

Trip Report

2012 Washington, D. C. Briefing Meetings

March 14 through March 20, 2012

Upper Colorado River Endangered Fish Recovery Program and San Juan River Basin Recovery Implementation Program

Prepared by John Shields, Chair, Management Committee, Upper Colo. River Endangered Fish Recovery Program
Disclaimer: Opinions expressed are those of the author and are not be construed otherwise.

SUMMARY AND PURPOSE

The annual Upper Colorado Endangered Fish Recovery Program's and the San Juan River Basin Recovery Implementation Program's Washington DC briefing trip was conducted from March 14^h through March 20nd. Representatives of the non-federal participants and the Directors of the Upper Colorado and San Juan recovery programs¹ met with staff of the Congressional delegations for the States of Colorado, New Mexico, Utah and Wyoming, Congressional authorizing and appropriations committee staff having jurisdiction over the Bureau of Reclamation [Reclamation] and Fish and Wildlife Service [Service] and their budgets, Department of Interior, National Park Service, Reclamation and Service officials, and Office of Management and Budget (OMB) staff members. A total of 33 meetings were held during the first four days, and one additional meeting was conducted by John Shields and Robert King on the fifth day with Representative McClintock, Chairman of the House Natural Resources Water and Power Subcommittee. A listing of each meeting and Washington attendees is attached (Attachment 1).

At each appointment, the non-federal participants briefly described the genesis, purposes, and status of the two programs. Copies (both electronic and printed) of the briefing booklet, *2011-2012 Program Highlights*, and enclosures were widely distributed electronically in advance and printed copies were handed out during each meeting. Our briefing booklet (which can be downloaded at the UCREFRP's webpage²) was the best yet produced and met our needs very well. It provided the right balance of overview and detailed information required for these short, focused appointments with people who were in some instances quite familiar with our ongoing efforts, and in other cases, who had not heard of our programs. We requested that each Congressional delegation office communicate their support for fiscal year 2013 Programs funding contained within the Reclamation and Service proposed budgets to the appropriations subcommittees³.

¹ Fish and Wildlife Service employees (e.g., the Program Directors,) participated in most of the briefings for the sole purpose of answering technical questions concerning the fishes' life history, habitat needs, the species' recovery goals, Program accomplishments and anticipated activities. Their participation is recognized as being vital to answering key questions, assuring a sound biological capability for explanations and answers and thus adding credibility to our briefings.

² <http://www.coloradoriverrecovery.org/general-information/general-publications/briefingbook/2012BriefingBook.pdf>

³ In the case of Rep. Lummis of Wyoming, she is on the Appropriation Committee so we advised her staff member that we had asked the other Congressional Delegation offices to advise of their support for these programs' funding by communicating that support to her as well.

In addition, we reported on the need to introduce and enact legislation to amend P.L. 106-392 to extend authority to use Colorado River Storage Project (CRSP) power revenues for annual base funding purposes. A partial sunset clause included in P.L. 106-392 reduces annual base funds from power revenues after September 30, 2011 (the end of Fiscal Year 2011) to only those necessary for operation, maintenance and monitoring; resulting in a 40% reduction in annual base funding to the two programs. This provision was coupled with a requirement that the Secretary of the Interior report to the authorizing committees on accomplishments of the programs and the use of the annual base funding by the programs, not to reduce full annual base funding. The reduction in annual funding places ESA compliance for over 2,300 water projects at risk. We advised each Congressional office that we will be seeking their assistance and co-sponsorship of legislation extending/reauthorizing the use of CRSP power revenues for annual base funding purposes.

DISCUSSION

Inserted into the front pocket of the briefing booklet cover were letters supporting Program-related funding for the Service and USBR included in the President's recommended FY2013 budget signed by Governors Herbert (Utah) and Mead (Wyoming) and New Mexico State Engineer Scott Verhines. Subsequently, copies of letters that were sent by the Navajo Nation, Colorado River Energy Distributors Association, the Wyoming Water Association and PNM were obtained by Shields. Letters sent by these entities and others were collected by Tom Pitts, Water Users Representative for both Programs, and copies of all letters can be obtained by contacting Shields and Pitts.

Also inserted into the front pocket of each copy of the *Program Highlights* briefing booklet was our "Fiscal Year 2013 Non-Federal Participants' Funding Requests" brochure (*See Attachment 2*). This two-page brochure details the amount and intended use of the funding included in the President's fiscal year 2013 budget for the two programs, an Upper Colorado River Basin location map, and a list of the programs' participants and constituents who have submitted funding support letters in the past. This separate document is identified as the "Non-Federal Participants' Funding Requests" so as to avoid any implications of Hatch Act-prohibited lobbying by federal agency personnel. It was provided by the Upper Basin and San Juan water users.

CONGRESSIONAL SUPPORT FOR FISCAL YEAR 2013 APPROPRIATIONS

The Congressional staffs clearly understand the benefits and importance of the two recovery programs, regardless of their political party affiliation. We are no longer requesting our Congressional delegation members to sign joint delegation funding support letters, however we do offer to and do provide draft letters that can be used by any Congressional office who wishes to send individual letters (and did provide those draft letters to staff who work for Rep. DeGette, Tipton and Polis). On the Senate side, we believe that we may also see some individual letters sent to the appropriations subcommittees.

We did request of staff that the Congressional delegation members convey their support for the programs to the House and Senate appropriations subcommittees in some form, including personal contacts with members of the subcommittees. House members were requested to convey support for the programs to Rep. Cynthia Lummis (R-WY), the only member from the four Upper Basin states on the House Appropriations Committee.

Annual Base Funding Authorizing Legislation: Tom Pitts, with input from others, had prepared a one-page front-and-back summary (Attachment 3) describing the need for legislation extending our current authorization to use Upper Colorado River Basin Fund hydropower revenues for annual base funding.⁴ This handout was distributed and discussed at each meeting and provided the basis for requesting members for assistance with co-sponsorship of legislation that will be introduced in late May or June. We reviewed our extensive, but unsuccessful efforts during the 111th Congress to extend annual funding from power revenues through 2023. We advised our delegations that this is an urgent, high priority need for both recovery programs. It is critically important to allow the two programs to continue to provide Endangered Species Act compliance for more than 2,300 federal, tribal and non-federal water projects, as well as future projects. Many of the Congressional offices wanted to know what we had learned/heard when we met with the staff and leadership of the Water and Power Subcommittee of the House Natural Resources Committee– and we indicated that we would follow-up to provide that information.

Robert King of Utah and I had a productive meeting with House Resources Water and Power Subcommittee Chairman Tom McClintock and members of his office and subcommittee staff on March 20th. Chairman McClintock committed that he would not oppose the legislation since we have Representatives Bishop and Tipton (who are Republican members of the Subcommittee from UT and CO, respectively).

Congressional Staff Appreciation Luncheon: The Non-Federal Participants' eighth annual Congressional Staff Appreciation Luncheon was held at Capitol Visitors Center (CVC), located immediately east of the United States Capitol. We sincerely appreciate the generous financial contribution of our luncheon sponsors, the Upper Basin and San Juan water users, who underwrote the cost of the event. A total of twenty-eight people participated in the luncheon (*see* Attachment 4). This event gives us the opportunity to establish a greater rapport with those with whom we meet and of whom we request support and assistance with the joint funding support letters, provides goodwill benefits and facilitates the development of ongoing personal relationships. As in the past, we used the luncheon to inform congressional staff of some aspects of the programs in more detail, but with brevity in mind. Kira Finkler, the Deputy Commissioner of Reclamation for External and Intergovernmental Affairs was our luncheon presenter. She did an excellent job in presenting a PowerPoint presentation covering the topic of Reclamation's role in and Participants' benefits from participating in the Recovery Programs. The presentation outline was prepared by nonfederal program participants and the presentation was developed by Justyn Hock and Brent Uilenberg of the Western Colorado Area Office of the Bureau of Reclamation and edited by John Shields.

MEETINGS WITH ADMINISTRATION OFFICIALS

Our briefing group was pleased to hear many good things about the programs from Dept. of the Interior and agency personnel. Asst. Secretary of the Interior for Water and Science Anne Castle

4 Specifically, Section 3(d)(2) of P.L. 106-392 requires Congressional reauthorization to continue full annual base funding from hydropower revenues beyond FY 2011. Annual base funding from power revenues thereafter can only be used for monitoring and operation/maintenance of capital projects. As documented in the Secretary of the Interior's April 23, 2010 Report to Congress entitled *Utilization of Power Revenues for Annual Base Funding of the Upper Colorado River and San Juan River Basin Recovery Implementation Programs*, annual base funding will decrease by 39% after fiscal year 2011 unless legislative extension occurs. Critical activities would be eliminated from both recovery programs (non-native fish management, research, program management, and public involvement) and thus delay or prevent attainment of recovery goals and set back the recovery programs' restoring of populations of the endangered fishes – and thus affect the programs' ability to provide ESA compliance.

was very complimentary for all of the efforts made to come to Washington each year for the briefing meetings and for the progress being made by the two programs. She committed to assisting us in getting the very important matter of extending the authorization to use CRSP power revenues for annual base funding enacted into law.

We met with the Water and Power Branch Chief over at the Office of Management and Budget this year. This was a first as in past years we had only succeeded in getting appointments with their budget analysts.

TRIP PARTICIPANTS

A list of the people who represented the two recovery programs during some or all of these meetings/briefings is provided below. Not all participants were in Washington, D.C. during the entire period of the trip nor did all participate in each meeting, nonetheless the roster provides a listing of all who participated in one or more meetings. The group consisted of:

Tom Pitts – Water Users Representative for the Upper Colorado and San Juan Programs
Darin Bird – Utah Department of Natural Resources
Robert King – Utah Division of Water Resources
Randy Kirkpatrick – San Juan Water Commission
Catherine Condon – Counsel, Southern Ute Indian Tribe Representative
T. Darryl Vigil – Jicarilla Apache Nation
David Campbell – USFWS – San Juan River Recovery Program Coordinator
Tom Chart – USFWS – Upper Colorado River Endangered Fish Recovery Program Director
Leslie James – Executive Director, Colorado River Energy Distributors Association
Mike Greene – Public Service Company of New Mexico
Jim Brooks – USFWS – Coordination Committee Chairman
John Shields – Wyoming State Engineer’s Office and Chairman, Management Committee
Dan Borges, Senior Policy Advisor, U.S. Government Relations and Will Murtha, Program Assistant, U.S. Government Relations, The Nature Conservancy, Arlington, VA.
Stanley Pollock, Department of Justice, Navajo Nation

FOLLOW-UP

An e-mailed thank-you was transmitted to each House delegation staff member with whom we met along with a short one-page document that summarized the outcome of the meeting that Shields and King had with Chairman Tom McClintock of the House Resources Water and Power Subcommittee (Attachment 5). Other requests that were made during the individual meetings were replied to via e-mail during evenings and the weekend. The troublesome matter of identifying options for a funding “offset” to comply with the provisions of the “cut-go” rule also needs to be addressed once the operating parameters for dealing with cut-go are defined.

Conclusions and Recommendations: It remains vitally important for representatives of the two recovery programs to annually visit Congressional, Interior Department and non-governmental organizations’ officials and their staff. These visits keep our programs’ needs and ongoing progress in their minds. There is no substitute for face-to-face meetings to accomplish our trip objectives. Staff turnover occurs each and every year at Congressional delegation and subcommittee offices and at Interior. We remain convinced (and have been told by personnel with whom we meet) that we would be overlooked if we did not make this effort each year. This “annual investment” remains absolutely essential to remind Congress, Interior Department officials and other key non-governmental organizations about what we are doing and why it is important in our States.

Sending the briefing booklet in advance of the meetings is a very important part of the pre-trip and pre-meeting preparations as it demonstrates – along with the backgrounder – that we have specific things to discuss with the staff members. For nearly every meeting, sending on a request for meeting/concise meeting “backgrounder” (front and back side) document via e-mail is likewise very important – the request for meetings at the Department of the Interior will not be responded to unless a written meeting backgrounder is sent. A short and concise backgrounder that includes “what, who, why, when and where” is requested by all of the executive assistants within the Dept. of Interior and Interior agency directorate. This backgrounder was prepared and sent for every one of the meetings that the author set.

Pre-delivered backgrounder documents also help to focus the meetings on what we are wishing to discuss and the nature of our requests. In addition to reducing confusion, they help in getting appointments set the following year. As a result, we have short but productive meetings; obtain the consent of those with whom we need to meet; and manage to stay on our itinerary schedule. The pre-briefing e-mails and conference call should remain part of our briefing trip preparations.

Thanks are extended to all who scheduled briefing meetings, extended invitations and participated in the trip. Estimations of time requirements to complete the briefing meetings were essentially correct. Having too many people involved with the briefing party was not an issue; however, in some instances the number of people attending was less than the full party. This matter was largely self-policing and was not a problem. A big **thank you** is extended to the Upper Basin and San Juan water users for again hosting the Congressional Staff Appreciation Luncheon and paying for the printing of the non-federal participants’ Congressional funding request brochure. It is a collective effort requiring the timely and faithful execution of many discrete tasks that allows us to accomplish our annual briefing trip’s objectives.

President’s FY 2014 Budget: We can anticipate the schedule for development, approval and release of the President’s FY 2014 budget is likely to be the following:

<u>Event</u>	<u>Date</u>
Internal meetings within Interior Department	Mid-April, 2012
Departmental Submittal	Mid-May
Initial Allocations	June
OMB submittal	August
Pass-backs from OMB	Late-November
Appeals process	Brief period thereafter
Final decisions locked down	December, 2012
Release of President’s budget	Early February 2013

Appended Materials: Following this narrative are attached documents as described above. In addition, samples of the letters submitted by Governor Mead Governor Herbert, the New Mexico State Engineer and the President of the Navajo Nation are attached to this report.

Attachment 1 - 2012 Briefings Meetings Held

Upper Colorado River Endangered Fish Recovery Program & San Juan River Basin Recovery Implementation Program

Date	Time	Meeting With	Affiliation	Office Location	Phone Number	E-Mail Address	Comments & Follow-up
Wednesday March 14	8:00 a.m.	Trip Participants' Gathering	Briefing Trip Participants	Met in the lobby of the hotel at 8:00 a.m.	479-4000	Holiday Inn Capitol 550 C Street S.W. Washington, DC 20024 www.hicapitoldc.com	
	9:00 a.m.	Evan Armstrong	Rep. Mike Coffman	LH-1222	225-7882	Evan.Armstrong@mail.house.gov	Tom Pitts committed to do follow-up
	9:30 a.m.	Kiel Weaver Ian Lyle	House Natural Res. Water & Power Subcommittee	LH-1327	225-8331 225-6065	Kiel.Weaver@mail.house.gov Ian.Lyle@mail.house.gov	
	11:15 a.m.	Aaron Greco	Rep. Ed Perlmutter	LH-1221	225-2645	Aaron.Greco@mail.house.gov	Tom Pitts committed to do follow-up
	LUNCH						
	1:45 p.m.	Maya Hermann	Rep. Martin Heinrich	CH-336	225-6316	Maya.Hermann@mail.house.gov	
	2:15 p.m.	Joe Williamson	Rep. Cory Gardner	CH-213	225-4676	Joe.Williamson@mail.house.gov	Joe asked for a report back about the outcome of the meeting with Ch. McClintock.
	2:45 p.m.	Adam Eckman	Rep. Scott Tipton	CH-218	225-4761	Adam.Eckman@mail.house.gov	Adam asked JWS to send funding support "template" letters so Rep. Tipton could send letters this year again
	3:15 p.m.	Pete Obermueller	Rep. Cynthia Lummis	CH-113	225-2311	Pete.Obermueller@mail.house.gov	
	3:30 p.m.	Andrew Jones	Rep. Ben Ray Luján	CH-330	225-6190	Andrew.jones@mail.house.gov	
	4:00 p.m.	Jonathon Asher	Rep. Jared Polis	CH-501	225-2161	Jonathon.Asher@mail.house.gov	Jon asked JWS to send funding support "template" letters so Rep. Polis could send letters this year again
	4:15 p.m.	Jonathan Shuffield	Rep. Steve Pearce	RH-2432	225-2365	Jonathon.Shuffield@mail.house.gov	
	4:30 p.m.	Mallori McClure	Rep. Doug Lamborn	CH-437	225-4422	Mallori.McClure@mail.house.gov	
	5:15 p.m.	Eleanor Bastian	Rep. Diana DeGette	RH-2335	225-4431	Eleanor.Bastian@mail.house.gov	Eleanor asked for a report back about the outcome of the meeting with Ch. McClintock.
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Thursday March 15	9:00 a.m.	Matt Jensen Mike Freeman Hannah Lockhart John Newhall Fred Ferguson Susanna Hertz Jan Beukelman	Senator Orrin Hatch Senator Mike Lee ditto Rep. Rob Bishop Rep. Jason Chaffetz ditto Rep. Jim Matheson	SH-104 SH-316 CH-123 LH-1032 RH-2434	224-5251 224-5444 225-0453 225-7751 225-3011	Matt_Jensen@hatch.senate.gov Mike_Freeman@lee.senate.gov Hannah_Lockhart@lee.senate.gov John.Newhall@mail.house.gov Fred.Ferguson@mail.house.gov Susanna.Hertz@mail.house.gov Jan.Beukelman@mail.house.gov	Jensen asked JWS to send write-up re: Principles of Success and How/Why these Recovery Programs are succeeding where others don't.
	9:00 a.m.	Sean Babington	Sen. Michael Bennet	SR-458	224-5852	Sean_Babington@bennet.senate.gov	
	10:15 a.m.	Jimmy Hague Stan Sloss	Sen. Mark Udall	SH-328	224-5941	James_Hague@markudall.senate.gov Stan_Sloss@markudall.senate.gov	
	10:30 a.m.	Jorge Silva-Banuelos Patty Beneke	Senator Jeff Bingaman and Senate Energy & Natural Resources	SD-304	224-4971	Jorge_Silva-Banuelos@bingaman.senate.gov Patricia_Beneke@energy.senate.gov Kellie_Donnelly@energy.senate.gov	

March 2012 Legislative and Dept. of the Interior Briefings Trip Itinerary

		Kelly Donnelly <i>Josh Johnson</i>	Committee			Josh_Johnson@energy.senate.gov	
	11:15 a.m.	Jeanette Lukens	Senator Tom Udall	SH-110	224-6621	Jeanette_Lukens@tomudall.senate.gov	
	11:30 a.m.	Chris Tomassi Abigail Edwards	Sen. Mike Enzi Ditto	SR-379A	224-1935	Chris_Tomassi@enzi.senate.gov Abigail_Edwards@enzi.senate.gov	
	LUNCH						
	1:15 p.m.	Jason Albritton William Henneberg	Senate Environment & Public Works Committee	SD-468	224-8832 224-6176 224-3339	Jason_Albritton@epw.senate.gov William_henneberg@epw.senate.gov Andrew_Herther@epw.senate.gov	
	2:45 p.m.	Rita Culp <i>Brent Wiles</i> <small>Minority</small>	Senate Interior, Enviro. & Rel. Ag. Approps Subcomm.	SH-125	224-7262 228-3487	Rita_Culp@appro.senate.gov Brent_Wiles@appro.senate.gov	
	3:30 p.m.	Roger Cockrell <i>Tyler Owens</i>	Senate Energy & Water Development Approps. Subcommittee	SD-116	224-8119	Roger_cockrell@appro.senate.gov Tyler_Owens@appro.senate.gov	We had a lengthy discussion with Roger and Tyler about CBO scoring and cut-go. Roger advised to look at the St. Croix River Crossings Act.
	4:30 p.m.	Dave Whaley	House Fisheries, Wildlife, Oceans & Insular Affairs Subcommittee	CH-140	225-2761	Dave.Whaley@mail.house.gov	
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Friday March 16	9:30 a.m.	Angie Giancarlo Perry Yates <i>and</i> Darren Benjamin	House Energy & Water Dev Approps Subcomm. <i>And</i> House Interior, Enviro & Related Agencies Appro Subcommittee	RH-2362-B	225-3421 225-3481	Angie.Giancarlo@mail.house.gov Perry.Yates@mail.house.gov Taujia.Berquam@mail.house.gov	Taujia Berquam was ill and could not attend. Darren was snarled in a traffic jam on a parkway – we rescheduled our meeting with him into 3/19
	11:45 – 1:15 p.m.	Congressional Staff Appreciation Luncheon	House & Senate Delegation and Committee staffers Our luncheon speaker is Kira Finkler, Deputy Comm. for Intergovernmental and Public Affairs	Congressional Mtg. Room South (CVC-217), Capitol Visitors Center		Kelsey Grant, Director of Catering Kgrant@restaurantassociates.com Leslie Grabias, Special Events Coordinator lgrabias@aoc.gov	David Pearlman Director 202-367-8302 202-593-1798 KG @ office 202-607-8899 KG's cell 202.593.1874 - Leslie
	2:15 p.m.	Kelly Colyer Branch Chief Alex Hettinger – USBR Examiner	Office of Mgmt & Budget Budget Examiners, Natural Resources Division & Energy, Science & Water Division	Rm 8116 , ^{New} Executive Office Building, 725 17 th St., N.W.	395-3404 395-4587	Sherron_R_White@omb.eop.gov AHettinger@omb.eop.gov Tomer_Y_Hasson@omb.eop.gov	
	3:30 p.m.	Kathleen Wheeler Adrienne Moss Barbara Smith Patrick Joos Dave Sire	Counsel to the Asst Secretary for Budget, Finance, Perf & Acquisition; Interior Budget Office Deputy Director; and DOI Office of Environmental Policy and Compliance	Room 4013 Main Interior Building, 1849 C Street NW	208-4775 208-5308 208-7966 208-6291 208-3891	Kathleen_Wheeler@ios.doi.gov Adrienne_moss@ios.doi.gov Barbara_Cain-Smith@ios.doi.gov Patrick_Joos@ios.doi.gov Dave_Sire@ios.doi.gov	
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Monday March 19	9:00 a.m.	Bryan Arroyo Gary Frazer Jeff Underwood Rick Sayers	USFWS Division Chiefs -- A/D-E/S, A/D-F&HC; and key E/S staff	Room 3038 Main Interior Building 1849 C Street, NW	208-5347 208-4545 208-4646 703-358-2400	Gary_Frazer@fws.gov Bryan_Arroyo@fws.gov Denise_Sheenan@fws.gov Roslyn_Sellers@fws.gov	
	10:00 a.m.	Anne Castle Tanya Trujillo Matt Mauceri	Asst. Sec. for Water & Science , Counsel to the A/S-W&S, CLA Officer and UCR Liaison	Room 6641 Main Interior Building	513-0616 208-3186 513-0501	Gladys_Battle@ios.doi.gov Michelle Brown (mbrown@usbr.gov) RBeeman@usbr.gov@ 513-0667	

March 2012 Legislative and Dept. of the Interior Briefings Trip Itinerary

		Dick Beeman		1849 C Street, NW			
	10:45 a.m.	Beth Johnson & Alan Ellsworth	National Park Service Deputy Associate Director for Natural Resources Stewardship and Science	Room 7000A Main Interior Building 1849 C Street NW	208-3884 208-5652	Bert_Frost@nps.gov Beth.Johnson@nps.gov Alan_Ellsworth@nps.gov	
	11:30 a.m.	Brian Clifford	Sen. John Barrasso	SD-307	224-6441	Brian_Clifford@barrasso.senate.gov	This meeting went quite well.
	LUNCH						
	1:30 p.m.	<i>Camille Calimlim Touton</i> <i>Jill Cohen</i>	House Nat. Res. Water & Power Subcomm. and Fisheries, Wildlife, Oceans & Insular Affairs Subcomm. Minority Staff	Room 186, Ford House Office Building	226-1902	Camille.calimlim@mail.house.gov Jill.cohen@mail.house.gov	
	4:00 p.m.	Darren Benjamin	House Interior, Enviro & Related Agencies Appro Subcommittee	RH-B-308	225-3081	Darren.Benjamin@mail.house.gov	
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Tuesday March 20	11:00 a.m.	Rep. Tom McClintock, Igor Birman, Kristen Glenn, Kiel Weaver & Ian Lyle	Rep. Tom McClintock Chairman, Water and Power Subcomm., House Natural Resources Comm.	CH-428	225-2511	Scheduler = Chris Tudor Chris.tudor@mail.house.gov Kristen.Glenn@mail.house.gov	
		Gary Taylor	Association of Fish and Wildlife Agencies		624-7890	gtaylor@fishwildlife.org	Have included our funding in AFWA recommendations
Confirmed to attend Lunch		Shanna Brown	Western Gov. Association	Suite 388 Hall of States, 444 No. Capitol St, NW	624-5402	skbrown@westgov.org	

Attachment 2



Upper Colorado River Endangered Fish Recovery Program



San Juan River Basin Recovery Implementation Program

Requested Fiscal Year 2013 Congressional Appropriations

The non-federal participants in the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program request the support of the Congress for fiscal year 2013 funding included in the President's recommended budget.

U.S. Fish and Wildlife Service

\$706,300 of "Recovery Program" funds for the **Upper Colorado Endangered Fish Recovery Program** (*Resources Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery of Species Element*)

- **Program management:** Funds for salaries, expenses and recovery activities of the Program staff for vitally-important day-to-day program administration and management essential to continuing the ongoing success of this multi-agency, multi-element, large river basin species conservation partnership.
- **Monitoring achievement of recovery goals:** FWS' estimations of the abundance of fish populations, stocking evaluations and monitoring of fish and habitat establish the progress being made towards accomplishing the recovery goals' downlisting and delisting criteria.
- **Data Management:** FWS personnel in the FWS CRFP Offices maintain the Program's essential **computerized inventory database systems** - providing management and analysis tools to assess species' response to program activities. Species' response determines when the recovery goals are met.

\$200,000 of "Recovery Program" funds for the **San Juan River Basin Recovery Implementation Program** (*Resources Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery of Listed Species Element*)

- **Program management and FWS participation:** Funding will meet the salaries and expenses of the San Juan Program Coordinator and Assistant and other related FWS expenses in completing Program actions.

\$485,800 for the **Ouray National Fish Hatchery** (*Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity*)

- Meeting the ongoing operation, maintenance and upkeep expenses associated with this innovative Program hatchery is essential to continuing to annually accomplish the Upper Colorado Program's stocking objectives.

Bureau of Reclamation

\$8,387,000 in "Endangered Species Recovery Implementation Program" funds within the Upper Colorado Region budget (**\$7,837,000** for construction activities for the **Upper Colorado River Endangered Fish Recovery Program**; **\$150,000** for construction management activities for the **Upper Colorado River Endangered Fish Recovery Program** and **San Juan River Basin Recovery Implementation Program**; and **\$400,000** for **Fish and Wildlife Management and Development** activities to avoid jeopardy).

- **\$7,837,000** for the Orchard Mesa Irrigation District Canal Automation Project near Palisade, CO, to continue construction of the canal automation system which will more efficiently and effectively match river diversions with actual consumptive use demands and thus conserve approximately 17,000 acre-feet of water per year. That water will be redirected to improving instream flows in the Colorado River and replace water currently obtained from Ruedi Reservoir. The amount of water available from Ruedi Reservoir for instream flow augmentation will be decreased by 10,825 acre-feet after 2012.

- **\$400,000** for **Fish and Wildlife Management and Development** activities to avoid jeopardy and enhance declining species to prevent listing within the Upper Colorado River, Pecos River, Rio Grande, and Bonneville River Basins.

- **\$100,000** for **Upper Colorado Program Management** for contracting, budgeting, reporting, contract administration, tracking expenditures, and addressing issues and concerns associated with capital project construction.

- **\$50,000** for **San Juan Program Management** for budgeting, contracting and contract administration, reporting, tracking expenditures, and transferring Capital Improvement Program funds to the appropriate entities.

Funding Support Letters Demonstrate Congressional and Grass Roots Support

Appropriations for the programs have had strong bipartisan support by Members of Congress representing Colorado, New Mexico, Utah and Wyoming. Testimony supporting appropriations for the recovery programs has been previously submitted to Congress by:

Participating States

- State of Colorado
- State of Utah
- State of Wyoming
- State of New Mexico

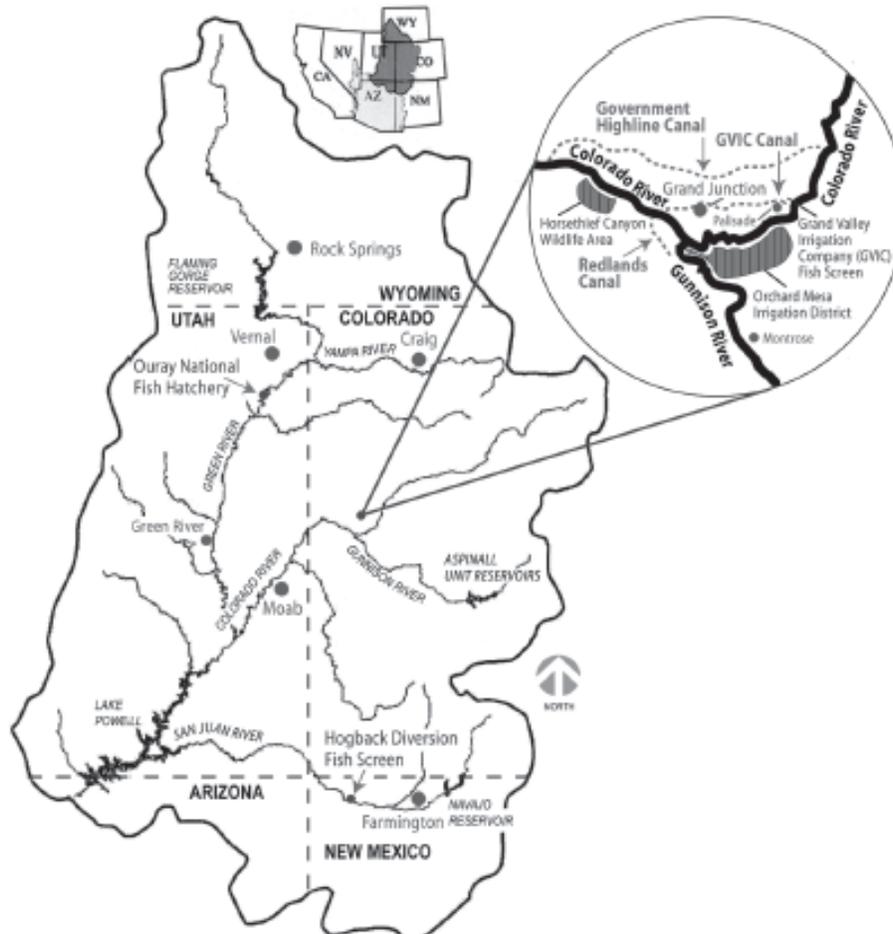
American Indian Tribes

- The Navajo Nation
- Southern Ute Tribe
- Ute Mountain Ute Tribe
- Jicarilla Apache Nation

Cities, Water Users, Environmental and Energy Organizations

- The Nature Conservancy
- Colorado River Energy Distributors Association
- Arizona Public Service
- BHP Billiton
- Central Utah Water Conservancy District
- City of Aurora, Colorado
- City of Colorado Springs, Colorado
- City of Farmington, New Mexico
- Colorado River Water Conservation District
- Colorado Water Congress
- Denver Water
- Dolores Water Conservancy District
- Grand Valley Water Users Association
- Northern Colorado Water Conservancy District
- Orchard Mesa Irrigation District
- Pueblo Board of Water Works
- Public Service Company of New Mexico
- San Juan Water Commission
- Southwestern Water Conservancy District
- Tri-County Water Conservancy District
- Uncompahgre Valley Water Conservancy District
- Upper Gunnison Water Conservancy District
- Utah Water Users Association
- Wyoming Water Association

Map of Geographical Area of the Recovery Programs



Attachment 3
PROPOSED 2012 AMENDMENTS to P.L. 106-392

Authorizing the Bureau of Reclamation to provide cost sharing for the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

Overview: Amendments are proposed to Public Law 106-392 to accomplish the following:

- Extension of authorized annual base funding from hydropower revenues through FY 2019 at currently authorized levels;
- Termination of annual base funding for activities other than operation and maintenance of capital projects and monitoring after FY 2019 without continuing authorization by Congress;
- Requiring a report by the Secretary of the Interior in FY 2018 regarding the need for continued base funding after fiscal year 2019 that may be required to fulfill the goals of the Recovery Implementation Programs; and
- Limiting the overhead rate applied to funds transferred to the U.S. Fish & Wildlife Service from federal agencies to 50% of the standard rate.

Each of these amendments is discussed below.

Extension of Annual Funding: P.L. 106-392 as enacted in 2000 provided statutory authorization for the Upper Colorado and San Juan River Basins endangered fish recovery programs. That law included the following clause in Section 3(d)(2):

“The utilization of power revenues for annual base funding shall cease after fiscal year 2011, unless reauthorized by Congress; except that power revenues may continue to be utilized to fund the operation and maintenance of capital projects and monitoring.”

An amendment to the legislation is needed to insure continuation of hydropower revenues for full annual base funding as originally authorized by P.L. 106-392. Without such reauthorization, the two recovery programs face losing \$3 million in annual base funding. That loss likely would eliminate Endangered Species Act compliance for over 2,300 water projects in the Upper Colorado River and San Juan River basins. The proposed amendments would extend the expired annual base funding authorization through 2019. After 2019, use of annual base funding is limited to operation and maintenance of capital projects and monitoring unless additional uses are authorized by Congress.

P.L.106-392 is proposed to be amended to extend the authority for annual base funding to 2019 for the following reasons:

- P.L. 106-392 currently authorizes expenditure of capital funds for the Upper Colorado and San Juan recovery programs through FY 2023; extension of annual base funding is consistent with the capital fund authorization.
- The programs are in effect through FY 2023 pursuant to cooperative agreements signed by the participating federal agencies, tribes, and states.
- All four endangered species are projected to be recovered by 2023 based on current recovery goals.
- The extension to 2019 complies with the current House protocol limiting authorizations to 7 years after the year of passage; otherwise an extension to 2023 would be requested.

Report to Congress by the Secretary of the Interior in FY 2018: P.L. 106-392 required a report in 2008 including the Secretary's recommendations for continued use of annual funds beyond 2011. The proposed 2012 amendments likewise require a report to Congress in FY 2018 regarding continued use of annual base funding beyond FY 2019 to accomplish the goals of the recovery programs.

Limitation on the Overhead Rate for Funds Transferred to the U.S. Fish & Wildlife Service: In 2009 when amendments addressing continued use of annual base funds were being considered by the House of Representatives, Congress was concerned about the overhead charge levied on fund transfers to the U.S. Fish and Wildlife Service. The proposed amendments include a new section that limits application of the U.S. Fish & Wildlife Service indirect cost recovery rate to 50% of the standard rate on funds transferred to the Service from the Bureau of Reclamation or any other federal agency for purposes of implementing the recovery programs. The U.S. Fish and Wildlife Service's Region 2 (Albuquerque) and Region 6 (Denver) have agreed to administratively limit the overhead charge to 50% of that standard rate.

Draft Legislation and Markup Bill Showing Program 2012 Changes: Enclosed is a draft bill to implement the amendments discussed above. In addition, a marked up version of the current law, as amended previously, showing the currently proposed changes in track changes is enclosed.

REVISED MARCH 2, 2012

To amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

IN THE HOUSE OF REPRESENTATIVES

DATE

Mr. _____ (for himself, Mr. _____ Ms. _____, Mr. _____, Mr. _____ and Mr. _____) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend Public Law 106–392 to maintain annual base funding for the Upper Colorado and San Juan fish recovery programs through fiscal year 2019.

Be it enacted by the Senate and House of Representatives 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 2012”.

SECTION 2. EXTENSION OF AUTHORIZATION TO USE UPPER COLORADO RIVER BASIN FUND REVENUES FOR ANNUAL BASE FUNDING OF FISH RECOVERY PROGRAMS AND REVISION OF DATE FOR REQUIRED REPORT ON UTILIZATION OF POWER REVENUES.

Section 3 of Public Law 106-392 (114 Stat. 1602) is amended in subsection (d)(2) by striking in the fourth sentence “2011” and inserting in the fourth sentence “2019”. Section 3 (d)(2) is further amended by striking “2008” and inserting “2018” in the fifth sentence. That section is further amended by striking “2011” and inserting “2019” in the sixth sentence.

SECTION 3. ESTABLISHMENT OF REDUCED INDIRECT COST RECOVERY RATE FOR RECOVERY PROGRAMS.

Section 3(d)(3) of Public Law 106-392 (114 Stat. 1602) is amended by adding a new subsection “(i)” entitled “LIMITATION ON OVERHEAD RATE” following sub-section (h),

TERMINATION OF AUTHORITY, which shall read as follows: “Funds transferred to the U.S. Fish and Wildlife Service by the Bureau of Reclamation or any other federal agency for purposes of funding any activity associated with either the Upper Colorado River Endangered Fish Recovery Program or the San Juan River Basin Recovery Implementation Program shall be subject to no more than 50 percent of the biennially determined standard indirect cost recovery rate.”



Attachment 4
Upper Colorado River Endangered Fish Recovery Program
And San Juan River Basin Recovery Implementation Program

Congressional Staff Appreciation Luncheon Attendees

Friday, March 16, 2012

1. Kira Finkler, Deputy Commissioner of Reclamation
2. Randy Kirkpatrick, San Juan Water Commission
3. Tom Pitts, Water Users Rep., Upper Colo. & San Juan Recovery Programs
4. Tom Chart, Program Director, Upper Colo. River End. Fish Recovery Program
5. Leslie Chart, Wife of Mr. Tom Chart
6. David Campbell, Program Director, San Juan River Basin Recovery Program
7. Robert King, Utah Division of Water Resources, State of Utah
8. Catherine Condon, Counsel, Southern Ute Indian Tribe
9. Darryl Vigil, Jicarilla Apache Nation
10. John Shields, Wyoming State Engineer's Office, State of Wyoming
11. Mike Greene, Public Service Company of New Mexico
12. Stanley Pollack, Dept. of Justice, Navajo Nation
13. Will Caracco, Office of Representative Cynthia Lummis
14. Pete Obermueller, Office of Representative Cynthia Lummis
15. Jeanette Lukens, Office of Senator Tom Udall
16. Jimmy Hague, Office of Senator Mark Udall
17. Eleanor Bastian, Office of Representative Diana DeGette
18. Michelle Olson, National Fish and Wildlife Foundation
19. Kris Polly, Water Strategies, LLC (former Deputy Comm. of Reclamation)
20. Fred Ferguson, Office of Representative Jason Chaffetz
21. Dan Borges, The Nature Conservancy
22. Ashlie Strackbein, National Fish and Wildlife Foundation, Cong. Relations
23. Shanna Brown, Western Governors Association
24. Matt Jensen, Office of Senator Orrin Hatch
25. Jill Cohen, House Committee on Natural Resources
26. Rob Elliott, U.S. Nuclear Regulatory Commission
27. Jim Brooks, U.S. Fish and Wildlife Service

Attachment 5



Upper Colorado River
Endangered Fish
Recovery Program

Non-Federal Representatives of the Upper Colorado
River Endangered Fish Recovery Program and San
Juan River Basin Recovery Implementation Program



Synopsis of Meeting with Representative Tom McClintock

A 20-minute meeting was held on March 20, 2012 with Chairman Tom McClintock of the House Natural Resources Subcommittee on Water and Power concerning the need for legislation to extend the authority to use Upper Colorado River Basin Fund power revenues for Upper Colorado and San Juan River Basin recovery program annual base funding purposes. The non-federal representatives to the recovery programs were represented at the meeting by Robert King of the Utah Division of Water Resources and John Shields of the Wyoming State Engineer's Office. Kiel Weaver, Staff Director for the House Water and Power Subcommittee; Igor Birman, Rep. McClintock's Chief of Staff; and Kristen Glenn, Legislative Director for Rep. McClintock; were also in attendance.

P.L. 106-392 authorizes "base funding" coming from Colorado River Storage Project (CRSP) hydropower revenues to support the Programs' research, non-native fish control, program management, fish populations monitoring and operation and maintenance of capital projects. Portions of the authority to use CRSP revenues expired on September 30, 2011, pursuant to Section 3(d)(2) of P.L. 106-392:

"The utilization of power revenues for annual base funding shall cease after fiscal year 2011, unless reauthorized by Congress; except that power revenues may continue to be utilized to fund the operation and maintenance of capital projects and monitoring."

Continuation of annual base funding from power revenues – or increases in appropriated funding to make up for the shortfall – once authorized in federal law – is essential for these two recovery programs to meet their objectives of recovery (e.g. removal of the four species from the Endangered Species Act (ESA) endangered species list). Without such reauthorization, the two recovery programs face losing \$3 million (a 40% reduction) in annual base funding. Continued funding is critical to avoid issues associated with maintaining ESA compliance for Federal and non-Federal water resource use in the Upper Colorado River Basin for over 2,300 water projects depleting more than 3.7 million acre-feet of water per year.

The non-federal participants of the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program need the assistance of the Water and Power Subcommittee of the House Natural Resources Committee. The programs' non-Federal participants have been in continuing discussions with the staff of the Water and Power Subcommittee but no bill has yet been introduced in the House of Representatives during the 112th Congress to amend P.L. 106-392.

During the meeting, Chairman McClintock stated he would not oppose passage of the recovery programs' annual base funding legislation if Rep. Rob Bishop of Utah and Rep. Scott Tipton of Colorado, who are members of the House Nat. Resources Water and Power Subcommittee, are "on board" supporting its enactment.

Chairman McClintock requested that Robert King and John Shields submit to him in writing our suggestions about specific improvements that could be made to the Endangered Species Act and its administration that would benefit the Upper Colorado and San Juan Recovery Programs.

* * * * *

Office of the Governor

March 5, 2012

The Honorable Michael K. Simpson, Chairman
The Honorable James P. Moran, Ranking Member
Subcommittee on Interior, Environment, and Related Agencies
Committee on Appropriations
United States House of Representatives
B-308 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Simpson and Representative Moran:

I am requesting your support for fiscal year 2013 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program. The Upper Colorado and San Juan recovery programs are highly successful collaborative conservation partnerships involving the states of Colorado, New Mexico, Utah and Wyoming, Indian Tribes, federal agencies and water, power and environmental interests. These programs are working to recover the four species of endemic Colorado River fish such that they can each be removed from the federal endangered species list. These programs provide Endangered Species Act (ESA) compliance for more than 2,300 federal, tribal and non-federal water projects, and they allow Colorado River Basin water development to proceed in Wyoming and the other participating states.

Through the efforts of these programs, water use and development can continue for our growing western communities in full compliance with the ESA, state water and wildlife law, and interstate compacts. Implementation of the ESA has been greatly streamlined for federal agencies, tribes and water users. Recognizing the need for fiscal responsibility, I must also point out that the participants would all be spending much more in ESA-related costs in the absence of these programs.

The State of Wyoming requests action by the Subcommittee to:

1. Appropriate \$706,300 in "Recovery" funds (Resource Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery of Listed Species Program Element; within the \$81,709,000 item entitled "Recovery") for fiscal year 2013 to allow the U.S. Fish and Wildlife Service (FWS) Region 6 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.
2. Appropriate \$200,000 in "Recovery" funds (Resource Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery of Listed Species Program Element; within the \$81,709,000 item entitled "Recovery") to allow FWS Region 2 to continue

The Honorable Michael K. Simpson, Chairman
The Honorable James P. Moran, Ranking Member
March 5, 2012
Page 2

its essential participation in the San Juan River Basin Recovery Implementation Program during fiscal year 2013.

3. Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$43,189,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

Please note that this request for continued funding of these two important programs is the same as, not greater than, last year's request.

On behalf of the State of Wyoming, I thank you for your consideration of my request. I also appreciate the past support and assistance of your Subcommittee, which have greatly facilitated the ongoing and continuing success of these multi-state, multi-agency programs that are vital to the recovery of the endangered fish and providing necessary water supplies for the growing Intermountain West.

Best regards,



Matthew H. Mead
Governor

cc: Representative Cynthia Lummis
Governor John Hickenlooper
Governor Gary R. Herbert
Governor Susana Martinez
Patrick T. Tyrrell, State Engineer



STATE OF UTAH

GARY R. HERBERT
GOVERNOR

OFFICE OF THE GOVERNOR
SALT LAKE CITY, UTAH
84114-2220

GREG BELL
LIEUTENANT GOVERNOR

March 7, 2012

The Honorable Rodney P. Frelinghuysen, Chairman
The Honorable Peter J. Visclosky, Ranking Member
Subcommittee on Energy and Water Development
Committee on Appropriations
United States House of Representatives
2362-B Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Frelinghuysen and Representative Visclosky:

On behalf of the State of Utah and Utah's Colorado River water users, I respectfully request your support for the appropriation to the Bureau of Reclamation for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program. These two programs are provided for in the budget line item entitled "Endangered Species Recovery Implementation Program".

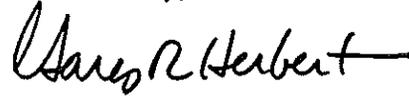
The Upper Colorado and San Juan recovery programs are highly successful collaborative conservation partnerships working to recover the four species of endemic Colorado River fish on the federal endangered species list; while at the same time water use and development have been able to continue in our growing western communities. These programs are unique efforts involving the states of New Mexico, Colorado, Utah and Wyoming, Indian Tribes, federal agencies and water, power and environmental interests. They are achieving Endangered Species Act (ESA) compliance for water projects and fully complying with interstate river compacts and the participating states' water law.

Since 1988, the two programs, collectively, have provided ESA Section 7 compliance (without litigation) for more than 2,100 federal, tribal, state and privately managed water projects depleting more than 3.7 million acre-feet of water per year. Substantial non-federal cost-sharing funding exceeding 50% is embodied in both programs.

Each year in support of these two region-wide cooperative recovery programs, the State of Utah requests the Subcommittee's assistance. It is absolutely essential that fiscal year 2013 funding be provided within the Bureau of Reclamation's budget appropriation to assure that agency's continued financial participation as directed by Public Law 106-392, as amended.

On behalf of the State of Utah, I thank you for the past support and assistance of your Subcommittee; it has greatly facilitated the ongoing and continuing success of these multi-state, multi-agency programs vital to providing water for Utah.

Sincerely,

A handwritten signature in black ink that reads "Gary R. Herbert". The signature is written in a cursive style with a long horizontal stroke at the end.

Gary R. Herbert
Governor



STATE OF NEW MEXICO
OFFICE OF THE STATE ENGINEER
SANTA FE

Scott A. Verhines, P.E.
State Engineer

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March 9, 2012

The Honorable Jack Reed, Chairman
The Honorable Lisa Murkowski, Ranking Member
Subcommittee on Interior, Environment, and Related Agencies
Committee on Appropriations
United States Senate
131 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Reed and Senator Murkowski:

I am requesting your support for fiscal year 2013 appropriations to the Fish and Wildlife Service (FWS) for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program. The Upper Colorado and San Juan recovery programs are highly successful collaborative conservation partnerships involving the states of Colorado, New Mexico, Utah and Wyoming, Indian Tribes, federal agencies and water, power and environmental interests. They are working to recover the four species of endemic Colorado River fish such that they can each be removed from the federal endangered species list. Through these efforts, water use and development has continued in our growing western communities in full compliance with the Endangered Species Act (ESA), state water and wildlife law, and interstate compacts. Implementation of the ESA has been greatly streamlined for federal agencies, tribes and water users. Recognizing the need for fiscal responsibility, I must also point out the participants would all be spending much more in ESA-related costs in the absence of these programs.

The State of New Mexico requests action by the Subcommittee to:

1. Appropriate \$706,300 in "Recovery" funds (Resource Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery of Listed Species Program

The Honorable Jack Reed, Chairman
The Honorable Lisa Murkowski, Ranking Member
March 9, 2012
Page 2

Element; within the \$81,709,000 item entitled "Recovery") for fiscal year 2013 to allow the U.S. Fish and Wildlife Service (FWS) Region 6 to continue its essential participation in the Upper Colorado River Endangered Fish Recovery Program.

2. Appropriate \$200,000 in "Recovery" funds (Resource Management Appropriation; Ecological Services Activity; Endangered Species Subactivity; Recovery of Listed Species Program Element; within the \$81,709,000 item entitled "Recovery") to allow FWS Region 2 to continue its essential participation in the San Juan River Basin Recovery Implementation Program during fiscal year 2013.
3. Appropriate \$485,800 in operation and maintenance funds (Resource Management Appropriation; Fisheries and Aquatic Resource Conservation Activity; National Fish Hatchery Operations Subactivity; within the \$43,189,000 item entitled "National Fish Hatchery System Operations") for endangered fish propagation and hatchery activities at the FWS' Ouray National Fish Hatchery. Operation of this facility is integral to the Upper Colorado Recovery Program's stocking program.

On behalf of the State of New Mexico, I thank you for your consideration of my request and for the past support and assistance of your Subcommittee; it has greatly facilitated the ongoing and continuing success of these multi-state, multi-agency programs that are vital to the recovery of the endangered fish and providing necessary water supplies for the growing Intermountain West.

Best regards,



Scott A. Verhines, P.E.
New Mexico State Engineer

SAV/kgf/kme

cc: Senator Jeff Bingaman
Senator Tom Udall
Governor Susana Martinez
Governor John Hickenlooper
Governor Gary R. Herbert
Governor Matthew H. Mead



Organization: The Navajo Nation
Subcommittee: Energy and Water Development
Agency: Bureau of Reclamation

March 8, 2012

The Honorable Dianne Feinstein, Chairman
The Honorable Lamar Alexander, Ranking Member
Subcommittee on Energy and Water Development
Committee on Appropriations
United States Senate
184 Dirksen Senate Office Building
Washington, D.C. 20510

Re: FY 2013 Funding for BOR

Dear Chairman Feinstein and Senator Alexander:

On behalf of the Navajo Nation, I request your support for an appropriation for FY 2013 of \$8,387,000 to the Bureau of Reclamation within the budget line item entitled "Endangered Species Recovery Implementation Program" for the Upper Colorado Region, consistent with the President's recommended budget. Substantial non-federal cost-sharing funding is occurring pursuant to Public Law 106-392, as amended. This appropriation will allow continued funding in FY2013 for the Upper Colorado River Endangered Fish Recovery Program and the San Juan River Basin Recovery Implementation Program as authorized by P.L. 106-392. These two successful ongoing cooperative partnership programs involve the States of Colorado, New Mexico, Utah and Wyoming, Indian tribes, federal agencies and water, power and environmental interests.

The requested federal appropriations are critically important to these efforts moving forward. The past support of your Subcommittee has greatly facilitated the success of these multi-state, multi-agency programs. Thank you for the Subcommittee's past support and request the Subcommittee's assistance for fiscal year 2013 funding to ensure the Bureau of Reclamation's continuing financial participation in these vitally important programs.

Sincerely,

Handwritten signature of Ben Shelly in black ink.

Ben Shelly, President
THE NAVAJO NATION