discretionary program.[1]

Title II and Title III of (CUPCA) *(as amended)* authorized the Mitigation Commission to expend appropriated funds for various mitigation and conservation projects. Title IV of CUPCA authorized creation of a trust account in the U. S. Treasury, the purpose of which is to provide an ongoing source of funds to the Commission for:

> (1) mitigation and conservation projects that were authorized in Titles II and III of CUPCA, and
> (2) mitigation and conservation projects that were unknown at the date of enactment but would become necessary as CUP water development features authorized in Title II of CUPCA were designed and/or constructed over time.

Pursuant to CUPCA, the Title IV Account is comprised of (A) contributions to build up an initial principal within the Account, plus (B) interest that would be earned on the principal during an initial period of years. Annual contributions from Interior, the District, and the State of Utah were specified over an initial eight-year period; an annual contribution from the Western Area Power Administration of the Department of Energy (Western) continued through FY2013[2]. The amount of the contributions from the District and from Western was indexed annually (increased by a percentage determined in accordance with inflation measures).

Beginning in Fiscal Year (FY) 2014, interest earned and accrued on the Title IV Account is directly available upon the Commission's discretion either for expenditure or, for re-investment. The Commission directs the investment of matured investments, earned interest to be kept for administration and for projects, and earned interest to be re-invested, through written instructions to the DOI's Central Utah Project Completion Act Office located in Provo, Utah. Investments in notes and/or bonds have an established maturity date and interest is earned semi-annually. When an investment instrument (bond or note) is chosen for the investment of Title IV Account funds, there is typically an up-front cost of making that investment. The "premium" paid to enter into an investment instrument varies, depending on the desired length of the investment period before maturity, and the desired interest rate. Generally, obtaining an investment with a higher interest rate will cost a higher initial premium. The Commission selects investment instruments that will yield the desired amount of interest over the time period needed to fund its programs.

Title IV granted the Commission the discretion to either invest or expend the annual Western contribution (as well as the contributions from the District in fiscal years 1994 through 2001). Discretionary (appropriated) funding for the Mitigation Commission has been substantially reduced since FY 2005. The Mitigation Commission had to utilize almost all the contribution from Western from FY 2000 through FY 2013, the last year it was received, to support agency administration and program costs.

Since FY 2014, the Mitigation Commission has relied heavily on interest generated from the prior earned and accrued interest in the Title IV Account to fund its administration costs and majority of its

---

[1] Information excerpted from http://www.cbpp.org/research/policy-basics-introduction-to-the-federal-budget-process

[2] Section 214 of P.L. 108-137 amended CUPCA to terminate the Western contribution after FY 2013, and also authorized the Commission to expend interest earned and accrued to the Title IV Account beginning in FY 2014.

program costs. Table B-1 on the following page shows initial deposits into the Title IV Account, funding from Western, and its disposition (e.g. invested, expended for administration, or expended for projects), and interest since FY 2014 and its distribution. Figure B-1 illustrates the breakdown of Mitigation Commission program funds from annual appropriations, Western contributions, a one-time supplemental appropriation of $8,730,000 under the American Recovery and Reinvestment Act in FY 2009, and Title IV Account interest, FY 1994 to FY 2020. Figure B-2 illustrates the end of year balances of the Title IV Account (actual through FY 2020 and projected through FY 2025).

The value of the Title IV Account may not drop below the amount established by the initial deposits to the Title IV Account ($111,558,020.00) through FY 2013. The balance of the Title IV Account is projected to be near $112,000,000 by the end of FY 2023. This means that interest earned going forward after that date will be limited to prevailing interest rates, i.e. there can be little or no premium expended in order to make an investment.

Table B-1. Contributions to Title IV Account by source, 1994 to 2020.[a]

Fiscal Year	Federal Contribution	State Contribution	CUWCD Contribution	Western's Contribution	Interest Available from Account[b]	Investments from Other Sources[c]	Retained for Agency Administration[a]	Retained for Projects [a]	Annual Net Investment[d]
1994	5,000,000	3,000,000	750,000	5,000,000	0		(250,000)	0	13,500,000
1995	5,000,000	3,000,000	772,500	5,135,000	0		(1,029,000)	0	12,878,500
1996	5,000,000	3,000,000	792,200	5,283,000	0		0	0	14,075,200
1997	5,000,000	3,000,000	814,500	5,432,000	0		0	0	14,246,500
1998	5,000,000	3,000,000	838,800	5,592,000	0		0	0	14,430,800
1999	5,000,000	3,000,000	858,000	5,036,000	0		(1,144,000)	(800,000)	11,950,000
2000	5,000,000	3,000,000	871,400	5,036,000	0		(871,400)	(5,036,000)	8,000,000
2001	5,000,000	3,000,000	890,600	5,950,000	0		(1,187,500)	(5,653,100)	8,000,000
2002	0	0	0	6,000,000	0		(1,227,400)	(2,272,600)	2,500,000
2003	0	0	0	6,060,630	0		(1,262,300)	(3,598,330)	1,200,000
2004	0	0	0	6,163,420	0		(1,282,300)	(2,200,000)	2,681,120
2005	0	0	0	6,150,400	0	2,700,000	(754,500)	0	8,095,900
2006	0	0	0	6,633,000	0		(1,270,000)	(5,363,000)	0
2007	0	0	0	6,633,000	0		(757,800)	(5,875,200)	0
2008	0	0	0	7,113,437	0		(1,500,000)	(5,613,437)	0
2009	0	0	0	7,342,000	0		(1,500,000)	(5,842,000)	0
2010	0	0	0	7,584,000	0		(1,500,000)	(6,084,000)	0
2011	0	0	0	7,568,832	0		(1,500,000)	(6,068,832)	0
2012	0	0	0	3,375,000	0		(1,500,000)	(1,875,000)	0
2013	0	0	0	3,198,467	0		(1,500,000)	(1,698,467)	0
2014	0	0	0	0	16,117,288		(2,500,000)	(12,112,310)	1,504,978
2015	0	0	0	0	11,165,972		0	(9,314,665)	1,851,307
2016	0	0	0	0	6,354,435		(1,350,000)	(5,004,435)	0
2017	0	0	0	0	11,110,540		(1,300,000)	(9,810,540)	0
2018	0	0	0	0	12,453,049		(1,300,000)	1,181,801	12,334,850
2019	0	0	0	0	7,333,986		(1,300,000)	(6,033,986)	0
2020	0	0	0	0	10,826,972		(1,500,000)	(9,326,972)	0
	40,000,000	**24,000,000**	**6,588,000**	**116,286,186**	**75,362,241**	**2,700,000**	**(29,286,200)**	**(108,401,072)**	**127,249,155**

Total Contributions /Interest through 2020	62,236,427
Less: Total Investments through 2020	127,249,155
Less: Contributions / Interest Retained for Program through 2020	134,987,272

a. "CUWCD":Central Utah Water Conservancy District; "Western":Western Area Power Administration. Contributions from CUWCD and Western were indexed annually. Contributions from CUWCD and Western could be invested in the Title IV Account, or retained for program expenditures.

b. Beginning with FY 2014, the Commission is authorized to retain (or to re-invest) interest earned from the Title IV Account for program expenditures.

c. In FY 2005, $2,700,000 from a Western contribution from a prior year were invested in the Title IV Account.

d. The total of investments from FY 1994 through FY 2013 is $111,558,020. This represents the authorized minimum balance.

Figure B-1. Funding for the Mitigation Commission FY1994-2020. WAPA: Western Area Power Administration, ARRA: American Recovery and Reinvestment Act.

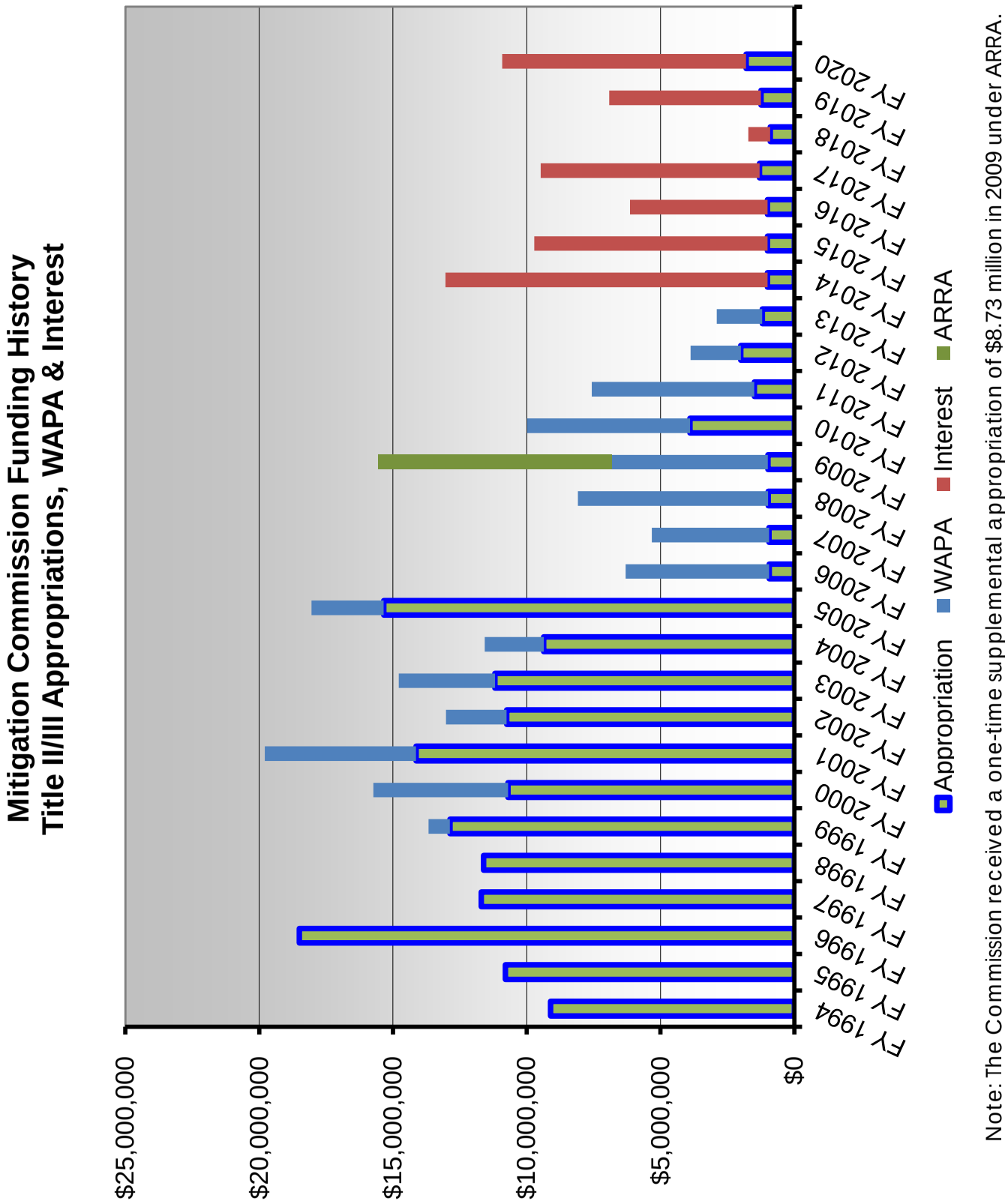
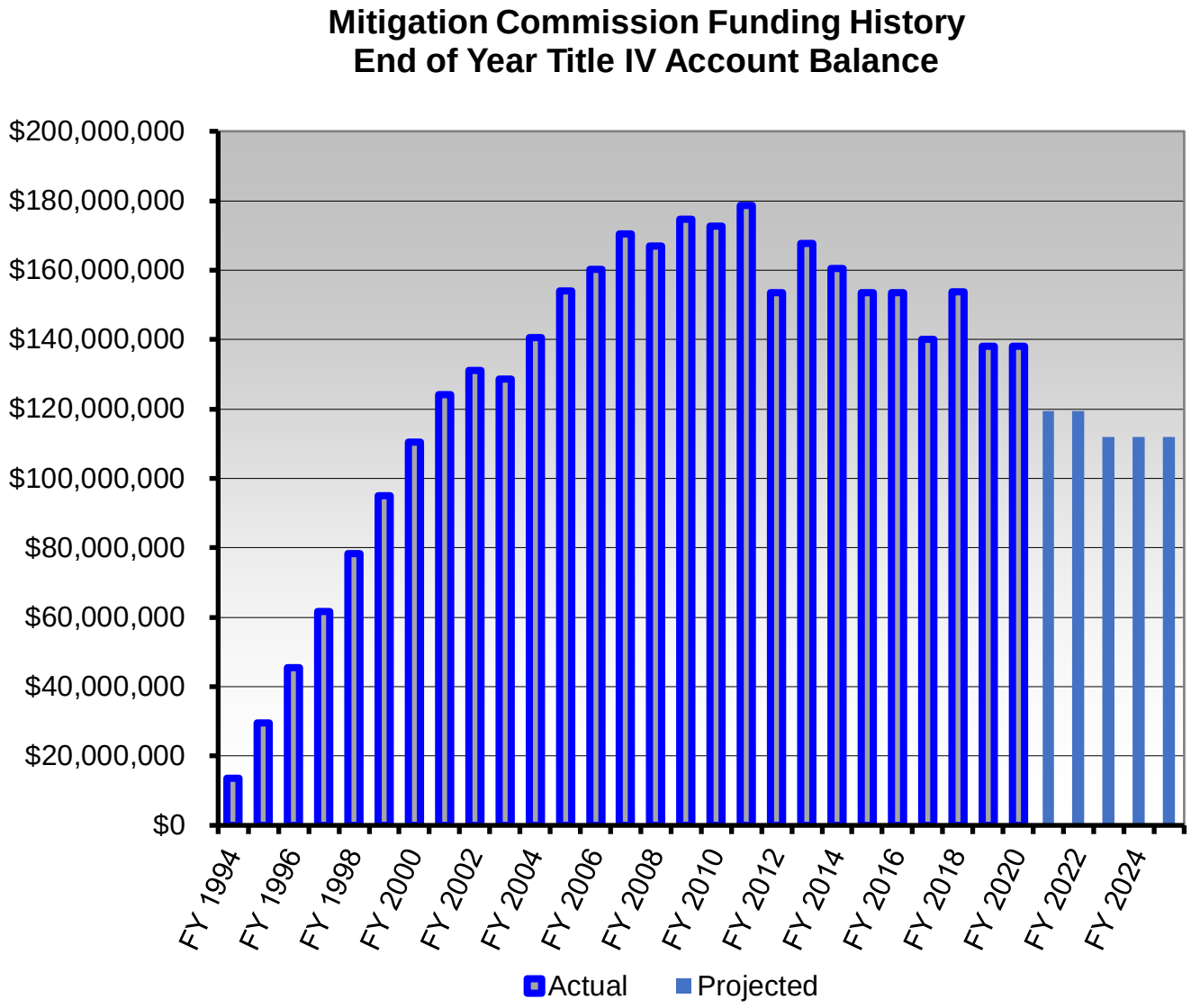


Figure B-2. End of year balance of Title IV Account FY1994 – FY2020 (Actual), and FY2021 – FY2025 (Estimated)



Appendix C

Estimated Costs to Implement Plan FY2021-FY2025

UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

Appendix C

Estimated Costs to Implement Five-Year Plan

Estimated costs associated with implementing this Plan in FY2021 through FY2025 are described in the Tables on the following pages. The information provided in this Appendix is for planning purposes and does not make a commitment of actual resources.

The Commission proposes to manage the Title IV Account to yield interest payments of $28 to $30 million over the next five years. To accomplish this, the balance of the principal invested in the Title IV Account is expected to decline from its current value of about $138 million, to about $112 million at the end of FY2025. Actual amounts depend on several factors, including annual appropriations under CUPCA Titles II and III for support of Commission programs, actual investment options available and selected for future Title IV Account investments, and actual program element costs as projects proceed. See Appendix B for further information on Title IV Account management.

Two scenarios are presented that show anticipated annual and five-year costs of plan implementation. The first scenario (Table C-1A) is a planning tool that describes the program capability of the Mitigation Commission for the next five years (FY 2021-FY 2025), *if additional and sufficient funding is made available*. The amount of funding projected to be available from Title IV Account interest plus continued appropriations at current (FY2020) levels would be *insufficient* to cover the costs of this proposed program. At a proposed five-year cost of ~$62 million, this planned program is estimated to require about $21 million additional to implement.

The second scenario (Table C-1B) is a planning tool that describes a five-year program intended to match as closely as possible the program limited by continued appropriations at current (FY2020) levels. This program focuses on only the highest priority program elements established by law and the Mitigation Commission's planning process. Even by maximizing the amount of funding projected to be available from Title IV Account interest, at level appropriated funding levels, with a proposed cost of ~$46 million, this planned program is estimated to require about $5 million additional to implement.

Table C-2 shows the anticipated schedule of Title IV Account interest payments, and how the Commission proposes to use those interest payments FY 2021 through FY 2025.

Table C-1A

Provo River/Utah Lake Watershed

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
June Sucker Recovery Program						
Annual Contribution to JSRIP	250,000	250,000	250,000	250,000	250,000	**1,250,000**
Instream Flows – Lower Provo River	260,000	300,000	300,000	300,000	300,000	**1,460,000**
Provo River Delta Restoration	8,500,000	8,700,000	4,500,000	7,100,000	2,000,000	**30,800,000**
Diversion Dam Modifications for JSRIP	0	50,000	0	0	0	**50,000**
Utah Lake Wetland Preserve	550,000	525,000	525,000	525,000	525,000	**2,650,000**
Terrestrial Habitat Conservation	0	0	0	0	0	**0**
Provo River Restoration Project	150,000	500,000	500,000	250,000	250,000	**1,650,000**
5-Year Total	**9,710,000**	**10,325,000**	**6,075,000**	**8,425,000**	**3,325,000**	**37,860,000**

Diamond Fork Watershed

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Aquatic, Riparian Habitat Restoration	50,000	200,000	200,000	200,000	200,000	**850,000**
Water Quality Monitoring	30,000	30,000	30,000	30,000	30,000	**150,000**
Diamond Fork Mitigation	115,000	20,000	20,000	20,000	20,000	**80,000**
Native Species Conservation	30,000	30,000	30,000	30,000	30,000	**150,000**
5-Year Total	**225,000**	**280,000**	**280,000**	**280,000**	**280,000**	**1,230,000**

Table C-1A cont.

Strawberry/Duchesne Watershed

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
SACS Angler Access and Facilities	70,000	70,000	70,000	70,000	70,000	**350,000**
DRACR Mitigation						
Planning & NEPA	100,000	0	0	0	0	**100,000**
Implementation	0	1,000,000	2,500,000	1,500,000	0	**5,000,000**
LWDP - Management	350,000	375,000	375,000	375,000	375,000	**1,850,000**
Stream, Watershed, Wildlife Habitat	0	1,000,000	1,500,000	1,500,000	1,500,000	**5,500,000**
Instream Flow Management	0	0	0	0	0	**0**
Wildlife Habitat Acquisition & Mgt	75,000	75,000	75,000	75,000	75,000	**375,000**
Sage Grouse Conservation	65,000	65,000	70,000	70,000	70,000	**340,000**
5-Year Total	**660,000**	**2,585,000**	**4,590,000**	**3,590,000**	**2,090,000**	**13,515,000**

Jordan River/Great Salt Lake

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Mgt Commission-Acquired Properties						
Jordan River Corridor	60,000	60,000	60,000	60,000	60,000	**300,000**
Great Salt Lake	80,000	80,000	80,000	80,000	80,000	**400,000**
5-Year Total	**140,000**	**140,000**	**140,000**	**140,000**	**140,000**	**700,000**

Table C-1A cont.

Statewide Program

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Fish Hatchery Restore & Construct	0	0	0	0	0	**0**
Stream, Riparian Habitat Restoration	0	400,000	0	0	0	**0**
Native Aquatic Species Conservation	30,000	30,000	30,000	30,000	30,000	**150,000**
FWCA Support to Agencies	110,000	110,000	110,000	110,000	110,000	**550,000**
5-Year Total	**140,000**	**140,000**	**140,000**	**140,000**	**140,000**	**700,000**

5-Year Total Program Costs	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Projects	10,875,000	13,470,000	11,225,000	12,575,000	5,975,000	**54,005,000**
Administration	1,500,000	1,550,000	1,550,000	1,600,000	1,600,000	**7,800,000**
Total Program Costs	**12,375,000**	**15,020,000**	**12,775,000**	**14,175,000**	**7,575,000**	**61,805,000**

Table C-1B

Provo River/Utah Lake Watershed

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
June Sucker Recovery Program						
Annual Contribution to JSRIP	50,000	50,000	50,000	50,000	50,000	**250,000**
Instream Flows – Lower Provo River	160,000	195,000	195,000	195,000	195,000	**940,000**
Provo River Delta Restoration	8,500,000	8,500,000	3,700,000	6,600,000	1,500,000	**28,800,000**
Diversion Dam Modifications for JSRIP	0	0	0	0	0	**0**
Utah Lake Wetland Preserve	400,000	325,000	325,000	335,000	335,000	**1,720,000**
Terrestrial Habitat Conservation	0	0	0	0	0	**0**
Provo River Restoration Project	150,000	500,000	500,000	140,000	140,000	**1,430,000**
5-Year Total	**9,260,000**	**9,570,000**	**4,770,000**	**7,320,000**	**2,220,000**	**33,140,000**

Diamond Fork Watershed

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Aquatic, Riparian Habitat Restoration	50,000	50,000	50,000	50,000	50,000	**250,000**
Water Quality Monitoring	25,000	25,000	25,000	25,000	25,000	**125,000**
Diamond Fork Mitigation	115,000	15,000	15,000	15,000	15,000	**175000**
Native Species Conservation	30,000	30,000	30,000	30,000	30,000	**150,000**
5-Year Total	**220,000**	**120,000**	**120,000**	**120,000**	**120,000**	**700,000**

Table C-1B cont.

Strawberry/Duchesne Watershed

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
SACS Angler Access and Facilities	60,000	60,000	60,000	60,000	60,000	**300,000**
DRACR Mitigation						
Planning & NEPA	100,000	0	0	0	0	**100,000**
Implementation	0	0	0	0	0	**0**
LWDP - Management	325,000	350,000	350,000	350,000	350,000	**1,725,000**
Stream, Watershed, Wildlife Habitat	0	0	0	0	0	**0**
Instream Flow Management	0	0	0	0	0	**0**
Wildlife Habitat Acquisition & Mgt	75,000	75,000	75,000	75,000	75,000	**375,000**
Sage Grouse Conservation	60,000	60,000	60,000	60,000	60,000	**300,000**
5-Year Total	**645,000**	**545,000**	**545,000**	**545,000**	**545,000**	**2,825,000**

Jordan River/Great Salt Lake

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Mgt Commission-Acquired Properties						
Jordan River Corridor	60,000	60,000	60,000	60,000	60,000	**300,000**
Great Salt Lake	80,000	80,000	80,000	80,000	80,000	**400,000**
5-Year Total	**140,000**	**140,000**	**140,000**	**140,000**	**140,000**	**700,000**

Table C-1B cont.

Statewide Program

PROJECT/PROGRAM ELEMENT	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Fish Hatchery Restore & Construct	0	0	0	0	0	**0**
Stream, Riparian Habitat Restoration	0	0	0	0	0	**0**
Native Aquatic Species Conservation	20,000	20,000	20,000	20,000	20,000	**100,000**
FWCA Support to Agencies	110,000	110,000	110,000	110,000	110,000	**550,000**
5-Year Total	**130,000**	**130,000**	**130,000**	**130,000**	**130,000**	**650,000**

5-Year Total Program Costs	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	5-Year SUM
Projects	10,395,000	10,505,000	5,705,000	8,255,000	3,155,000	**38,015,000**
Administration	1,500,000	1,550,000	1,550,000	1,600,000	1,600,000	**7,800,000**
Total Program Costs	**11,895,000**	**12,055,000**	**7,255,000**	**9,855,000**	**4,755,000**	**45,815,000**

Table C.2 Schedule and Estimates of Title IV Account Interest Payments and their Proposed Distribution

	End of FY2020	FY2021	FY2022	FY2023	FY2024	FY2025	FY2021-2025 Total
Interest Earned (Based on Existing Investments)[1]	$16,292,328	$5,423,860	n/a	n/a	n/a	n/a	$5,423,860
Interest Earned (Based on Estimated Future Investments)[2]	n/a	$3,750,000	$7,500,000	$7,500,000	$3,100,000	$3,100,000	$24,950,000
Interest Retained for Program Expenditure[3]	$49,840,414	$7,673,860	$5,950,000	$5,950,000	$1,500,000	$1,500,000	$22,573,860
Interest Reserved for Agency Administration[4]	$9,196,900	$1,500,000	$1,550,000	$1,550,000	$1,600,000	$1,600,000	$7,800,000
Estimated Cumulative Balance of Title IV Investment Account[5]	$138,144,027	$119,500,000	$119,500,000	$112,000,000	$112,000,000	$112,000,000	

[1] The Title IV Account is currently invested across two separate funds in the U.S. Treasury. Those investments produce known (fixed) semi-annual interest payments. Investments may be made for a period of 6 months to 5 or more years. Both investments are scheduled to mature (allowing re-investment) by or before 4/30/2021. This amount shown is the total interest received from these two investments alone.

[2] We've estimated the amount of interest that may potentially be earned in the future based on current investment options available early in FY 2021. Predicted interest rates, premium rate (cost of the investment), and pre-paid interest are factored into these estimates. Past performance or availability of investments yielding similar interest at similar premium rates are not guaranteed for future investments.

[3] The Commission is authorized by law (P.L. 108-137, 117 Stat. 1827 Section 214) to expend interest earned from the Title IV Account beginning in FY 2014. The Commission retained $59,037,314 of interest received in FY2014 through FY2020 for program expenditures (project and administration).

[4] The Commission is authorized to expend up to $1.5 million annually for agency administration. With inflation, the Commission will need to seek approval to increase this amount to $1,600,000 by FY 2024.

[5] The value of all investments in the Title IV Account as of 10/1/2020 (the beginning of FY2021) was $138,144,027. The Commission estimates the balance of the investments in the Title IV Account will be ~$119,500,000 by the end of FY2021 (actual amount will vary based on factors discussed in Notes 2, 3 and 4 above), and ~$112,000,000 by the end of FY2023. By existing statute, the balance may not drop below $111.6 million.

Appendix D

Status of Environmental Commitments
CUP Bonneville Unit

UTAH RECLAMATION
MITIGATION
AND CONSERVATION
COMMISSION

Appendix D

Fish and Wildlife Coordination Act and Other Environmental Commitments of the Bonneville Unit of the Central Utah Project*

*** This Appendix includes only those Environmental Commitments that were not completed as of 9/30/2015. The numbering system used in the 2016 Plan has been retained; therefore, the numbers in the following table are not always sequential and gaps in the numbering may seem to occur. This is because items completed as of 9/30/2015 have been omitted from this list.**

Strawberry Aqueduct and Collection System (SACS)

No.	Environmental Commitment	Comments (updated information since 2016)	Responsibility	Status	Status in 2000 "Green Book"	Source Document
1	Mitigate wildlife losses in accordance with the January 1987 "Wildlife Mitigation Plan for Strawberry Aqueduct and Collection System, Municipal and Industrial System, and Diamond Fork System, Bonneville Unit, Central Utah Project."	This comprehensive mitigation plan was developed to address impacts of three major systems of the Bonneville Unit. The plan focused on acquisition of private lands with subsequent management by public agencies for wildlife habitat values. In 2019 the Commission initiated consultation with the USFWS and UDWR to evaluate the suitability of additional federal lands acquired by the Commission at the recommendation of UDWR, to provide off-site mitigation determined to be needed for the M&I System, especially mitigation for the increased deer and other wildlife highway mortality attributed to the road relocations associated with the Jordanelle Reservoir. The Final Habitat Evaluation Report was completed in September 2020. Further consultation based on the September 2020 Report will continue in FY2021 and completion of the mitigation requirements of the 1987 Wildlife Mitigation Plan is expected. See also Environmental Commitment No. 23.	Mitigation Commission	Nearly Completed.	Pending	2004 DPR
7	Duchesne River Area Canal Rehabilitation (DRACR) Program (a SACS feature): Develop 140 acres of riparian and marsh vegetation adjacent to Starvation Reservoir to replace habitat losses for the DRACR Program, a part of the Starvation Collection System.	The project plan to develop wetland mitigation areas around the shoreline of Starvation Reservoir was determined to be infeasible in 1987. Reclamation and FWS revised plans for the required mitigation. Reclamation acquired 1,087 acres of land with water rights (known as the Riverdell property) for this mitigation. Initial plans for development and management of the property by the FWS have been withdrawn. The Mitigation Commission and Reclamation have re-initiated planning with Utah Division of Wildlife Resources and U.S. Fish and Wildlife Service to accomplish this requirement. Plan and NEPA compliance targeted for completion in FY 2022.	Mitigation Commission	This commitment remains to be implemented.	Not started Pending	2004 DPR
8	Six waterfowl management areas will be established along the Duchesne River to mitigate for waterfowl losses resulting from operation of the Strawberry Aqueduct and Collection System.	A 1965 FWCA report recommended the development of 6 wetland management areas containing 6,640 acres to mitigate for impacts of the Bonneville Unit SACS, and to provide additional wetland/wildlife-related benefits to the Ute Tribe. The Mitigation Commission, Department of the Interior and Ute Tribe entered into agreements beginning in 1995 for development of a conceptual plan for the protection, enhancement and restoration of wetland areas along the Duchesne River corridor. A Final EIS was completed in 2007. Project implementation began in 2008. All required private lands for the project have been acquired and been transferred to Ute Indian Tribe. Construction of restoration features began in 2013 and was completed in 2019. The Ute Tribe manages the LDWP with support provided by the Mitigation Commission. A management plan is being prepared to guide future management by Ute Indian Tribe.	Mitigation Commission	Completed.	Not started Pending	2007 FEIS and 2008 RODs

Municipal and Industrial System

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
23	Deer Mortality reduction on highways around Jordanelle Reservoir.	As per recommendation by USFWS and concurrence by UDWR, the Mitigation Commission purchased additional terrestrial habitats near Fruitland as off-site compensatory mitigation. Consultation is underway, expected to be complete in 2021, regarding fulfillment of this requirement with purchase of >10,000 acres of terrestrial habitat. Concurrence expected in FY2021. See also Environmental Commitment No. 1.	Mitigation Commission	Nearly Completed.	Pending	1988 DPR; 1989 FWCA Report on M&I System; 1997 U.S. Fish and Wildlife Service Memorandum

Diamond Fork System

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
26	Impacts of the [ULS] on Strawberry Reservoir, Utah Lake, Utah Valley streams, and the Jordan River will be presented in the environmental statement on the ULS.	Original Environmental Commitment from the 1990 FS-FEIS stated: "Features required exclusively for the Recommended Plan and Alternative A should not be constructed until there has been a disclosure of the total impacts they would have on fish and wildlife resources of Strawberry Reservoir, Utah Lake, and streams in Utah and Sevier valleys, and plans for mitigating losses have been agreed upon." Cumulative impacts of Bonneville Unit on Strawberry Reservoir, Utah Lake, Utah Valley streams, and the Jordan River are addressed in the ULS FEIS in 2004. Sevier Valley area, Millard and Sevier counties are no longer in the District. Since 2016, the Utah Lake Water Quality Study Board has been created with Steering Committee and Science Panel. Extensive studies underway that should result in TMDL standards for Utah Lake and possibly tributaries.	District	Completed; with ongoing new studies supported by others	Pending	Diamond Fork System ROD 1999
27	The feasibility of incorporating plans for delivering up to 49 cfs during summer and 32 cfs during winter to Sixth Water Creek should be thoroughly explored. [A similar recommendation was included as an option in the 1988 Aquatic Mitigation Plan for the SACS].	Sec. 303(c)(1)(A) of CUPCA specifies that minimum stream flows in Sixth Water Creek downstream of Strawberry Tunnel shall be not less than thirty-two cfs during May through October and not less than twenty-five cfs during November through April. A stream gage was constructed in October 1998 on Sixth Water Creek immediately upstream of the Sixth Water Aqueduct Outlet to monitor minimum stream flows. Modifications to Strawberry Tunnel and installation of the Syar Tunnel Guard Gate help achieve this objective. Studies were initiated in 2015 to examine optimum instream flow target levels. Studies recommended 20 to 25 cfs minimum on Sixth Water Creek. NEPA compliance in preparation to change flows.	District operates per CUPCA Sec. 303(c)(1)(A) Mitigation Commission, DOI and District	Completed. New NEPA underway	Pending	Diamond Fork System ROD 1999
28	If not required by law, the feasibility of maintaining a minimum streamflow of 80 cfs in Diamond Fork for the protection of the stream fishery should be thoroughly explored.	The minimum streamflows specified in CUPCA Section 303(c) (1) (B) state that subsequent to completion of Monks Hollow Dam or other structure that re-diverts water from the Diamond Fork drainage into the DFS of the Bonneville Unit, flows from the bottom of Monks Hollow Dam to the Spanish Fork River shall be not less than 80 cfs from May through September and not less than 60 cfs from October through April. However, Monks Hollow Dam was not built. Instead, an enclosed system of tunnels and pipelines was constructed, changing the project hydrology in Diamond Fork Creek compared to the Monks Hollow Dam predicted regime. Studies were initiated in 2015 to examine optimum instream flow target levels. Studies recommended ~40 cfs minimum on lower Diamond Fork Creek. NEPA compliance in preparation to change flows.	District operates per CUPCA Sec. 303(c)(1)(B) Mitigation Commission, DOI and District	Completed. New NEPA underway	Pending	Diamond Fork System ROD 1999

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
31	An interagency team consisting of representatives from the joint-lead agencies (District, DOI, and Mitigation Commission), FS, FWS, and Utah Division of Wildlife Resources should be organized to determine flow needs within Sixth Water and Diamond Fork creeks and the Spanish Fork River to benefit aquatic, terrestrial, and riparian resources.	See the comments in Environmental Commitment Nos. 27 and 28. The Mitigation Commission organized and convened an interagency team in 2005 after the DFS began to operate and high irrigation-influenced streamflows were removed from Diamond Fork Creek. Three years of monitoring to establish baseline conditions for riparian vegetation, geomorphology, and substrate was conducted. Monitoring included assessment of spawning gravel conditions, and leatherside populations and habitat. Additional sediment transport data collected in 2011 and 2012 was analyzed to develop rating curve for flows < 60 cfs at "Monks Hollow". Studies were initiated in 2015 to examine optimum instream flow target levels. Subsequent to the Diamond Fork RODs, planning for the Utah Lake System has been completed. The Spanish Fork River was not selected to receive a commitment of minimum instream flows. Hobble Creek was instead selected, primarily for its use and benefits to June sucker spawning. Studies were completed in 2019 that recommended lower instream flows on Sixth Water and Diamond Fork to support ecological improvements including fisheries. NEPA is currently in process to evaluate alternative recommendations and address operations and maintenance needs of the water conveyance facilities in Sixth Water and Diamond Fork.	Mitigation Commission, DOI and District	Ongoing.	Pending	Diamond Fork System ROD 1999
34	Conduct a water quality and temperature-monitoring program throughout the Diamond Fork System.	The Mitigation Commission entered into a cooperative agreement with District to implement the program in 1997 and at that time added additional water quality parameters to be monitored. This Environmental Commitment supersedes the temperature portion of Environmental Commitment No. 25. Monitoring continues through present. In 2001, the Mitigation Commission determined through consultation with District, FWS, DOI and Utah Division of Wildlife Resources that most metals and other parameters could be removed from the monitoring program	Mitigation Commission and District	Ongoing.	Pending.	Diamond Fork System ROD 1999
37	The joint-lead agencies will plan for a long-term monitoring program to determine the effects on riparian vegetation including species composition, riparian corridor width, and vegetation density; spawning gravels; and leatherside chub habitat and populations from flow modifications within the impact area of influence.	The Mitigation Commission completed a three-year baseline study in 2007 including long-term riparian vegetation monitoring along Diamond Fork Creek.(See also Environmental Commitment No. 30). Riparian monitoring was conducted again in 2010. UDWR conducted 2-year study of leatherside. None were collected in Diamond Fork or Sixth Water. The Mitigation Commission contributed ~$115,000 to Leatherside conservation from 2010 through 2020. Studies were initiated in 2015 to examine optimum instream flow target levels. NEPA process is underway to address proposed reductions in minimum instream flow requirements. See also Environmental Commitment Nos. 27 and 28. Utah DWR has completed surveys of leatherside populations in Sevier Valley, and determined the presence or absence of Southern Leatherside in burned and non-burned areas of the Spanish Fork Canyon (2018 Pole Creek Fire) and tributaries including Bennie, Soldier and Thistle Creeks and others.	Mitigation Commission	Ongoing.	Pending.	Diamond Fork System ROD 1999
38	The joint-lead agencies will continue to coordinate with the FWS regarding results of the monitoring program and recommendations to mitigate any documented impacts.	The Mitigation Commission coordinates with the FWS, USFS, DOI and UDWR.	Mitigation Commission	Ongoing.	Pending.	Diamond Fork System ROD 1999
39	The joint-lead agencies will mitigate any losses or detrimental impacts on wetland and riparian habitats that cannot be restored.	The lower Diamond Fork channel is changing in response to reduced flow regimes in a positive (more stable) direction. No mitigation has been required.	Mitigation Commission	Ongoing.	Pending.	Diamond Fork System ROD 1999

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
40	The Mitigation Commission will continue to consult with the DOI, District, FWS, FS, Utah Division of Wildlife Resources, and others to plan and implement restoration of Sixth Water and Diamond Fork creeks.	The Mitigation Commission will continue to consult with the agencies to plan and implement restoration actions as appropriate. Studies are initiated in 2015 to examine optimum instream flow target levels, and to identify opportunities for active restoration. See also Environmental Commitment No. 31, 37 and 38. A three-year study to identify and recommend instream flow levels in Sixth Water and Diamond Fork Creeks was completed in 2019. NEPA process was initiated in 2020 to address changing the minimum instream flow requirement to lower quantities than identified in CUPCA. The Mitigation Commission also completed an assessment of stream and riparian conditions on lower Diamond Fork in 2019 to identify and prioritize aquatic habitat enhancement measures. The Mitigation Commission has committed funds to these efforts, as have Utah Division of Wildlife Resources and US Forest Service. The Pole Creek Fire in 2018 impacted several reaches of lower Diamond Fork. The Mitigation Commission obligated funds in 2020 to repair/replace fencing damaged by the fire.	Mitigation Commission	Ongoing.	Pending.	Diamond Fork System ROD 1999
41	Monitoring during the construction period prior to project operation will continue to establish a credible baseline for Ute ladies'-tresses.	District conducted ULT studies in Diamond Fork Canyon and Spanish Fork Canyon during construction of the Diamond Fork Project. The Mitigation Commission continued ULT monitoring for some period during operation of the DFS. The Spanish Fork Canyon colonies will be potentially affected by the ULS project; therefore, the commitments listed must be met under the ULS. District monitored ULT through 2004. The Mitigation Commission became responsible for data collection after the DFS began operation in 2005. The Mitigation Commission monitored ULT through 2008, at which time the Mitigation Commission requested re-consultation with FWS regarding this issue. Monitoring was suspended for a decade. The Commission resumed monitoring in 2019 and 2020 and expects to continue in 2021.	District	Completed.	Pending.	Diamond Fork System ROD 1999
42	The joint-lead agencies will identify, acquire, and permanently provide a block of water for flows in the lower Provo River through critical habitat, in perpetuity, for June sucker.	The District, DOI and Mitigation Commission have actively worked to acquire water for the June sucker and continue to pursue more water through Sections 207, 302, and other existing authorities involving water conservation conveyance efficiency, and outright purchase of water. Water saved or acquired may become project water and may be applied to meet this and other environmental commitments. 21,172 acre feet of water is currently available under the Section 207 program on an annual basis to augment instream flows on the Provo River. Permanently acquired Section 207 water amounts to 13,879 acre feet for the Provo. By 2026, most of the temporary water acquisitions will expire. The District has acquired shares representing over 3,000 acre feet based on a full river supply using funds provided by the Mitigation Commission under Section 302 of CUPCA. An additional 4,500 AF of conserved water is available for delivery to Hobble Creek or Provo River from Strawberry Reservoir. The District, DOI, Commission and others utilize the latest-available information to recommend flow regimes.	Mitigation Commission, District and DOI	Ongoing.	Pending.	Diamond Fork System ROD 1999
45	Any future development of the Bonneville Unit of CUP will be contingent on the Recovery Implementation Program making "sufficient progress" towards recovery of June sucker.	District, DOI and the Mitigation Commission have been active participants in the June Sucker Recovery Implementation Program (JSRIP). The RIP has been formed and "Sufficient Progress" was determined in writing by FWS on May 6, 2015 for the 2009-2013 period. The June sucker was proposed for downlisting to threatened status in November 2019. The Final downlisting rule is anticipated early in 2021.	District, DOI, and Mitigation Commission	Ongoing.	Pending.	Diamond Fork System ROD 1999

Wasatch County Water Efficiency Project/Daniel Replacement Pipeline

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
49	The Mitigation Commission will be signatory to the Conservation Agreements for Colorado River and Bonneville Cutthroat trout and as such will work to implement suitable mitigation for the impact on naturally reproducing cutthroat trout in upper Daniels Creek, within the Provo River drainage if possible	The Mitigation Commission is signatory to the conservation agreements, and has participated in their activities. The Mitigation Commission has provided more than $713,000 to date for native cutthroat trout conservation efforts as part of its contribution to the conservation teams. The Mitigation Commission continues to provide funding to Utah DWR for native cutthroat trout conservation work. The specific work elements are prioritized and approved by the respective Conservation Teams.	Mitigation Commission	Ongoing.	N/A	1997 WCWEP/DRP Final EIS and ROD; CUPCA
51	Areas outside the impact area but within Heber Valley that contain populations of leatherside chub that would benefit from habitat enhancement would be enhanced and protected in accordance with an agreement to be finalized with the U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources.	The Mitigation Commission has created, restored and enhanced many miles of potentially suitable leatherside chub habitat in Heber Valley in association with the Provo River Restoration Project (PRRP). The Utah Division of Wildlife Resources formalized a Conservation Agreement for leatherside chub in 2010. The Mitigation Commission has contributed $115,000 to leatherside conservation since 2010. Also acquired >100 acres of Mona Springs property in Juab County for native species conservation, including leatherside.	Mitigation Commission	Ongoing.	N/A	1997 WCWEP/DRP Final EIS and ROD

Provo River Restoration Project (PRRP)

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
54	Develop a comprehensive monitoring and reporting program in cooperation with the U.S. Army Corps of Engineers, Utah Division of Wildlife Resources, FWS, recreation groups, and county officials to evaluate and provide information and management guidance on the following: A. Success of revegetation and erosion control measures. B. Control of noxious weeds and undesirable plants. C. Aquatic and terrestrial habitat mitigation. D. Aquatic and terrestrial species responses to the project. E. Threatened, endangered, and candidate species status and trends.	The Mitigation Commission has been monitoring and reporting on each item in cooperation with the agencies and entities listed at left. The project is meeting or exceeding its goals for revegetation, erosion control, control of noxious weeds and undesirable plants, aquatic and terrestrial habitat mitigation, T&E species habitat. The aquatic and terrestrial species responses to the project are being monitored. Monitoring reports. COE Wetlands monitoring is complete; UDWR does spotted frog counts every 3 years; annual bird surveys; annual eagle counts; annual ULT surveys; UDWR does fish population sampling; weed control and monitoring annually; mosquito control annually through 2020; habitat mapping @ 5 years; aerial photographs; USU studies. Baseline data and post-project data have been collected since 1997. Annual progress meetings were held for 5 years post-construction. The Mitigation Commission proposes to be released from some monitoring requirements, such as: A. Success of revegetation and erosion control D. Aquatic and terrestrial species responses to the project as follows • Annual bird counts • Spotted frog and fish (performed by UDWR) E. T&E Species and candidate status and trends • Annual Ute ladies'-tresses survey • Annual bald eagle survey	Mitigation Commission	Ongoing. The Mitigation Commission proposes release from some monitoring requirements.	Pending	CUPCA

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 “Green Book”	2004 DPR or Other Document
58	In order to avoid the likelihood of adverse impacts on Ute ladies’-tresses orchid, the following actions will be followed.		Mitigation Commission	Completed.	N/A	1998 ROD for PRRP
58d	Conditions necessary for continued viability of the Provo River population will be maintained, including "artificial" maintenance of habitat conditions, until such time as the FWS determines that such activities are no longer necessary or warranted. Circumstances that will permit termination of artificial habitat maintenance include documentation of successful establishment of viable colonies and expiration of existing colonies due to circumstances not related to this project. Artificial maintenance may include such actions as augmenting or modifying hydrologic conditions and vegetation management. The Proposed Action has been redesigned to maintain, to the extent possible, existing channel features and hydrology within the occupied habitat. This will help minimize the likelihood that artificial habitat maintenance will be required.	The Mitigation Commission has continued to consult with U.S. Fish and Wildlife Service throughout this project. To date, no artificial means of maintaining populations has been recommended by the U.S. Fish and Wildlife Service. The Mitigation Commission continued to consult with U.S. Fish and Wildlife Service throughout the completion of the restoration work in 2007. ULT were monitored annually for ten years (through 2017). Only one ULT plant was observed since 2012, which occurred in 2015. The Mitigation Commission proposes discontinuing ULT monitoring and will consult with USFWS.	Mitigation Commission	Ongoing.	N/A	1998 ROD for PRRP

Uinta Basin Replacement Project

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 “Green Book”	2004 DPR or Other Document
76	Department of the Interior and District will participate in carrying out the reasonable and prudent alternative identified by the U.S. Fish and Wildlife Service in their 1998 Duchesne River Basin Final Biological Opinion [as amended] for the four listed Colorado River fish species.	The FWS issued its Biological Opinion for the Duchesne River in 1998, and based on more recent flow recommendations developed by the RIP and finalized in 2003 (Modde and Keleher 2003), the FWS issued an Updated “Reasonable and Prudent Alternative” to the Biological Opinion in 2005. Implementation of flow recommendations are being coordinated through the Duchesne River Working Group (DRWG) that includes representatives from the FWS, State of Utah, Department of Natural Resources (Divisions of Water Rights, Water Resources and Wildlife Resources), the District, the DOI, and the Mitigation Commission. The DRWG was informally formed in 2003 to address issues involved with implementing the flow recommendations. The DRWG is addressing many issues, including water availability, water management, and protection of in-stream flows provided for endangered fishes. The role of this working group was formalized in the 2005 Reasonable and Prudent Alternative for the Duchesne River. The DRWG issued a report in 2013 summarizing water management for the years 2004 to 2011. This is ongoing.	Department of the Interior; District	Ongoing.	N/A	2001 UBRP Final EA and FONSI

Utah Lake Drainage Basin Water Delivery System

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
78	Utah Lake System: Complete all mitigation commitments for fish, wildlife and related recreation associated with the ULS project or other CUP facilities.	The Utah Lake Drainage Basin Water Delivery System (Utah Lake System or ULS) Final EIS has been completed. Environmental commitments are identified in the Final EIS and the Record of Decision documents. The Mitigation Commission will use some of the funds available for this program to implement June sucker recovery actions in accordance with the June sucker Recovery Implementation Program. The Provo River Delta Restoration Project is underway. This project will recreate and restore a more natural interface of Provo Reiver with Utah Lake including formation of approximately 250 acres of deltaic wetlands and channel features. This recovery element is needed to provide suitable rearing habitat for young June sucker. Construction began in 2020; completion is anticipated in 2024. Recreational amenities will also be provided.	Mitigation Commission	Ongoing.	N/A	1999 Diamond Fork System ROD
79	Utah Lake System: Provide 12,165 acre feet of water to be regulated annually from Deer Creek Reservoir to the lower Provo River for June sucker spawning and rearing flows.	The DOI and District have formulated the ULS project to provide 12,165 acre feet of conserved water annually in the lower Provo River for June sucker spawning and rearing. This includes 2,875 acre feet of existing contracted Bonneville Unit M&I water conserved from Section 207 projects in northern Utah County, 1,000 acre feet of water conserved from Section 207 piping of the Upper East Union and East River Bottom canals, 290 acre feet of water conserved from Section 207 piping of the Timpanogos Canal, and 8,000 acre feet from enclosing the Provo Reservoir Canal or other Section 207 projects. Up to 4,500 additional AF of conserved water has been secured and may be delivered to either Hobble Creek or Provo River for use. In 2008 the Mitigation Commission and partners completed a comprehensive study of instream flows for the lower Provo River ecosystem. These recommendations are generally followed to the extent feasible. In 2020, Utah Division of Wildlife Resources, Trout Unlimited, Central Utah Project Completion Act Office, CUWCD and the Mitigation Commission entered into an Agreement whereby up to 20 cfs will be bypassed from Olmsted Diversion and delivered past Murdock Diversion. This may interfere with production of hydropower at the Olmsted Power Plant. In that case, the Utah DWR, Trout Unlimited and Mitigation Commission will provide funding to offset the loss in hydropower revenue.	District and DOI	Ongoing.	N/A	2004 ULS Final EIS 2015 PRDRP Final EIS
80	Utah Lake System: The Mitigation Commission and the District will continue to acquire water shares from irrigation companies to provide flows in the lower Provo River to meet the 75 cfs target flow.	CUPCA Section 302(a) provides for the District, using funds provided by the Mitigation Commission, to acquire by purchase from willing sellers or exchange, 25,000 acre feet of water rights in the Utah Lake drainage basin. CUPCA Section 303(c)(4) states "Upon the acquisition of the water rights in the Provo Drainage identified in section 302, in the Provo River from the Olmsted Diversion to Utah Lake, a minimum of seventy-five cubic feet per second" shall be provided continuously and in perpetuity from the date first feasible. Most of the Section 302 (a) funding authorization is committed to pay for a portion of the cost of 35 cfs capacity in the ULS system to deliver water to Provo River. This effort will continue, subject to availability of authorized funds. See Environmental Commitment No. 79. The District has acquired shares representing over 3,000 acre feet based on a full river supply using funds provided by the Mitigation Commission under Section 302 of CUPCA. The Mitigation Commission purchased 48 additional acre feet through the District in FY2020 for lower Provo River instream flows. See Environmental Commitments 42, 79 and 81.	Mitigation Commission and District	Ongoing.	N/A	2004 ULS Final EIS

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
81	Utah Lake System: 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.	The District has acquired irrigation company water shares representing 3,300 acre feet of water for the Mitigation Commission towards the amount necessary to meet the 75-cfs target flow in the lower Provo River. The acquired water shares are in the form of water rights and water stock, and this water is only available during the irrigation season. Under operating parameters of the Bonneville Unit this water flows past the diversion location associated with the original water right or share, and the water continues to flow down to Utah Lake.	Mitigation Commission, District, and DOI	Ongoing.	N/A	2004 ULS Final EIS
82	Utah Lake System: An annual average of 16,000 acre feet of Bonneville Unit water would be delivered to the lower Provo River through the Spanish Fork-Provo Reservoir Canal Pipeline, when water is needed in Utah Lake for exchange to Jordanelle Reservoir, and when the lower Provo River is below the 75 cfs target flow.	The District has planned the Utah Lake System project to include delivering an annual average of 16,000 acre feet of Bonneville Unit water to the lower Provo River to assist in meeting in-stream flow objectives and would be subsequently exchanged from Utah Lake to Jordanelle Reservoir. This water would be conveyed through the Spanish Fork-Provo Reservoir Canal Pipeline and discharged to the Provo River at the pipeline crossing when needed to make the Utah Lake-Jordanelle Reservoir exchange and when flows in the Provo River are less than 75 cfs. A minimum 75 cfs flow normally occurs in the river between the Olmsted and Murdock diversions during the summer months when releases are made from Deer Creek Reservoir for conveyance through the Provo Reservoir Canal. Currently the ULS is not in full operation. Managing water supplies to provide for existing ULS uses has generally required less than 16,000 acre feet of supplemental water to be delivered annually to complete the exchange to Jordanelle Reservoir.	District	Ongoing.	N/A	2004 ULS Final EIS
83	Utah Lake System: An annual average of 12,037 acre feet of water, of which 4,000 acre feet will be available annually, would be regulated out of Strawberry Reservoir through the Mapleton-Springville Lateral Pipeline to Hobble Creek to Utah Lake for June sucker spawning and rearing in Hobble Creek.	The District and DOI have planned the Utah Lake System project to include delivering an annual average of 12,037 acre feet of project water through the Mapleton-Springville Lateral Pipeline to Hobble Creek for June sucker spawning and rearing flows (April through July) and to provide other fish and wildlife benefits throughout the year. This water would be part of 40,310 acre feet of Utah Lake inflow from Strawberry Reservoir and would be subsequently exchanged from Utah Lake to Jordanelle Reservoir. Of the 12,037 acre feet, 4,000 acre feet would be provided in every year because this is the amount of water saved each year through Section 207 projects with Spanish Fork City, Mapleton City, and Springville City. An average of 8,037 acre feet would be provided when water is being delivered from Strawberry Reservoir to Utah Lake for exchange up to Jordanelle Reservoir. Hobble Creek supplemental water would not be delivered during high runoff years when Utah Lake is above compromise level. The high runoff years correspond with years when natural runoff would be sufficient to attract June sucker spawning in lower Hobble Creek. In 2009 the Mitigation Commission and partners completed a comprehensive study of instream flows for the lower Hobble Creek ecosystem. Up to 4,500 additional AF of conserved water may be delivered to either Hobble Creek or Provo River for use. See *East Hobble Creek Restoration Project* EA and FONSI, 2013; *Provo River Delta Restoration Project* EIS and ROD, 2015. The East Hobble Creek Restoration Project on ~1/2 mile of Hobble Creek was completed in 2016. Dike on north side of Hobble Creek was relocated north as a set-back dike and Hobble Creek was restored to a meandering channel with floodplain.	DOI and District	Ongoing.	N/A	2004 ULS Final EIS 2015 PRDRP Final EIS

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	2004 DPR or Other Document
86	Utah Lake System: A Ute ladies'-tresses orchid monitoring program should be carried forward for a number of years (to be determined jointly by the District, Mitigation Commission and FWS) similar to the pre-operation study in Diamond Fork. If the changes to the Ute ladies'-tresses orchid population in Spanish Fork Canyon exceed the variation expected from pre-operation analysis and the critical values established, management guidelines presented in the 1999 Diamond Fork Biological Opinion may be implemented to compensate for impacts.	There are seven known occurrences of the Ute ladies'-tresses orchid in Spanish Fork Canyon along the Spanish Fork River from Diamond Fork Creek to the Spanish Fork Diversion Dam. The Ute ladies'-tresses orchid is presently listed as a threatened species protected under the Endangered Species Act and its amendments. The ULS Proposed Action may result in decreased river stages, ranging from 0.1 to 0.7 feet lower than baseline conditions, because of lower stream flows from conveying the Bonneville Unit water through a new pipeline down Spanish Fork Canyon. The lower stream flows, simulated through hydraulic models of the Spanish Fork River channel, are not expected to change the hydrology around the Spanish Fork River Ute ladies'-tresses colonies because they typically grow outside the direct influence of the river flows and are supported by secondary hydrology (i.e., subsurface water, springs, seeps, or flows from off-channel ponds). The orchid monitoring program for the Spanish Fork Canyon colonies is based on the program referenced in Environmental Commitment No. 41a. The District will be responsible for orchid monitoring until the Spanish Fork Canyon Pipeline becomes operational; the Mitigation Commission will be responsible for orchid monitoring during ULS operation. The Mitigation Commission monitored ULT through 2008, at which time the Mitigation Commission requested re-consultation with FWS regarding this change. Informal consultation in 2019-2020 identified potential research program as a conservation measure. Resurveyed Diamond Fork for ULT in 2019, 2020, and planned for 2021.	District, Mitigation Commission	Suspended since 2009. Revisit.	N/A	2004 ULS Final EIS
87	Utah Lake System: If post-operation monitoring results in measured parameters exceeding pre-set critical values for Ute ladies'-tresses orchid populations in Spanish Fork Canyon, the Diamond Fork System operation has the flexibility to supplement flows in Spanish Fork River. Other measures, such as a rescue/transplant program, could be initiated.	See the comments under Environmental Commitment No. 88 and Nos. 41f. If decreased flows in the Spanish Fork River are found to cause conditions exceeding the pre-set critical values for Ute ladies'-tresses orchid colonies and individuals in Spanish Fork Canyon, then the Joint-Lead Agencies will consult with the FWS. The Mitigation Commission monitored ULT through 2008, at which time the Mitigation Commission requested re-consultation with FWS regarding this change. Informal consultation in 2019-2020 identified potential research program as a conservation measure. Resurveyed Diamond Fork for ULT in 2019, 2020, and planned for 2021. Spanish Fork Canyon was not monitored for ULT in 2019 and 2020.	Mitigation Commission, District, and DOI	In consultation.	N/A	2004 ULS Final EIS
88	Utah Lake System: To offset potential impacts on leatherside chub, the 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.	The Joint-Lead Agencies' support of the Utah Division of Wildlife Resources to evaluate population and habitat status, determine threats to the species, and identify conservation actions that could protect and enhance leatherside chub habitat would be focused first on the Spanish Fork River, but if necessary, on other streams of the Utah Lake drainage basin. Mitigation Commission participates in the Conservation Agreement and has provided $115,000 since 2010 to projects.	Mitigation Commission	Ongoing.	N/A	2004 ULS Final EIS

Provo River Delta Restoration Project

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	Document Source
89	Maintain access to water rights for properties not acquired	Have maintained access to water by Despain Ranch to date. Provided compensation to drill a new well when use of old well on acquired property is terminated.	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	Document Source
90	Conduct baseline vegetation mapping, develop revegetation plan and refine weed control plan	Completed. Year 1 of construction is complete and revegetation plan and revised weed control measures have been followed.	Mitigation Commission	Completed.	N/A	PRDRP ROD, 2015
91	Enter into agreement with Utah County for Pest Management (mosquito, weed)	Have entered into such Agreement for seven years, and intend to continue	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
92	Design diversion structure from restored Provo River to old river channel to minimize June sucker entrainment	Design of this facility has been reviewed with and concurred in by U.S. Fish and Wildlife Service and Utah Division of Wildlife Resources.	Mitigation Commission	Design Completed. Not yet constructed.	N/A	PRDRP ROD, 2015
93	Post-Construction: Monitor diversion structure entrainment effectiveness (June sucker larvae no more than 2.5% larval drift)	Not yet constructed. JSRIP Technical Committee is developing a monitoring plan for the PRDRP	Mitigation Commission	Project is just beginning.	N/A	PRDRP ROD, 2015
94	Conduct at least one additional year of Ute Ladies'-tresses (ULT) survey prior to final design/construction	Completed. ULT were monitored for three years and consultation with U.S. Fish and Wildlife Service has occurred. Project design has been modified to avoid and minimize impacts to occupied and potential ULT Habitat.	Mitigation Commission	Completed.	N/A	PRDRP ROD, 2015
95	Fence ULT locations, establish ingress, egress, and staging areas to avoid known occurrences.	This was performed in 2020 and will continue in 2021 and beyond during construction	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
96	Wildlife biologists that may be conducting bird-aircraft hazard mitigation actions in the project area prior to construction will be provided with a map of Ute ladies'-tresses occurrence areas to avoid trampling.	This was performed in 2020 and will continue in 2021 and beyond.	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
97	The JLAs will coordinate with FAA and Provo Municipal Airport prior to and during final design and project construction to develop and implement a wildlife hazard monitoring plan and mitigation program.	Third complete year of monitoring was completed in 2020. Program is ongoing.	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
98	The JLAs will coordinate with FAA and Provo Municipal Airport prior to and during and after project construction activities to alert them of pending land use changes that may require recalibration of radar systems.	Coordination is ongoing.	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
99	Implement URMCC preconstruction bird monitoring and movement study	See Environmental Commitment No. 97	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015

No.	Environmental Commitment	Comments	Responsibility	Status	Status in 2000 "Green Book"	Document Source
100	Identify and include appropriate wildlife hazard reduction measures throughout construction and operations phases of the PRDRP		Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
101	Complete Cultural resources class III inventory; have on-site monitor during all construction activities	Class III inventory completed. On-site monitoring was performed in 2020 and will continue in 2021 and beyond during construction.	Mitigation Commission	Ongoing.	N/A	PRDRP ROD, 2015
102	Develop Agreement w SHPO for a cultural resources treatment plan for any residual impacts	Completed.	Mitigation Commission	Completed.	N/A	PRDRP ROD, 2015
103	Determine means of raising water levels in existing channel for testing south levee operation and maintenance needs.		Mitigation Commission	Completed.	N/A	PRDRP ROD, 2015