

Calendar No. 660

115TH CONGRESS
2D SESSION

S. 2166

[Report No. 115–374]

To maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 28, 2017

Mr. GARDNER (for himself, Mr. HEINRICH, Mr. UDALL, Mr. BENNET, and Mr. HATCH) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

NOVEMBER 26, 2018

Reported by Ms. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2023, to require a report on the implementation of those programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Endangered Fish Re-
3 covery Programs Extension Act of 2017”.

4 **SEC. 2. EXTENSION OF AUTHORIZATION TO USE UPPER**
5 **COLORADO RIVER BASIN FUND REVENUES**
6 **FOR ANNUAL BASE FUNDING OF FISH RECOV-**
7 **ERY PROGRAMS; REMOVAL OF CERTAIN RE-**
8 **PORTING REQUIREMENT.**

9 Section 3(d)(2) of Public Law 106–392 (114 Stat.
10 1604; 126 Stat. 2444) is amended—

11 (1) in the fourth sentence—

12 (A) by striking “2019” and inserting
13 “2023”; and

14 (B) by striking “; except that” and all that
15 follows through “capital projects and moni-
16 toring”; and

17 (2) by striking the fifth, sixth, and seventh sen-
18 tences.

19 **SEC. 3. REPORT ON RECOVERY IMPLEMENTATION PRO-**
20 **GRAMS.**

21 Section 3 of Public Law 106–392 (114 Stat. 1603;
22 126 Stat. 2444) is amended by adding at the end the fol-
23 lowing:

24 “(j) REPORT.—

1 “(1) IN GENERAL.—Not later than September
2 30, 2021, the Secretary shall submit to the appro-
3 priate committees of Congress a report that—

4 “(A) describes the accomplishments of the
5 Recovery Implementation Programs;

6 “(B) identifies—

7 “(i) as of the date of the report, the
8 listing status under the Endangered Spe-
9 cies Act of 1973 (16 U.S.C. 1531 et seq.)
10 of the Colorado pikeminnow, humpback
11 chub, razorback sucker, and bonytail; and

12 “(ii) as of September 30, 2023, the
13 projected listing status under that Act of
14 each of the species referred to in clause (i);

15 “(C)(i) identifies—

16 “(I) the total expenditures and the ex-
17 penditures by categories of activities by the
18 Recovery Implementation Programs during
19 the period beginning on the date on which
20 the applicable Recovery Implementation
21 Program was established and ending on
22 September 30, 2021; and

23 “(II) projected expenditures by the
24 Recovery Implementation Programs during

1 the period beginning on October 1, 2021,
 2 and ending on September 30, 2023; and

3 “(ii) for purposes of the expenditures iden-
 4 tified under clause (i), includes a description
 5 of—

6 “(I) any expenditures of appropriated
 7 funds;

8 “(II) any power revenues;

9 “(III) any contributions by the States,
 10 power customers, Tribes, water users, and
 11 environmental organizations; and

12 “(IV) any other sources of funds for
 13 the Recovery Implementation Programs;
 14 and

15 “(D) describes—

16 “(i) any activities to be carried out
 17 under the Recovery Implementation Pro-
 18 gram after September 30, 2023; and

19 “(ii) the projected cost of the activi-
 20 ties described under clause (i).

21 “(2) CONSULTATION REQUIRED.—The See-
 22 retary shall consult with the participants in the Re-
 23 covery Implementation Programs in preparing the
 24 report under paragraph (1).”.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Endangered Fish Recov-*
 3 *ery Programs Extension Act”.*

4 **SEC. 2. EXTENSION OF AUTHORIZATION FOR ANNUAL BASE**
 5 **FUNDING OF FISH RECOVERY PROGRAMS; RE-**
 6 **MOVAL OF CERTAIN REPORTING REQUIRE-**
 7 **MENT.**

8 *Section 3(d) of Public Law 106–392 (114 Stat. 1604;*
 9 *126 Stat. 2444) is amended—*

10 *(1) by striking paragraph (1) and inserting the*
 11 *following:*

12 “(1) *AUTHORIZATION OF APPROPRIATIONS.—*

13 “(A) *IN GENERAL.—There is authorized to*
 14 *be appropriated to the Secretary to be used by*
 15 *the Bureau of Reclamation to make the annual*
 16 *base funding contributions to the Recovery Im-*
 17 *plementation Programs \$10,000,000 for each of*
 18 *fiscal years 2020 through 2023.*

19 “(B) *NONREIMURSABLE FUNDS.—The funds*
 20 *contributed to the Recovery Implementation Pro-*
 21 *grams under subparagraph (A) shall be consid-*
 22 *ered a nonreimbursable Federal expenditure.”;*
 23 *and*

24 *(2) in paragraph (2)—*

25 *(A) in the fourth sentence, by striking*
 26 *“power revenues” each place it appears and in-*

1 serting “Colorado River Storage Project power
2 revenues”; and

3 (B) by striking the fifth, sixth, and seventh
4 sentences.

5 **SEC. 3. REPORT ON RECOVERY IMPLEMENTATION PRO-**
6 **GRAMS.**

7 Section 3 of Public Law 106–392 (114 Stat. 1603; 126
8 Stat. 2444) is amended by adding at the end the following:

9 “(j) *REPORT*.—

10 “(1) *IN GENERAL*.—Not later than September 30,
11 2021, the Secretary shall submit to the appropriate
12 committees of Congress a report that—

13 “(A) describes the accomplishments of the
14 Recovery Implementation Programs;

15 “(B) identifies—

16 “(i) as of the date of the report, the
17 listing status under the Endangered Species
18 Act of 1973 (16 U.S.C. 1531 et seq.) of the
19 Colorado pikeminnow, humpback chub, ra-
20 zorback sucker, and bonytail; and

21 “(ii) as of September 30, 2023, the
22 projected listing status under that Act of
23 each of the species referred to in clause (i);

24 “(C)(i) identifies—

1 “(I) the total expenditures and the ex-
2 penditures by categories of activities by the
3 Recovery Implementation Programs during
4 the period beginning on the date on which
5 the applicable Recovery Implementation
6 Program was established and ending on
7 September 30, 2021; and

8 “(II) projected expenditures by the Re-
9 covery Implementation Programs during
10 the period beginning on October 1, 2021,
11 and ending on September 30, 2023; and

12 “(i) for purposes of the expenditures identi-
13 fied under clause (i), includes a description of—

14 “(I) any expenditures of appropriated
15 funds;

16 “(II) any power revenues;

17 “(III) any contributions by the States,
18 power customers, Tribes, water users, and
19 environmental organizations; and

20 “(IV) any other sources of funds for the
21 Recovery Implementation Programs; and

22 “(D) describes—

23 “(i) any activities to be carried out
24 under the Recovery Implementation Pro-
25 gram after September 30, 2023; and

1 “(ii) *the projected cost of the activities*
2 *described under clause (i).*”

3 “(2) *CONSULTATION REQUIRED.—The Secretary*
4 *shall consult with the participants in the Recovery*
5 *Implementation Programs in preparing the report*
6 *under paragraph (1).”.*

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