

118TH CONGRESS
2^D SESSION

H. R. 4596

AN ACT

To reauthorize the Bureau of Reclamation to provide cost-shared funding to implement the endangered and threatened fish recovery programs for the Upper Colorado and San Juan River Basins.

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 “Upper Colorado and
3 San Juan River Basins Endangered Fish Recovery Pro-
4 grams Reauthorization Act of 2024”.

5 **SEC. 2. REAUTHORIZATION OF UPPER COLORADO AND SAN**
6 **JUAN RIVER BASINS ENDANGERED FISH AND**
7 **THREATENED FISH RECOVERY IMPLEMENTA-**
8 **TION PROGRAMS.**

9 (a) PURPOSE.—Section 1 of Public Law 106–392
10 (114 Stat. 1602) is amended by inserting “and threat-
11 ened” after “endangered”.

12 (b) DEFINITIONS.—Section 2 of Public Law 106–392
13 (114 Stat. 1602; 116 Stat. 3113) is amended—

14 (1) in paragraph (1), by striking “to implement
15 the Recovery Implementation Program for the En-
16 dangered Fish Species in the Upper Colorado River
17 dated September 29, 1987, and extended by the Ex-
18 tension of the Cooperative Agreement dated Decem-
19 ber 6, 2001, and the 1992 Cooperative Agreement to
20 implement the San Juan River Recovery Implemen-
21 tation Program dated October 21, 1992, and as they
22 may be amended” and inserting “for the Recovery
23 Implementation Program for Endangered Species in
24 the Upper Colorado River Basin dated September
25 29, 1987, and the 1992 Cooperative Agreement for
26 the San Juan River Basin Recovery Implementation

1 Program dated October 21, 1992, as the agreements
2 may be amended and extended”;

3 (2) in paragraph (6)—

4 (A) by inserting “or threatened” after “en-
5 dangered”; and

6 (B) by striking “removal or translocation”
7 and inserting “control”;

8 (3) in paragraph (7), by striking “long-term”
9 each place it appears;

10 (4) in paragraph (8), in the second sentence, by
11 striking “1988 Cooperative Agreement and the 1992
12 Cooperative Agreement” and inserting “Recovery
13 Implementation Programs”;

14 (5) in paragraph (9)—

15 (A) by striking “leases and agreements”
16 and inserting “acquisitions”;

17 (B) by inserting “or threatened” after “en-
18 dangered”; and

19 (C) by inserting “, as approved under the
20 Recovery Implementation Programs” after
21 “nonnative fishes”; and

22 (6) in paragraph (10), by inserting “pursuant
23 to the Recovery Implementation Program for En-
24 dangered Species in the Upper Colorado River
25 Basin” after “Service”.

1 (c) AUTHORIZATION TO FUND RECOVERY PRO-
2 GRAMS.—Section 3 of Public Law 106–392 (114 Stat.
3 1603; 116 Stat. 3113; 120 Stat. 290; 123 Stat 1310; 126
4 Stat. 2444; 133 Stat. 809) (as amended by section 101
5 of division CC of the Consolidated Appropriations Act,
6 2023 (Public Law 117–328)) is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “(1)
9 There is hereby authorized to be appropriated
10 to the Secretary, \$88,000,000 to undertake
11 capital projects to carry out the purposes of
12 this Act. Such funds” and inserting the fol-
13 lowing:

14 “(1) AUTHORIZATION.—

15 “(A) IN GENERAL.—Subject to subpara-
16 graph (B), there is authorized to be appro-
17 priated to the Secretary for use by the Bureau
18 of Reclamation to undertake capital projects to
19 carry out the purposes of this Act \$50,000,000
20 for the period of fiscal years 2024 through
21 2031.

22 “(B) ANNUAL ADJUSTMENT.—For each of
23 fiscal years 2025 through 2031, the amount au-
24 thorized to be appropriated under subparagraph
25 (A) shall be annually adjusted to reflect widely

1 available engineering cost indices applicable to
2 relevant construction activities.

3 “(C) NONREIMBURSABLE FUNDS.—
4 Amounts made available pursuant to subpara-
5 graph (A)”;

6 (B) in paragraph (2), by striking “Pro-
7 gram for Endangered Fish Species in the
8 Upper Colorado River Basin shall expire in fis-
9 cal year 2024” and inserting “Programs shall
10 expire in fiscal year 2031”; and

11 (C) by striking paragraph (3);

12 (2) by striking subsections (b) and (c) and in-
13 serting the following:

14 “(b) NON-FEDERAL CONTRIBUTIONS TO CAPITAL
15 PROJECTS.—The Secretary, acting through the Bureau of
16 Reclamation, may accept contributed funds, interests in
17 land and water, or other contributions from the Upper Di-
18 vision States, political subdivisions of the Upper Division
19 States, or individuals, entities, or organizations within the
20 Upper Division States, pursuant to agreements that pro-
21 vide for the contributions to be used for capital projects
22 costs.”;

23 (3) by redesignating subsections (d) through (j)
24 as subsections (c) through (i), respectively;

25 (4) in subsection (c) (as so redesignated)—

1 (A) in paragraph (1)(A), by striking
2 “\$10,000,000 for each of fiscal years 2020
3 through 2024” and inserting “\$80,000,000 for
4 the period of fiscal years 2024 through 2031”;

5 (B) in paragraph (2)—

6 (i) in the first sentence, by striking
7 “\$4,000,000 per year” and inserting
8 “\$52,914,285 for the period of fiscal years
9 2024 through 2031”;

10 (ii) in the second sentence—

11 (I) by inserting “Basin” after
12 “San Juan River”; and

13 (II) by striking “\$2,000,000 per
14 year” and inserting “\$27,085,715 for
15 the period of fiscal years 2024
16 through 2031”; and

17 (iii) in the third sentence, by striking
18 “in fiscal years commencing after the en-
19 actment of this Act” and inserting “for fis-
20 cal year 2024 and each fiscal year there-
21 after”; and

22 (C) by striking paragraph (3) and insert-
23 ing the following:

24 “(3) FEDERAL CONTRIBUTIONS TO ANNUAL
25 BASE FUNDING.—

1 “(A) IN GENERAL.—For each of fiscal
2 years 2024 through 2031, the Secretary, acting
3 through the Bureau of Reclamation, may accept
4 funds from other Federal agencies, including
5 power revenues collected pursuant to the Act of
6 April 11, 1956 (commonly known as the ‘Colo-
7 rado River Storage Project Act’) (43 U.S.C.
8 620 et seq.).

9 “(B) AVAILABILITY OF FUNDS.—Funds
10 made available under subparagraph (A) shall be
11 available for expenditure by the Secretary, as
12 determined by the contributing agency in con-
13 sultation with the Secretary.

14 “(C) TREATMENT OF FUNDS.—Funds
15 made available under subparagraph (A) shall be
16 treated as nonreimbursable Federal expendi-
17 tures.

18 “(D) TREATMENT OF POWER REVE-
19 NUES.—Not more than \$499,000 in power reve-
20 nues over the period of fiscal years 2024
21 through 2031 shall be accepted under subpara-
22 graph (A) and treated as having been repaid
23 and returned to the general fund of the Treas-
24 ury.

1 “(4) NON-FEDERAL CONTRIBUTIONS TO AN-
2 NUAL BASE FUNDING.—The Secretary, acting
3 through the Bureau of Reclamation, may accept con-
4 tributed funds from the Upper Division States, polit-
5 ical subdivisions of the Upper Division States, or in-
6 dividuals, entities, or organizations within the Upper
7 Division States, pursuant to agreements that provide
8 for the contributions to be used for annual base
9 funding.

10 “(5) REPLACEMENT POWER.—Contributions of
11 funds made pursuant to this subsection shall not in-
12 clude the cost of replacement power purchased to
13 offset modifications to the operation of the Colorado
14 River Storage Project to benefit threatened or en-
15 dangered fish species under the Recovery Implemen-
16 tation Programs.”;

17 (5) in subsection (f) (as so redesignated), in the
18 first sentence, by inserting “or threatened” after
19 “endangered”;

20 (6) in subsection (g) (as so redesignated), by
21 striking “unless the time period for the respective
22 Cooperative Agreement is extended to conform with
23 this Act” and inserting “, as amended or extended”;

24 (7) in subsection (h) (as so redesignated), in
25 the first sentence, by striking “Upper Colorado

1 River Endangered Fish Recovery Program or the
2 San Juan River Basin Recovery Implementation
3 Program” and inserting “Recovery Implementation
4 Programs”; and

5 (8) in subsection (i)(1) (as so redesignated)—

6 (A) by striking “2022” each place it ap-
7 pears and inserting “2030”;

8 (B) by striking “2024” each place it ap-
9 pears and inserting “2031”; and

10 (C) in subparagraph (C)(ii)(III), by strik-
11 ing “contributions by the States, power cus-
12 tomers, Tribes, water users, and environmental
13 organizations” and inserting “non-Federal con-
14 tributions”.

Passed the House of Representatives September 24,
2024.

Attest:

Clerk.

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