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. Bennett, 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,
SECTION 1. SHORT TITLE.

This Act may be cited as the "Endangered Fish Recovery Programs Extension Act of 2017".

SEC. 2. EXTENSION OF AUTHORIZATION TO USE UPPER COLORADO RIVER BASIN FUND REVENUES FOR ANNUAL BASE FUNDING OF FISH RECOVERY PROGRAMS; REMOVAL OF CERTAIN REPORTING REQUIREMENT.

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

(1) in the fourth sentence—

(A) by striking "2019" and inserting "2023"; and

(B) by striking "; except that" and all that follows through "capital projects and monitoring"; and

(2) by striking the fifth, sixth, and seventh sentences.

SEC. 3. REPORT ON RECOVERY IMPLEMENTATION PROGRAMS.

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

"(j) Report.—
"(1) In general.—Not later than September 30, 2021, the Secretary shall submit to the appropriate committees of Congress a report that—

"(A) describes the accomplishments of the Recovery Implementation Programs;

"(B) identifies—

"(i) as of the date of the report, the listing status under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) of the Colorado pikeminnow, humpback chub, razorback sucker, and bonytail; and

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

"(C)(i) identifies—

"(I) the total expenditures and the expenditures by categories of activities by the Recovery Implementation Programs during the period beginning on the date on which the applicable Recovery Implementation Program was established and ending on September 30, 2021; and

"(II) projected expenditures by the Recovery Implementation Programs during
the period beginning on October 1, 2021, and ending on September 30, 2023; and

(ii) for purposes of the expenditures identified under clause (i), includes a description of—

(I) any expenditures of appropriated funds;

(II) any power revenues;

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

(IV) any other sources of funds for the Recovery Implementation Programs;

and

(D) describes—

(i) any activities to be carried out under the Recovery Implementation Program after September 30, 2023; and

(ii) the projected cost of the activities described under clause (i).

(2) Consultation required.—The Secretary shall consult with the participants in the Recovery Implementation Programs in preparing the report under paragraph (1).
SECTION 1. SHORT TITLE.

This Act may be cited as the “Endangered Fish Recovery Programs Extension Act”.

SEC. 2. EXTENSION OF AUTHORIZATION FOR ANNUAL BASE FUNDING OF FISH RECOVERY PROGRAMS; REMOVAL OF CERTAIN REPORTING REQUIREMENT.

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

(1) by striking paragraph (1) and inserting the following:

“(1) AUTHORIZATION OF APPROPRIATIONS.—

“(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to be used by the Bureau of Reclamation to make the annual base funding contributions to the Recovery Implementation Programs $10,000,000 for each of fiscal years 2020 through 2023.

“(B) NONREIMBURSABLE FUNDS.—The funds contributed to the Recovery Implementation Programs under subparagraph (A) shall be considered a nonreimbursable Federal expenditure.”;

and

(2) in paragraph (2)—

(A) in the fourth sentence, by striking “power revenues” each place it appears and in-
serting “Colorado River Storage Project power revenues”; and

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

SEC. 3. REPORT ON RECOVERY IMPLEMENTATION PROGRAMS.

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

“(j) Report.—

“(1) In general.—Not later than September 30, 2021, the Secretary shall submit to the appropriate committees of Congress a report that—

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

“(B) identifies—

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

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

“(C)(i) identifies—
“(I) the total expenditures and the expenditures by categories of activities by the Recovery Implementation Programs during the period beginning on the date on which the applicable Recovery Implementation Program was established and ending on September 30, 2021; and

“(II) projected expenditures by the Recovery Implementation Programs during the period beginning on October 1, 2021, and ending on September 30, 2023; and

“(ii) for purposes of the expenditures identified under clause (i), includes a description of—

“(I) any expenditures of appropriated funds;

“(II) any power revenues;

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

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

“(D) describes—

“(i) any activities to be carried out under the Recovery Implementation Program after September 30, 2023; and
“(ii) the projected cost of the activities described under clause (i).

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

November 26, 2018

Reported with an amendment