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Before the
House Resources Committee
Subcommittee on Water and Power
On H.R. 3153
Upper Colorado River Basin and San Juan River Basin Endangered Fish Recovery
Implementation Programs
November 3, 2005

Mr. Chairman and members of the Committee, thank you for the opportunity to appear today on behalf of the Administration in support of H.R. 3153, a bill to reauthorize the Upper Colorado River and San Juan River Basin endangered fish recovery implementation programs. The Administration supports this bill.

The Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Programs were established in 1988 and 1992, respectively. The goals of the programs are to recover four endangered fish species in a manner consistent with state and tribal laws, interstate compacts, the Endangered Species Act, other federal laws, and Indian trust responsibilities while water development proceeds. Participants in these two programs include the States of Colorado, New Mexico, Utah, and Wyoming; federal agencies, including the Bureau of Reclamation, Fish and Wildlife Service, Western Area Power Administration, National Park Service, Bureau of Land Management, and Bureau of Indian Affairs; American Indian tribes including the Navajo Nation, Jicarilla Apache Nation, Southern Ute Tribe, and Ute Mountain Ute Tribe; water users; power users; and environmental organizations.

Actions taken by the Programs to recover the Colorado pikeminnow, humpback chub, razorback sucker, and bonytail meet Endangered Species Act (ESA) requirements for operation of federal multi-purpose projects, water projects benefiting the tribes, and non-federal water projects. Activities and accomplishments of these programs provide ESA compliance for more than 800 federal and non-federal water projects depleting approximately 2.5 million acre-feet per year in the Upper Colorado River and San Juan River Basins.

Recovery Implementation Program actions include providing water for endangered fish, managing nonnative fish species, restoring habitat, stocking endangered fish, and researching and monitoring fish populations and habitat. The Recovery Implementation Programs' construction elements include construction and operation of fish hatcheries and grow-out ponds, fish screens in water diversion canals, fish passage structures around migration barriers, and restoration and maintenance of floodplain habitats.

Congress authorized federal expenditures for these programs in Public Law 106-392, recognizing cost-sharing provided by the states, power users, and water users. A total of \$100 million for construction was authorized for the two programs. Congress appropriated \$46 million; Western Area Power Administration is providing \$17 million from power sales revenue (this is considered a contribution by local power users); the states of Colorado, Utah, Wyoming, and New Mexico are providing \$17 million; plus an additional \$20 million of non-federal contributions for the cost of replacement power purchased by the power and water users.

With indexing for inflation, the authorized Federal amount for construction of projects in the Upper Colorado River Basin is now \$64.5 million. Current total estimated construction costs are \$77 million, indicating an estimated shortfall in authorization of approximately \$12.5 million.

The estimated additional costs and time to complete Upper Colorado River Basin construction elements result from:

- increasing construction costs, energy costs, and the world market demand for steel;
 - delayed construction due to property acquisition issues; and
 - additional components and design features as identified necessary from previous construction of fish passages and screens.
- This bill would amend Public Law 106-392 (as amended by Public Law 107-375) by:
- increasing the Federal authorized ceiling by \$15 million for capital construction for the Upper Colorado River Recovery Program, for a total of \$61 million (not indexed);
 - recognizing an additional \$11 million in non-federal cost sharing from water users and power revenue losses over the original \$20 million from these sources, bringing the non-Federal share to \$65 million; and
 - extending the construction authorization period of both Recovery Implementation Programs from 2008 to September 30, 2010.

Enactment of this bill will allow these Recovery Implementation Programs to complete construction projects critical to the recovery of the four endangered fishes and ensure continued successful water management for multiple uses. H.R. 3153 provides a unique opportunity to sustain a partnership combining federal and non-federal funding in an ongoing effort to

recover endangered species while fully recognizing and meeting the water needs of local communities. We urge passage of H. R. 3153.

This concludes my testimony. I am happy to answer any questions.