

**§ 10005.15**

**43 CFR Ch. III (10-1-02 Edition)**

- (b) Plant Propagation, including:
  - (1) Protection of critical habitat for sensitive species or communities,
  - (2) Reintroduction of native plants in conjunction with habitat restoration projects,
  - (3) Vegetation manipulation to achieve desired ecological conditions.
- (c) Stream Habitat, including:
  - (1) Protection or enhancement of instream flow,
  - (2) Restoration of natural flow regimes,
  - (3) Improvement to water quality,
  - (4) Restoration of natural channel, bank, and riparian conditions,
  - (5) Restoration of natural instream and bank cover conditions.
- (d) Lake Habitat, including:
  - (1) Stabilization of water level,
  - (2) Water quality protection or improvement,
  - (3) Restoration of natural lakebed conditions,
  - (4) Riparian area maintenance,
  - (5) Outlet flow maintenance.
- (e) Wetlands Habitat, including:
  - (1) Protection of existing wetlands,
  - (2) Restoration of drained or otherwise degraded wetlands,
  - (3) Enhancement of wetland habitat.
- (f) Upland Habitat, including:
  - (1) Protection or restoration of migration corridors,
  - (2) Re-connection of fragmented habitats,
  - (3) Protection of critical habitats,
  - (4) Habitat condition improvement.
- (g) Outdoor Recreation, including:
  - (1) Establishment of fishing and boating access,
  - (2) Establishment of greenways and low impact trails,
  - (3) Providing opportunities for wildlife related recreation, including hunting and observation,
  - (4) Providing opportunities for passive recreation and sightseeing,
  - (5) Stocking waters with fish (where not incompatible with biological objectives),
  - (6) Education and interpretation related to fish, wildlife, and their habitats.

**§ 10005.15 Planning and management techniques applicable to the plan.**

The Commission recognizes that there are a wide range of techniques

that may be employed to protect or restore natural resources. The Commission will consider projects that make use of techniques that either have previously been proven to be effective at meeting stated objectives or represent new and innovative approaches that hold promise for being effective and establishing positive precedents for future activities. Following is a representative list of techniques that the Commission may choose to fund. This list is not exhaustive. Other appropriate techniques may exist or be developed in the future.

- (a) Acquisition of property (land or water), or an interest in property, for fish, wildlife, or recreation purposes.
- (b) Physical restoration of ecological functions and habitat values of lands or water courses.
- (c) Construction and reconstruction of facilities, such as trails, fish culture facilities, instream spawning facilities, water control structures, and fencing that aid in the conservation of fish and wildlife resources, and/or provide recreation opportunities.
- (d) Regional planning aimed at conserving fish and wildlife, and/or providing recreation opportunities.
- (e) Management and operations agreements, strategies, and other institutional arrangements aimed at conserving fish and wildlife and their habitats, and/or providing recreation opportunities.
- (f) Inventory and assessment of biological resources.
- (g) Applied research that targets specific biological information or management needs.
- (h) Development of educational materials and programs aimed at increasing public enjoyment and awareness of fish and wildlife resources and the ecosystems upon which they depend.

**§ 10005.16 Plan content.**

- (a) *Minimum requirements.* At a minimum, the plan will include:
  - (1) A summary of basic information from the planning rule, including project evaluation procedures and plan amendment procedures,
  - (2) The identification of measurable objectives for the term of the plan,
  - (3) A list, and description, of the projects selected for implementation

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