

during the term of the plan—with particular emphasis on projects to be implemented early in the planning cycle.

(4) A description of the relationship between the projects to be included in the plan and the Commission's mitigation obligations.

(5) A preliminary determination regarding environmental review requirements for each project.

(6) A preliminary determination of management and operation requirements and how these will be met.

(7) A budget, both for the next fiscal year and for the entire five-year period.

(8) A project phasing plan spanning the term of the plan, and

(9) A strategy for monitoring progress and evaluating accomplishments, and

(b) *Potential additions.* At the Commission's discretion, the plan may also include:

(1) A discussion of the relationship of the plan to other activities affecting fish, wildlife, and recreation resources within the State of Utah, and/or

(2) Discussions of, or information on, other topics that the Commission determines to be relevant. For example, the Commission may wish to identify mitigation and/or conservation measures that the Commission may wish to consider in later years of the five-year plan or in subsequent five-year plans.

§ 10005.17 Plan development process.

Following adoption of the planning rule, the Commission will proceed with the preparation of the plan, in adherence with the following procedures and in the order stated:

(a) A formal request for recommendations regarding potential projects will be made to Federal and State resource agencies, Indian tribes, and other interested parties. An appropriate announcement will also be made in the FEDERAL REGISTER. Those choosing to participate will have 90 days to submit project proposals. The project solicitation process is discussed in detail in § 10005.18.

(b) The Commission will compile all recommendations and make these available for public review at the Commission's office. The Commission will also provide copies upon request for a reasonable cost.

(c) The Commission will evaluate each project proposal according to the decision factors, standards, and evaluation procedures described in § 10005.19 and prepare a preliminary list of priority projects.

(d) One or more public meetings will be scheduled in which Commission staff will present the Commission's analysis and preliminary conclusions.

(e) The Commission will prepare a final list of projects proposed for implementation during the term of the plan.

(f) A draft plan will be prepared, approved by the Commission, and released for public review. Availability of the document will be announced in the FEDERAL REGISTER. The public will be given a minimum of thirty days to review the draft and submit written comments.

(g) The Commission will make necessary revisions and formally adopt a final version of the plan. Completion of the plan will be announced in the FEDERAL REGISTER. The Act requires that the initial final plan be completed by March 31, 1996 and be revised at least every five years thereafter.

§ 10005.18 Project solicitation procedures.

As provided for in Section 301 of the Act, the Commission will make a formal invitation to Federal and State resource agencies, Indian tribes, and other interested parties to prepare recommendations concerning projects that will be considered for funding. This invitation will take the form of a "project solicitation packet." The packet will contain a cover letter, this planning rule or a reference as to where it may be obtained, a format for preparing applications, and other materials that the Commission concludes will assist in the preparation of recommendations. Appropriate announcement will also be made in the Utah media and in the FEDERAL REGISTER in order that other interested parties might be made aware of the opportunity to participate. To assist applicants, the format for preparing application may be made available in electronic form upon request. As warranted, the Commission may propose specific projects and/or assist others in

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the preparation of recommendations in order to fully execute its obligations as described in §10005.8. The following information will be requested of applicants:

- (a) An abstract of the proposed project,
- (b) Information on the applicant, including the name of the person preparing the recommendation, the official authorizing the recommendation, and partners to the application, if any,
- (c) The location of the proposed project,
- (d) The overall goal for the project and the specific fish, wildlife, or recreation objective(s) that the project's proponent seeks to achieve,
- (e) The relationship, if any, of the proposed project to Federal reclamation mitigation and, especially, to measures delineated in Title II, Section 304, or Section 315,
- (f) A description of the project, including tasks to be undertaken, products to be produced, and the expected results,
- (g) A proposed budget, including, where applicable, a description of contributions to be provided by project implementors or other sources,
- (h) A proposed time schedule,
- (i) The identification of the entity(ies) to be involved with the project (project implementation and post-project operation and management), including their qualifications for undertaking this type of work,
- (j) A description of any consultation with landowners, agencies, or other affected entities, to include documentation where appropriate,
- (k) An evaluation of the project in relationship to the Commission's first five decision factors identified in §10005.19,
- (l) An evaluation of the anticipated need for NEPA documentation and compliance with the ESA, the Clean Water Act, and other applicable environmental laws, and
- (m) At the option of the applicant, other information that might assist the Commission in evaluating the recommendation.

§ 10005.19 Decision factors.

This section identifies the principle decision factors that the Commission

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will use to evaluate the relative merit of proposed projects and the way that the Commission will apply these decision factors. The Commission has selected six general decision factors that will be used to evaluate the relative priority of proposed projects. "Standards" related to each decision factor provide a means for measuring the extent to which each proposed project responds to the decision factors. The Commission's decision factors and standards are as follows:

(a) *Decision Factor 1: Benefits to fish, wildlife, and recreation resources.* The following three standards apply:

(1) *Biological integrity.* Projects will contribute to the productivity, integrity, and diversity of fish and wildlife resources within the State of Utah. To meet the Biological Integrity standard, projects should accomplish one or more of the following:

(i) Protect, restore, or enhance the ecological functions, values, and integrity of natural ecosystems supporting fish and wildlife resources,

(ii) Provide conservation benefits to both species and their habitats,

(iii) Provide benefits to multiple species,

(iv) Promote biodiversity and/or genetic conservation,

(v) Aid long-term survival/recovery of species, or groups of species, that are of special concern, including:

(A) Species on the Federal List of Endangered or Threatened Wildlife and Plants,

(B) Federal category 1 or 2 candidates for listing,

(C) Species identified by the UDWR as wildlife species of special concern,

(D) UDWR Natural Heritage Program G1 and G2 plant and animal species,

(E) On lands managed by the U.S. Forest Service or the Bureau of Land Management, species of special concern as recognized by the appropriate agency, and

(F) the sensitive species conservation list developed by the Utah Interagency Conservation Committee,

(vi) Provide protection to important aquatic, riparian, or upland habitats, especially those that are either critical to a sensitive indigenous species or useful to a variety of species over a