



COLORADO

**Colorado Water
Conservation Board**

Department of Natural Resources

1313 Sherman Street, Room 718
Denver, CO 80203

P (303) 866-3441
F (303) 866-4474

Jared Polis, Governor

Dan Gibbs, DNR Executive Director

Rebecca Mitchell, CWCB Director

TO: Colorado Water Conservation Board

FROM: Michelle Garrison, Senior Water Resource Specialist
Interstate, Federal, and Water Information Section

DATE: November 16-17, 2022 Board Meeting

ITEM: 15b. 2023 Projects Bill - Non-Reimbursable Project Investments
(5) UCR & SJR Recovery Programs

Staff Recommendation

Staff recommends the Board approve \$15,000,000 in funding from the Severance Tax Perpetual Base Fund and inclusion in the 2023 CWCB Projects Bill for the Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program (Recovery Programs) to fulfill pending program obligations to interstate and federal partners.

Introduction

The Recovery Programs were created to reestablish populations of four endangered fish in the upper Colorado River basin: bonytail, Colorado pikeminnow, humpback chub, and razorback sucker. The cooperative agreement for the Upper Colorado River Endangered Fish Recovery Program was signed by the governors of Colorado, Wyoming, Utah, and the Secretary of the Interior and Western Area Power Administration Administrator. The cooperative agreement for the San Juan River Recovery Implementation Program was signed by the governors of Colorado, New Mexico, and the Secretary of the Interior and the tribal governors of the Navajo Nation, Jicarilla Apache Nation, Southern Ute Indian Tribe, and the Ute Mountain Ute Indian Tribe. The Recovery Programs collectively provide ESA compliance for more than 2400 water projects in the Upper Colorado and San Juan River basins, with more than 1250 of these projects located in Colorado. The Recovery Programs use science-based, cooperative actions to assist in endangered fish recovery. These include: habitat maintenance and streamflow augmentation, operating fish hatcheries and stocking, constructing fish passages and fish screens, and removing invasive predatory fish. The Recovery Programs have accomplished major strides in reaching their goal of implementing management strategies to promote a healthy population of endangered fish species.

Discussion

The latest authorization of the Recovery Program expires in September of 2023. Historically, public law 106-392 authorized up to \$6 million per year (adjusted annually for inflation) of Colorado River Storage Project power revenues for annual base funding of the programs. As aridification, declining reservoir storage, and federal project repayment obligations impact the reliability of future hydropower revenue, funding proposals for the Recovery Programs need to increase Federal appropriations and state contributions. The current estimate for the 2024 - 2038 Recovery Programs annual operating budget is approximately \$13.9 million per year, adjusted annually for inflation. Staff is requesting \$15 million toward our anticipated cash contributions through 2038. The Recovery Programs provide Endangered Species Act compliance for Colorado water users. It is critical that Colorado maintains regulatory certainty, while contributing to the protection of four endangered / threatened fish species, to manage water for present and future generations.





The Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program (Recovery Programs) were created to reestablish populations of four endangered fish in the upper Colorado River basin: bonytail, Colorado pikeminnow, humpback chub, and razorback sucker. The cooperative agreement for the Upper Colorado River Endangered Fish Recovery Program was signed by the governors of Colorado, Wyoming, Utah, and the Secretary of the Interior and Western Area Power Administration Administrator. The cooperative agreement for the San Juan River Recovery Implementation Program was signed by the governors of Colorado, New Mexico, and the Secretary of the Interior and the tribal governors of the Navajo Nation, Jicarilla Apache Nation, Southern Ute Indian Tribe, and Ute Mountain Ute Indian Tribe.

P R O J E C T D E T A I L S	
Anticipated Contribution:	\$15,000,000
NRI Funding Request:	\$15,000,000
Funding Source:	Sev Tax PBF
Project Type:	Recovery Program
Type of Grantee:	State Agency

L O C A T I O N	
Benefits:	Statewide
Water Source:	Colorado River
Drainage Basin:	Colorado River

The Recovery Programs use science-based, cooperative actions to assist in endangered fish recovery. These include: habitat maintenance and streamflow augmentation, operating fish hatcheries and stocking, constructing fish passages and fish screens, and removing invasive predatory fish. The Recovery Programs have accomplished major strides in reaching their goal of implementing management strategies to promote a healthy population of endangered fish species. The Recovery Programs have accomplished major strides in reaching their goal of implementing management strategies to promote a healthy population of endangered fish species. Some highlights include:

- 8 fish passages have been constructed.
- 4 large irrigation channels have been screened or modified.
- 3 reservoir outlets have been screened to prevent nonnative fish escapement.
- 3 more reservoir screens are currently being designed.
- Down-listing of the humpback chub from endangered to threatened
- Proposed down-listing of the razorback sucker from endangered to threatened

Congressional authorization and the cooperative agreements for both programs will expire in September of 2023. As part of the reauthorization process, the State of Colorado is actively involved in planning for Recovery Program activities, budgets, funding sources and program reauthorization through 2038. Funding for annual operations of the Recovery Programs was historically provided by hydropower revenue from Colorado River Storage Project (CRSP) reservoirs. Drought, projections of future hydrology and project repayment obligations have significantly reduced the reliability and availability of hydropower revenue as a funding source for the Recovery Programs. Program partners are collaborating to identify future sources of funding. The annual operating budget for the Recovery Programs for 2024 - 2038 is currently estimated to be approximately \$13.9 million per year, adjusted annually for inflation. Staff is requesting \$15 million to help meet our anticipated cash contributions over the next 15 years. The Recovery Programs provides Endangered Species Act compliance for over 2,500 water projects in the Upper Colorado and San Juan River basins. 1,250 of those projects are located in Colorado.



UCRIP recovers healthy populations of the bonytail (left), Colorado pikeminnow, humpback chub (right), and razorback sucker.