



BUDGET The United States
Department of the Interior
JUSTIFICATIONS

and Performance Information
Fiscal Year 2020

**CENTRAL UTAH PROJECT
COMPLETION ACT**

NOTICE: These budget justifications are prepared for the Energy and Water Development Appropriations Subcommittees. Approval for release of the justifications prior to their printing in the public record of the Subcommittee hearings may be obtained through the Office of Budget of the Department of the Interior.



Printed on
Recycled Paper

Central Utah Project Completion Act

FY 2020 Budget Estimates

Table of Contents

	Page
Central Utah Project Completion Act Office Budget Summary	1
FY 2020 Overview.....	2
Program Performance Summary	7
Central Utah Project Completion Act Account.....	9
Utah Reclamation Mitigation and Conservation Commission Account	12
Title IV - Utah Reclamation Mitigation and Conservation Account	15
Employee Count by Grade.....	18
Appropriation Language	19

FY 2020
Central Utah Project Completion Act Budget Summary
(thousands of dollars)

	FY 2019 Enacted	FY 2020 Request
Central Utah Project Completion Account	\$14,102	\$8,200
Utah Reclamation Mitigation and Conservation Account	\$898	\$1,800
Total Completion Act	\$15,000	\$10,000

Permanent Appropriation
Title IV - Utah Reclamation Mitigation and Conservation Account
Planned Expenditure of Interest in FY 2020
(thousands of dollars)

	FY 2019 Enacted	FY 2020 Request
Title IV - Utah Reclamation Mitigation and Conservation Account (includes sequestration) ^{1/}	\$1,818	\$8,120
Total Title IV Investment Account	\$1,818	\$8,120

^{1/} In FY 2014, the Mitigation Commission was allowed to access interest from their Investment Account for mitigation activities. The account was established by Title IV of Central Utah Project Completion Act (P.L. 102-575), which authorized the creation of a trust account (Account) in the U. S. Treasury, to provide an ongoing source of funds for the Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission) for 1) mitigation and conservation projects that were authorized in Titles II and III of the Act, 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 the Act were designed and/or constructed over time.

**CENTRAL UTAH PROJECT COMPLETION ACT OFFICE
FY 2020 Overview**

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 planning purposes, 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, Titles II-VI, was enacted which amended the Colorado River Storage Project Act (CRSPA).

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 (CUWCD), the Utah Reclamation Mitigation and Conservation Commission (Mitigation Commission), and the Ute Indian Tribe. The CUWCD was given the responsibility for completing the water conveyance facilities and the Mitigation Commission was tasked with completing the environmental mitigation. To implement CUPCA, Interior established a small office in Provo, Utah (CUPCA Office) under the direction of the Assistant Secretary for Water and Science to oversee the completion of the project and the activities of the CUWCD and the Mitigation Commission; and the Ute Indian Rights Settlement.

The CUPCA program supports the Secretary's and Administration's goals through continued construction and rehabilitation of infrastructure. This provides water supplies to sustain the robust economy of this growing region. The following areas are important examples of how the CUPCA program continues to support Interior's mission areas and strategic goals.

Conserving Our Land and Water: The Utah Lake System is being implemented to provide municipal and industrial water to communities. This budget provides for the continued construction of the Spanish Fork – Santaquin Pipeline, part of the Utah Lake System. This pipeline is a 60-inch cement mortar coated/cement mortar encased steel pipeline being constructed in south Utah County. Funding will provide for continued oversight and construction of the Utah Lake System pipelines to deliver water to over 240,000 people for municipal and industrial use. Utah has experienced several years of water shortages. Construction of the Spanish Fork – Santaquin Pipeline of the Utah Lake System will provide water to the ten rural communities of south Utah County. This water will be delivered to the growing population in the Wasatch Front, one of the fastest growing areas in the Nation.

Generating Revenue and Utilizing Our Natural Resources: The CUPCA program includes two existing power plants: Jordanelle Hydroelectric and Olmsted Hydroelectric which have a combined capacity of 24 MW of generation to serve communities of Utah. Additional hydroelectric power facilities will be constructed at the Diamond Fork area with a capacity of 50 MW of generation, once the Utah Lake System is complete and delivering the full water supply.

The water users are under contract to repay the remaining portion of the CUP based on the amount of water delivered. Once the Spanish Fork Canyon – Provo Reservoir Pipeline is completed and operational, it will be available for water conveyance. A portion of the repayment of approximately \$416.3 million will then be initiated.

Expanding Outdoor Recreation and Access: The Utah Lake System restores water to streams such as Hobble Creek, which had not previously seen water in the late summer for over seventy years. In the Provo River, water is provided not only during the June sucker spawning period in the spring but also in the late summer, which is typically dry from late July through September. The CUPCA program is implementing projects that restore the environment and promote outdoor recreation experiences. The Provo River Delta Restoration Project (PRDRP) will provide habitat for the endangered June sucker as well as new opportunities for bird watching, canoeing, and fishing. The Lower Duchesne River Wetlands Restoration Project (LDRWRP) will provide recreational opportunities for the Ute tribal members and the community.

Fulfilling Our Trust Responsibilities: CUPCA authorized the Ute Indian Rights Settlement. The funding for the settlement has been fully appropriated, and annual CUPCA funding allows for Interior to implement the settlement. Projects undertaken in partnership with the Ute Tribe include water quality studies at Bottle Hollow Reservoir and wetland mitigation through the LDRWRP. Funding will also support the Ute Tribe Big Springs Fish Hatchery which allows the tribe to maintain its own fishery program, promoting self-governance and self-determination.

Modernizing Our Organization and Infrastructure for the Next 100 Years: Funding will also be used for operation, maintenance, and replacement of aging infrastructure. This includes the replacement of the North Fork Siphon; immediate replacement of this aging infrastructure is necessary to continue operation of Strawberry Reservoir upstream of the Utah Lake System.

The budget provides for departmental oversight and administration including construction inspection, design review, and other technical support. Oversight is critical as CUWCD and the Mitigation Commission continue to construct and implement projects under CUPCA. Construction inspection is necessary to assure that the assets of the United States are constructed accurately, safely, and within accepted industry standards.

Over many decades, the Department of the Interior experienced new bureaus becoming established on an ad hoc basis with their own unique regional organizations. This ultimately resulted in a complicated series of 49 regional boundaries among 8 bureaus. This complexity led to the situation where bureau regional leadership was often focused on different geographic areas, did not have adequate and shared understanding of the needs and perspectives of regional stakeholders, and opportunities to share administrative capacity across bureaus were difficult to recognize and implement. Further, members of the public were often frustrated by problems in inter-bureau decision making where uncoordinated timelines and processes could lead to unnecessarily long delays in reaching a decision. The Department's reorganization is focused on making improvements across each of these areas.

On August 22, 2018, after working closely with stakeholders across the country on options to consolidate Interior's 49 different regions into common regions, the Department announced the designation of Interior's 12 new unified regions. As a result of Tribal consultation, BIA, BIE, and the Office of the Special Trustee for American Indians will not realign their regional field structure.

Establishing unified regions across bureaus is the cornerstone of the reforms designed to improve Interior's service delivery to the public. Within each unified region, bureaus will focus work on the same resources and constituents and improve coordination across the Department. For the public, fewer

regions make it easier to do business with Interior, particularly when the public interacts with several bureaus or jurisdictions. Interior will leverage the unified regional structure to improve and streamline business operations using shared services and best practices across the Department focusing primarily on human resources, information technology, and acquisition services. Work is underway in 2019 to plan implementation, conduct analysis, and identify areas for collaboration within the new regions.

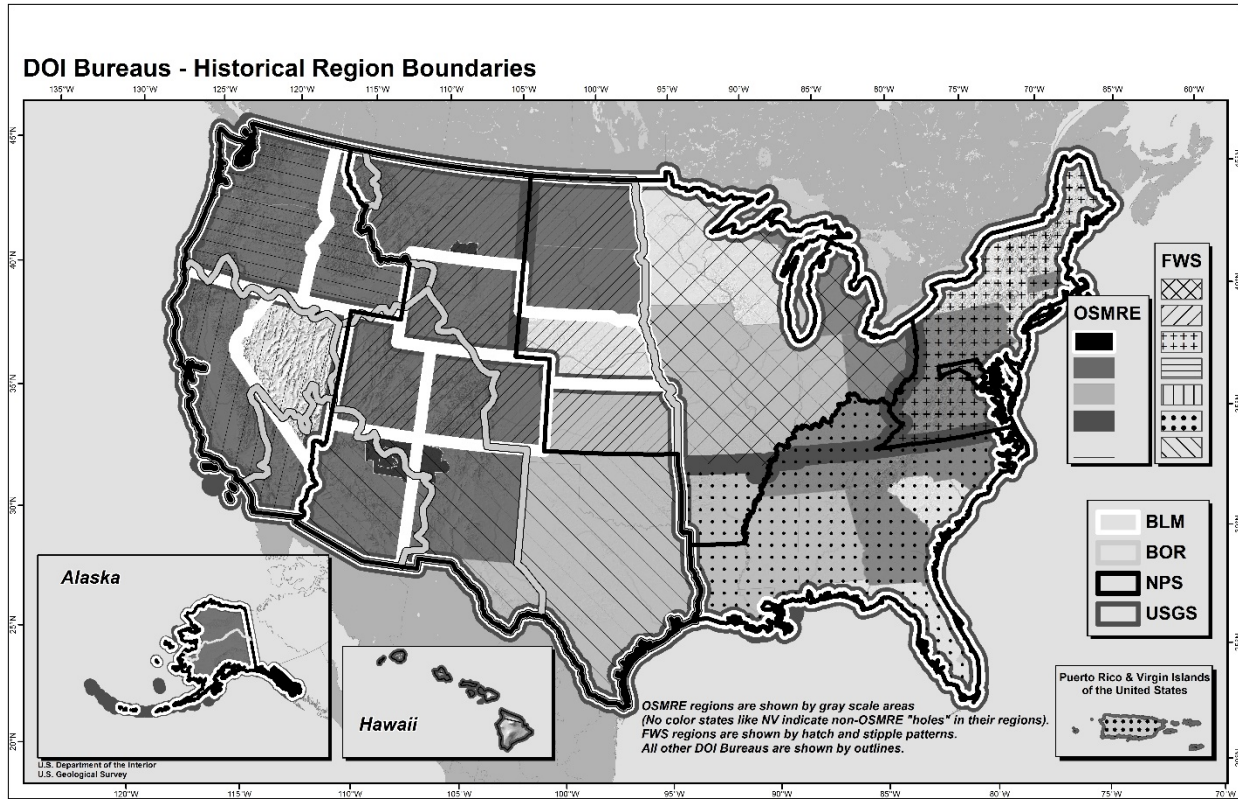
Government Reform: President Trump signed an Executive Order to modernize and reform the executive branch and Interior is leading the way, developing and executing a program that will streamline processes and better serve the American people. The absolute first step in building a better and more efficient executive branch though is fostering a culture of ethics and respect amongst colleagues.

Interior has launched several top management objectives to better achieve Departmental goals and lead the agency moving forward. From day one of this Administration, Interior's leadership has made the work environment a priority. There is zero tolerance for any type of workplace harassment at Interior. The Department is instilling a culture change through clear management accountability, swift personnel actions, reporting procedures for harassment conduct, improved training, and substantive action plans.

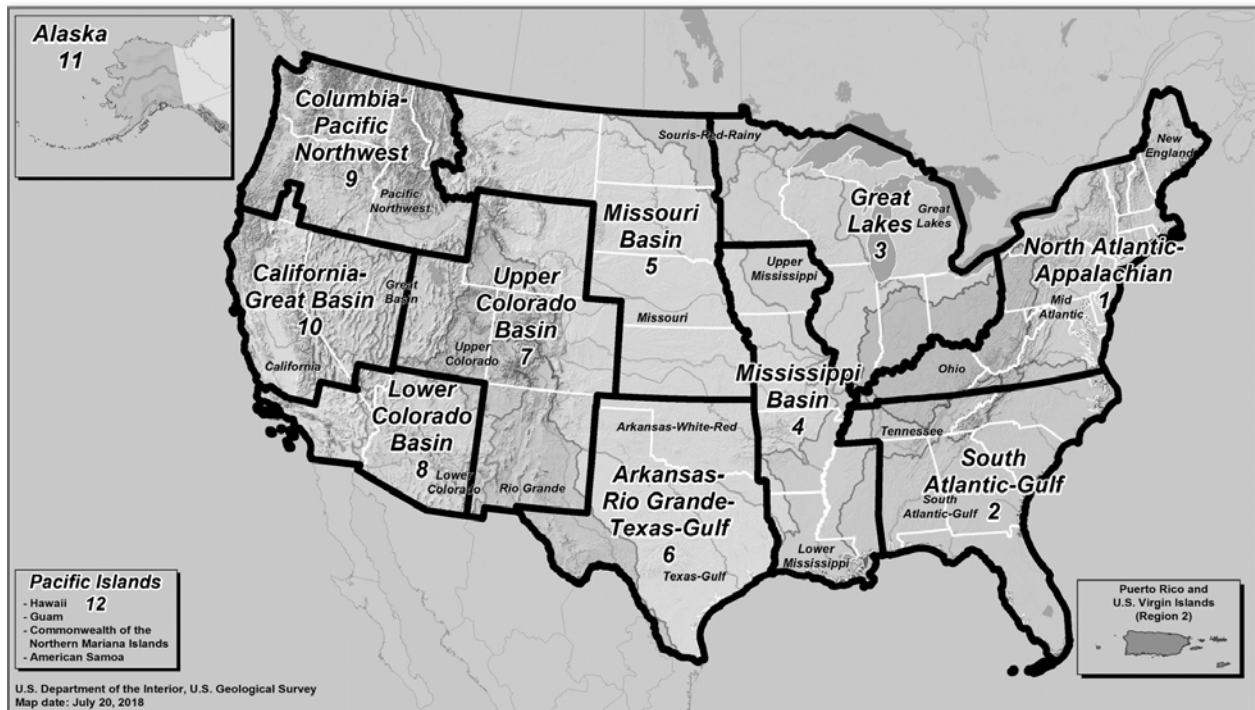
In the area of anti-harassment efforts, each bureau and office has made significant headway in putting a diverse set of measures in place to prevent and address unacceptable conduct. Interior has also launched an internal Workplace Culture Transformation Advisory Council to include leadership from across the Department to keep a focus on Interior's commitment to the workplace environment. The Council will look at common issues raised in the Federal Employee Viewpoint Survey, ways to improve employee engagement, and building career paths which cross bureau silos; all with the goal to transform Interior's workplace culture for our employees, so they can realize their individual potential and be their most productive selves for the American people.

Another management priority is creating a strong ethical culture to ensure Interior employees honor the public's trust to manage taxpayer funds responsibly and avoid conflicts of interest. The expectations for appropriate employee conduct have been made clear. The Department has set goals and expectations for qualified ethics officials within Interior sufficient to ensure our operations are conducted ethically and ensure all employees have access to prompt, accurate ethics advice.

Central Utah Project Completion Act Office



DOI 12 Unified Regions



Central Utah Project Completion Act Office

Detailed performance information for 2018, 2019, and 2020 is included in this justification.

Land Certification:	All land certifications for the authorized projects are complete.														
Project Cost Allocation:	Project cost allocations ratios have been calculated and are documented in the 2004 Final Supplement to the 1988 Definite Plan Report for the Bonneville Unit.														
Benefit-Cost Ratios:	The project has a benefit cost ratio of 1.27 using a 50-year period of analysis and the project planning interest rate of 3.125% and ratio of 0.71 using the 2004 rate of 5.625% from the Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies.														
Status of Repayment Contract:	Repayment of the reimbursable costs is required in existing contracts with the CUWCD. Amendments or supplemental contracts will be negotiated as necessary. The water users are under contract to repay the remaining portion of the CUP based on the amount of water delivered. A block notice making 22,000 acre-feet available for delivery will be issued October 2019. This block notice will initiate payment of a portion of the \$416.3 million repayment obligation.														
Other Information:	<u>Utah Lake System</u> – Overall planning and NEPA documents were completed in 2004. Activities now include, updated NEPA documents, designs, specifications, land acquisition, and construction of facilities to deliver project water, conserve water, and meet environmental needs along the populated Wasatch Front. Construction began in 2007.														
Appropriation Ceiling:	Appropriation ceilings remaining as of October 2018 are: <table><tr><td>• Title II (Sec. 202 to 207)</td><td style="text-align: right;">\$306,911,062</td></tr><tr><td>• Title II (Sec. 201(a)(1)), Sec. 8 of CRSP</td><td style="text-align: right;">11,704,479</td></tr><tr><td>• Title II (Sec. 201(a)(1)), Sec. 5 of CRSP</td><td style="text-align: right;">0</td></tr><tr><td>• Title II (Sec. 201 (c))</td><td style="text-align: right;">0</td></tr><tr><td>• Title III</td><td style="text-align: right;">88,148,100</td></tr><tr><td>• P.L. 84-485, P.L. 92-370, P.L. 100-563</td><td style="text-align: right;"><u>0</u></td></tr><tr><td style="text-align: right;">Total</td><td style="text-align: right;">\$406,763,641</td></tr></table>	• Title II (Sec. 202 to 207)	\$306,911,062	• Title II (Sec. 201(a)(1)), Sec. 8 of CRSP	11,704,479	• Title II (Sec. 201(a)(1)), Sec. 5 of CRSP	0	• Title II (Sec. 201 (c))	0	• Title III	88,148,100	• P.L. 84-485, P.L. 92-370, P.L. 100-563	<u>0</u>	Total	\$406,763,641
• Title II (Sec. 202 to 207)	\$306,911,062														
• Title II (Sec. 201(a)(1)), Sec. 8 of CRSP	11,704,479														
• Title II (Sec. 201(a)(1)), Sec. 5 of CRSP	0														
• Title II (Sec. 201 (c))	0														
• Title III	88,148,100														
• P.L. 84-485, P.L. 92-370, P.L. 100-563	<u>0</u>														
Total	\$406,763,641														

Note: In its response to an October 24, 2000, audit by the Office of Inspector General of the Construction Cost Ceiling for the Bonneville Unit, the Department of the Interior agreed to inform the Congress that it intends to use the Bureau of Reclamation's cost ceiling calculations as a basis for requesting appropriations to complete the CUP. It further agreed to keep the Congress informed of the status of those ceilings in its annual budget justifications. In addition, these remaining appropriation ceilings reflect the changes enacted in Public Law 107-366, December 19, 2002.

Program Performance Summary

Strategic and Supporting Measures	2018 Actual	2019 Enacted	2020 President's Budget	Long Term Target 2022
Number of non-DOI riparian (stream/shoreline) miles restored, including through partnerships, as specified in plans or agreements that involve DOI.	4	4	2	4
Number of non-DOI acres-restored, including through partnerships, as specified in plans or agreements that involve DOI.	240	325	175	100

Strategic Objective Performance Summary

DOI Strategic Plan 2018-2022

The DOI Strategic Plan is the foundational structure for the description of program performance measurement and planning for the FY 2020 Request. Budget and program plans for FY 2020 are fully consistent with the goals, outcomes, and measures described in the current DOI plan. The CUP consistently meets and exceeds management goals. In an effort to provide public access to information, the CUPCA program maintains a program website (www.cupcao.gov).

Water is delivered for municipal, industrial, agricultural, and environmental purposes. Approximately 300,000 acre-feet of water is delivered by the CUP. The CUPCA program has set aside over 26,000 acres for wildlife and has conserved an average of over 126,000 acre-feet annually over the past ten years. Over 22,000 acre-feet of water has been acquired by the United States for a permanent supply for the endangered June sucker. Over 176 miles of streams have been restored, enhanced, or created.

Fiscal Year 2020 Planned Program Performance

The 2020 Budget will fund continued construction of the Utah Lake System pipelines. The remaining pipelines to be constructed are the Spanish Fork Canyon – Santaquin Pipeline and the Santaquin – Mona Pipeline. Once the Utah Lake System is complete and operational, 60,000 acre-feet of water will be available to the communities of Salt Lake County and South Utah County.

The Mitigation Commission will continue to implement mitigation and conservation projects for fish, wildlife, and recreation needed to complete mitigation measures established in pre-1992 Bureau of Reclamation planning documents, and those authorized in Title III of CUPCA. These activities include the development of the Riverdell Wetlands for mitigation of the Duchesne River Area Canal Rehabilitation Project (DRACR); development of the PRDRP for the endangered June sucker; management of the LDRWRP; management of the Utah Lake Wetland Preserve; and management of wetlands adjacent to the Great Salt Lake.

Fiscal Year 2019 Planned Program Performance

The Utah Lake System construction continues in 2019, which when complete, will provide 60,000 acre-feet of water to Salt Lake and Utah Counties and water for fish, wildlife, and endangered species purposes. During 2019, construction of the Utah Lake System will focus on the Spanish Fork Canyon – Santaquin Pipeline. Construction was completed on the Olmsted Hydroelectric Powerplant Replacement Project providing 12 MW of capacity for communities in Utah.

The Mitigation Commission continues to implement mitigation and conservation projects for fish, wildlife, and recreation needed to complete mitigation measures committed to in pre-1992 Bureau of Reclamation planning documents, and those authorized in Title III. Activities include the development of the Riverdell Wetlands for mitigation of the DRACR; development of the PRDRP for the endangered June sucker; management of the LDRWRP; management of the Utah Lake Wetland Preserve; and management of wetlands adjacent to the Great Salt Lake.

Fiscal Year 2018 Program Performance Accomplishments

Construction of the Utah Lake Drainage Basin Water Delivery System continued in 2018, which when complete, will provide 60,000 acre-feet of water to Salt Lake and Utah Counties and water for fish and wildlife and endangered species purposes. Work included construction of the Spanish Fork Reach of the Spanish Fork – Santaquin Pipeline. Construction also continued on the Olmsted Hydroelectric Powerplant Replacement Project. Through the Water Management Improvement Program an estimated 131,000 acre-feet of water was conserved during 2018.

The Mitigation Commission acquired lands for wetlands projects; continued planning and environmental work on the PRDRP; continued development on the LDRWRP; implemented projects for the recovery of the endangered June sucker; continued management of the Utah Lake Wetland Preserve and Great Salt Lake Shoreland Preserve; and continued development of fisherman access on rivers and streams. These activities improve the health of watersheds, landscapes, and marine resources; sustain biological communities; and connect people in surrounding communities with the great outdoors. The Mitigation Commission continues to study desired flows in the Diamond Fork Drainage. These flows would provide for fish habitat and improve the condition of the riverine system.

Central Utah Project Completion Act Account

LOCATION: The project is located in Utah's Bonneville and Uinta Basins, in Uintah, Duchesne, Wasatch, Summit, Utah, Salt Lake, and Juab Counties.

DESCRIPTION/JUSTIFICATION: The 2020 Request provides funding to continue the partnership with Central Utah Water Conservancy District in the ongoing construction of the Utah Lake System facilities. Interior's required program oversight activities and endangered species recovery program implementation will continue.

AUTHORIZATION: Titles II - VI of P.L. 102-575, October 30, 1992; P.L. 84-485, April 11, 1956; P.L. 90-537, September 30, 1968; P.L. 92-370, August 10, 1972; P.L. 94-423, September 28, 1976; P.L. 96-470, October 19, 1980; P.L. 100-563, October 31, 1988; P.L. 104-286, October 11, 1996; P.L. 106-140, December 7, 1999; P.L. 107-366, December 19, 2002; Section 214 of P.L. 108-137, December 1, 2003; Section 507 of P.L. 110-229, May 8, 2008; Section 201(d) of P.L. 111-5, February 17, 2009; and P.L. 113-20, July 18, 2013.

PERFORMANCE IMPROVEMENT: This project is aligned with the Department of the Interior Strategic Plan in the goal of "Conserving Our Land and Water".

Completion Data: As of September 2017, work authorized by CUPCA is 74 percent complete. The major projects presently under construction are:

The Utah Lake Drainage Basin Water Delivery System, Spanish Fork Canyon – Santaquin Pipeline; North Fork Siphon Replacement; Lower Duchesne River Wetlands Restoration Project; and Provo River Delta Restoration Project.

Fiscal Year 2020 Planned Program Performance

Central Utah Project Completion Account

The 2020 Budget provides \$10.0 million. Of this amount, \$8.2 million will be expended from this account and \$1.8 will be transferred to the Utah Reclamation Mitigation and Conservation Account for use by the Mitigation Commission.

Utah Lake Drainage Basin Water Delivery System – The 2020 Budget requests \$3.7 million. The Utah Lake System construction began in the summer of 2007 and includes 55 miles of large diameter (60-inch to 96-inch) welded steel, cement mortar lined and cement mortar coated pipelines and hydroelectric facilities. The pipelines consist of: Spanish Fork Canyon Pipeline; Mapleton – Springville Pipeline; Spanish Fork Canyon – Provo Reservoir Pipeline; Spanish Fork Canyon – Santaquin Pipeline; and the Santaquin – Mona Pipeline. Of these pipelines, the Spanish Fork Canyon Pipeline, Mapleton – Springville Pipeline, and Spanish Fork Canyon – Provo Reservoir Pipeline are complete. The Spanish Fork Canyon – Santaquin Pipeline is under construction and the Santaquin – Mona Pipeline remains to be constructed.

The primary purpose of the Utah Lake System is to deliver 60,000 acre-feet of municipal and industrial water to over 240,000 people in Salt Lake and Utah Counties to meet contractual commitments with local water users. The Spanish Fork Canyon – Provo Reservoir Pipeline will provide 30,000 acre-feet of water

Central Utah Project Completion Act Account

to Salt Lake County. The Spanish Fork Canyon – Santaquin Pipeline will provide 30,000 acre-feet to the rural communities of south Utah County. In addition to municipal and industrial use, the Utah Lake System will deliver an annual average of 16,000 acre-feet and 8,500 acre-feet of water for fish and wildlife purposes to the Provo River and Hobble Creek respectively, during the months of July through September. This water was acquired as conserved water under Section 207 of CUPCA. The Utah Lake System will also provide hydroelectric power generation, providing clean renewable energy. Completion of the Spanish Fork Canyon – Provo Reservoir Pipeline will initiate repayment to the United States for that portion of the construction and allow for hydroelectric power to be developed.

Fish and Wildlife – An integral part of CUP development is endangered species recovery and fish and wildlife activities. The Fish and Wildlife Conservation Projects budget is almost \$3 million, and includes operation and maintenance rate increases. The mitigation of detrimental impacts on endangered species is a condition of the operation of the entire CUP. Under the Endangered Species Act, and in accordance with CUPCA Titles II and III and Fish and Wildlife Service Biological Opinions, Interior has committed to the recovery of the endangered June sucker that exists only in Utah Lake. These commitments are documented in the 1999 Diamond Fork System Environmental Impact Statement (EIS) and 2004 Utah Lake Drainage Basin Water Delivery System EIS Records of Decision. These commitments include participation in the June Sucker Recovery Implementation Program and funding for hatchery operation and maintenance, water delivery, and recovery monitoring. Water acquired for the spawning and rearing of the June sucker is being achieved primarily through the implementation of water conservation measures under the Water Management Improvement Program where saved water is provided for in-stream flows.

Secretarial responsibilities – The 2020 Budget includes \$1.5 million for use by Interior to carry out the responsibilities of the Secretary and for other activities required by CUPCA. Secretarial responsibilities include program oversight, the Ute Tribal Settlement, fish and wildlife development, and endangered species recovery. The CUPCA Office provides for construction and existing facilities inspection and contract formalization and oversight to ensure the interest of the United States is fulfilled and provides for the review and preparation of planning and environmental documents. The CUPCA Office continues to work with the Ute Tribe to implement authorized projects and to finalize the settlement compact as mandated by Title V of CUPCA.

SUMMARIZED FINANCIAL DATA
(thousands of dollars)

Program Financial Data

Activity	FY 2018 Actual	FY 2019 Enacted	FY 2020 Request
Utah Lake Drainage Basin Water Delivery System	\$6,215	\$10,404	\$3,747
Fish & Wildlife Conservation Projects	\$1,937	\$2,299	\$2,953
Program Administration	\$1,450	\$1,399	\$1,500
Total CUPCA Account Allotment	\$9,602	\$14,102	\$8,200

WORK PROPOSED FOR FY 2020:

Central Utah Project Completion Account

Utah Lake Drainage Basin Water Delivery System

Activities include continued construction of the Spanish Fork Canyon – Santaquin Pipeline. Once the entire Utah Lake System is complete, it will provide a water supply for over 240,000 people in Salt Lake and Utah counties. Water will be delivered to streams for recreation, fisheries, habitat, wetlands, and endangered species and will also be used for hydroelectric power generation. A block notice making 22,000 acre-feet of water available for delivery to Salt Lake County will be issued. This block notice will initiate payment of a portion of the CUWCD repayment obligation. **\$3,747,000**

Fish & Wildlife Conservation Projects

Funds will provide for the cost of operating and maintaining hatchery facilities under Section 313(c) of CUPCA and to pay the costs of delivering water acquired for in stream flows. In addition, funds will be used to provide for the June Sucker Recovery Implementation Program and mitigation and conservation projects as required by Section 314(c) of CUPCA. The increase is due to an operation and maintenance rate increase charged by the CUWCD and for delivery of additional water for the endangered June sucker. **\$2,953,000**

Program Administration

Funds will be used to provide oversight of the CUWCD, Mitigation Commission, and Ute Tribe, and to otherwise carry out the responsibilities of CUPCA. The CUPCA Office provides for construction and existing facilities inspection, and contract formalization and oversight to ensure the interest of the United States is being met and provides for the review and preparation of planning and environmental documents. **\$1,500,000**

Total, Central Utah Project Completion Account **\$8,200,000**

Utah Reclamation Mitigation and Conservation Commission

LOCATION: The project is located in Utah’s Bonneville and Uinta Basins, in Uintah, Duchesne, Wasatch, Summit, Utah, Salt Lake, and Juab Counties.

DESCRIPTION/JUSTIFICATION: CUPCA provides for completion of the CUP by increasing the appropriation ceilings and authorizing features and measures for the delivery of water for municipal, industrial, and irrigation purposes; water conservation; wildlife mitigation and monitoring; and in-stream flows. Under CUPCA, the CUWCD was given the responsibility for completing the water conveyance and water conservation facilities, and the Mitigation Commission was tasked with completing the mitigation and conservation activities.

AUTHORIZATION: Titles II - VI of P.L. 102-575, October 30, 1992; P.L. 84-485, April 11, 1956; P.L. 90-537, September 30, 1968; P.L. 92-370, August 10, 1972; P.L. 94-423, September 28, 1976; P.L. 96-470, October 19, 1980; P.L. 100-563, October 31, 1988; P.L. 104-286, October 11, 1996; P.L. 106-140, December 7, 1999; P.L. 107-366, December 19, 2002; Section 214 of P.L. 108-137, December 1, 2003; Section 507 of P.L. 110-229, May 8, 2008; Section 201(d) of P.L. 111-5, February 17, 2009; and P.L. 113-20, July 18, 2013.

PERFORMANCE IMPROVEMENT: This project is aligned with the Department of the Interior Strategic Plan in the goal of “Conserving Our Land and Water”.

Fiscal Year 2020 Planned Program Performance

Utah Reclamation Mitigation and Conservation Account

The 2020 Budget includes \$1.8 million to be transferred to the Utah Reclamation Mitigation and Conservation Account for use by the Mitigation Commission, an increase from the enacted 2019 budget. These funds will be used to implement the mitigation and conservation projects for fish, wildlife, and recreation needed to complete mitigation measures committed to in pre-1992 Reclamation planning documents, and those authorized in Title III which include:

Provo River/Utah Lake Fish and Wildlife – The 2020 Budget continues work in recovering the endangered June sucker. June sucker recovery projects include the PRDRP (for June sucker spawning and rearing habitat and ecological restoration). A Record of Decision was signed in 2015, land acquisition and design began in 2017. The Mitigation Commission will implement several other projects to help recover the June sucker, an endangered fish species, through participation in the June Sucker Recovery Implementation Program including reconstruction of Provo River and Hobble Creek diversions.

Diamond Fork Fish and Wildlife – Activities include the restoration of stream and riparian areas in Diamond Fork Canyon following completion of the Diamond Fork System in consultation with Interior, CUWCD, Fish and Wildlife Service, Forest Service, and Utah Department of Wildlife Resources. Ongoing monitoring of water quality, geophysical and biological responses within the drainage, establishment of an optimum hydrologic regime, and studies to determine the instream flow levels to establish healthy aquatic habitats and stable stream banks will also be supported in 2020. It has been determined that winter instream flows for the Diamond Fork River can no longer be delivered from the Sixth Water Flow Control Structure due to the damage these releases cause the structure.

Utah Reclamation Mitigation and Conservation Commission

Duchesne/Strawberry Rivers Fish and Wildlife – Activities in 2020 include completion of the LDRWRP to mitigate for CUP impacts on trust resources of the Ute Indian Tribe and development of the Riverdell Wetlands for mitigation of the DRACR. The Mitigation Commission will continue to participate in sage grouse population monitoring efforts in the Uintah Basin. Funding will also be used for improvements to the Strawberry River upstream of Strawberry Reservoir and to plan and implement mitigation for prior effects of the DRACR.

CRSP/Statewide Fish, Wildlife and Recreation – Statewide activities include conservation of native species, especially cutthroat trout, least chub and leatherside, which are priority projects that span several CUPCA affected watersheds.

Operations, Management, Maintenance and Rehabilitation – Funding provides for continued operations of the Mitigation Commission and partner agencies; management, maintenance and replacement of items associated with wildlife mitigation/management areas; wetlands preserves; river restoration corridors; monitoring and mitigation of potential bird aircraft collisions associated with the PRDRP; stream gauging; water quality monitoring to ensure commitments are met; and contract costs for services and utilities.

SUMMARIZED FINANCIAL DATA
(thousands of dollars)

Program Financial Data

Activity	FY 2018 Actual	FY 2019 Enacted	FY 2020 Request
Section 201(a)(1) Mitigation Measures	\$808	\$808	\$1,000
Title III – Fish and Wildlife, Recreation, Mitigation, and Conservation	\$90	\$90	\$800
Total CUPCA Allotment	\$898	\$898	\$1,800

WORK PROPOSED FOR FY 2020:

Utah Reclamation Mitigation and Conservation Commission

Section 201(a)(1) Mitigation Measures

Mitigation measures include development of wetlands along the Lower Duchesne River as part of a mitigation commitment to the Ute Indian Tribe; recovery actions for the endangered June sucker including the development of the PRDRP; and stream and riparian studies along the Diamond Fork/Sixth Water Creek corridor aimed at establishing a flow regime within this system. The Mitigation Commission participates on the Duchesne River Working Group to develop and deliver instream flow recommendations. **\$1,000**

Title III – Fish and Wildlife, Recreation, Mitigation, and Conservation

Title III authorizations supplement or complement the funding available through Title II of CUPCA. CUPCA established 43 mitigation and conservation projects within Title III, which have been organized into several watershed-based programs. The Mitigation Commission has now established over 100 environmental mitigation actions, some in conjunction with the CUWCD or Interior. **\$800**

Total, Utah Reclamation Mitigation and Conservation Commission **\$1,800**

Title IV - Utah Reclamation Mitigation and Conservation Account

Planned Expenditures of Interest in FY 2020

LOCATION: The CUP is located in central and northeastern Utah.

DESCRIPTION/JUSTIFICATION: The Central Utah Project is composed of several member units. The largest unit is the Bonneville Unit, which is primarily responsible for developing the water supplies of the Colorado River Drainage for diversion and use in the Bonneville Basin of the Great Basin. The Bonneville Unit is composed of the Starvation Collection System, the Strawberry Aqueduct and Collection System, the Diamond Fork System, the Municipal and Industrial System, and the Utah Lake Drainage Basin Water Delivery System.

On October 30, 1992, CUPCA, Titles II through VI of Public Law 102-575, was enacted. CUPCA raised the Bonneville Unit appropriations ceiling; required local non-Federal cost sharing of project capital costs; authorized certain water conservation and wildlife mitigation projects; allowed local entities to construct certain project features under the direction of the Secretary; and required the CUWCD to enter into a binding agreement with the Secretary to be considered a "Federal Agency" for purposes of compliance with all Federal fish, wildlife, recreation, and environmental laws. CUPCA also created the Mitigation Commission to provide planning and spending authority under Titles II and III for fish and wildlife mitigation and enhancement among the Federal and State fish, wildlife, and recreation agencies. CUPCA transferred authority for planning, funding and implementing Title II and III funds (under CUPCA) and Section 8 funds (under CRSPA for the Bonneville Unit only) to the Mitigation Commission. Title II and Title III authorized the Mitigation Commission to expend appropriated funds for various mitigation and conservation projects.

Title IV of CUPCA authorized the creation of a trust account in the U. S. Treasury, the purpose of which is to provide an ongoing source of funds for the Commission for:

- (1) Mitigation and conservation projects that were authorized in Titles II and III of the Act; 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 the Act were designed and/or constructed over time.

Pursuant to Title IV of the Act, the 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 the Department of the Interior, the Central Utah Water Conservancy 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 continued through Fiscal Year 2013.

Beginning in Fiscal Year 2014, the interest on the principal is no longer required to be re-invested into the principal of the Account and, instead, is directly available either for Mitigation Commission expenditure or, upon the Mitigation Commission's discretion, for re-investment into the principal. Funding available through Titles II and III of the Act has not enabled implementation of the required and planned programs of the Mitigation Commission. Therefore, the Mitigation Commission has decided to utilize funding from interest earned on the Account to support and supplement required and planned programs and projects.

Title IV – Utah Reclamation Mitigation and Conservation Account

AUTHORIZATION: P.L. 84-485, The Colorado River Storage Project Act, April 11, 1956; P.L. 102-575, Titles II through VI (“Central Utah Project Completion Act” or “CUPCA”), October 30, 1992, as amended by Section 214 of P.L. 108-137.

SUMMARIZED FINANCIAL DATA
(thousands of dollars)

Program Financial Data

Activity	FY 2018 Actual	FY 2019 Enacted	FY 2020 Request
Diamond Fork Fish and Wildlife			\$630
Provo River/Utah Lake Fish and Wildlife	\$305	\$960	\$4,030
Duchesne/Strawberry Rivers Fish and Wildlife	\$284	\$100	\$1,030
Operations, Management, Maintenance and Rehabilitation	\$288	\$758	\$2,430
Total Title IV Program	\$877	\$1,818	\$8,120

Funding estimates in this table do not reflect sequester amounts.

WORK PROPOSED FOR FY 2020: The Commission implements its program on a watershed basis. Three watershed programs will be funded with Title IV Account interest earnings in 2020.

Diamond Fork Fish and Wildlife

Two significant studies will be completed on the Diamond Fork drainage fish and wildlife resources in FY 2019. One study is anticipated to recommend instream flow regimes for Sixth Water and Diamond Fork creeks ecosystem restoration and maintenance. The other will identify opportunities for man-made interventions in Diamond Fork Creek to promote improved fish and riparian habitat and stream function. Based on these studies, work during 2020 will include NEPA analysis and implementation of the recommendations from the two studies.

\$630,000

Provo River/Utah Lake Fish and Wildlife

Recovering the endangered June sucker is vital for ongoing and future development and management of CUP water supplies. Implementation of activities is coordinated with the June Sucker Recovery Implementation Program, Department of the Interior, and other agencies. Specific projects in 2020 include payment to Central Utah Water Conservancy District for costs attributable to operation, maintenance, replacement, and reserve charges for acquired Bonneville Unit water delivered for instream flows in Provo River. Other projects to achieve June sucker recovery include the PRDRP (for June sucker spawning and rearing habitat and ecological restoration). Land acquisition was initiated in 2016 and expected to be completed in 2019. In 2020, funding will be used for construction of approved PRDRP features including monitoring and mitigation of potential bird aircraft strikes at Provo Airport associated with PRDRP. The Mitigation Commission will implement several other projects to help recover the June sucker, an endangered fish species, through participation in the June Sucker Recovery Implementation Program. The Mitigation Commission also establishes and manages the Utah Lake Wetlands Preserve and the middle Provo River Restoration corridor in Heber Valley with Title IV Account interest.

\$4,030,000

Duchesne/Strawberry Rivers Fish and Wildlife

Activities in 2020, include mitigation for impacts caused by implementing the DRACR in the 1980's which improved canal efficiencies but dried up riparian and wetland habitats. This mitigation measure is a required project. Mitigation of the DRACR impacts is scheduled for planning in 2018-2019 and implementation in 2020.

In FY 2020, the Mitigation Commission will complete the LDRWRP, which is for mitigation of CUP impacts and trust resources of the Ute Indian Tribe, through development of fish and wildlife habitat and wetlands restoration. On September 22, 2008, a ROD was signed by the Assistant Secretary – Water and Science and an agreement was executed on October 8, 2008, with the Ute Tribe to develop the LDRWRP. Acquisition of habitats to be restored and enhanced was completed in 2012 and implementation of the construction aspect began in 2013. Most of the wetlands restoration and construction work is expected to be completed in 2019. Interest from the Title IV Account in 2020 will be used to complete the finishing touches in the restoration/construction of the project for and with the Ute Indian Tribe. **\$1,030,000**

Agency Administration, Operations, Management, Maintenance and Rehabilitation

Funding in 2020 will continue to provide for operations of the project developed and implemented by the Mitigation Commission and partner agencies. This includes management, maintenance and replacement of items associated with wildlife mitigation/management areas, wetlands preserves, river restoration corridors, terrestrial conservation and mitigation sites, stream gauging, and water quality monitoring to ensure commitments are met, and contract costs for services and utilities. **\$2,430,000**

Total Mitigation Commission Program **\$8,120,000**

Employee Count by Grade

(Total Employment)			
Central Utah Project Completion Act Office 010-11-0787-0			
Grade	2018 Actual	2019	2020
15	1	1	1
14		1	1
13	2	1	1
11	1	1	1
Subtotal	4	4	4
Utah Reclamation Mitigation Commission 010-11-5174-0			
Grade	2018 Actual	2019	2020
15	1	1	1
13	4	4	4
12	1	1	1
9	1	1	1
7	1	1	1
6	1	1	1
5	1	1	1
Subtotal	10	10	10
Total	14	14	14

Appropriation Language

Central Utah Project Completion Account

For carrying out activities authorized by the Central Utah Project Completion Act, [\$15,000,000] \$10,000,000, to remain available until expended, of which [\$898,000] \$1,800,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: *Provided*, That of the amount provided under this heading, [\$1,398,675] \$1,500,000 shall be available until September 30, [2020] 2021, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: *Provided further*, That for fiscal year [2019] 2020, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses. (*Energy and Water Development and Related Agencies Appropriations Act, 2019.*)