



COLORADO

Department of Natural Resources

Executive Director's Office
1313 Sherman Street, Room 718
Denver, CO 80203

Legislative Hearing on H.Res 320, H.R. 4832, H.R. 5001, and H.R.5345 Question for the Record for Ms. Rebecca Mitchell, Director, Colorado Water Conservation Board

1. **Ms. Mitchell:** Your testimony notes additional language that program partners would like to add to H.R. 5001, which would reallocate \$5 million from the San Juan River Recovery Program's capital cost ceiling to that of the Upper Colorado River Recovery Program, without increasing the total authorized amount. Your testimony states that this addition will allow certain "shovel-ready projects" for the Upper Colorado River Recovery Program to be implemented in fiscal year 2023. Can you please describe the projects that would be enabled by this change?

Program partners have placed the highest priorities on the following projects that are essential to fish recovery. Adjustment of the capital cost ceiling will enable one or more of these projects to be constructed:

- Yampa River, Steamboat Springs, Colorado: Catamount Reservoir non-native fish escapement prevention: A fish net or screen located on Catamount Reservoir in the Yampa River. The Yampa River is designated as critical habitat for the four threatened and endangered fish and is a significant tributary to the Green River. This net would prevent the escapement of nonnative fish from the reservoir to endangered fish critical habitat. Nonnative fish have been identified as a major impediment to recovery due to predation on the threatened and endangered fish.
- Colorado River, Grand Junction, Colorado: Grand Valley Irrigation Company fish screen rehabilitation: A fish screen on a major irrigation canal that prevents entrainment of endangered fish into the canal. This fish screen was the first screen to be built by the recovery program (in 2002) and has contributed to the programs' sufficient progress each year. Due to the older age of this screen and improvements in design and operations, the recovery program has identified the need for rehabilitation of the fish screen.
- Green River, Green River, Utah: Green River canal diversion and fish screen/passage: A fish screen and passage on a major irrigation canal that prevents the entrainment of endangered fish and provides for fish passage upstream. This fish screen/passage was recently constructed and additional



work is needed to allow for improvements for cleaning the screen/passage safely and effectively.

The capital ceiling reallocation would also allow the U.S. Bureau of Reclamation to continue to provide oversight and manage the construction of all recovery programs' capital projects. These priorities are accurate as of November 2021, and may be adjusted as more information is obtained. Due to the nature and timing of design-to-construction projects, the \$5 million would be spread over those three projects over the next 3 years.

2. **Ms. Mitchell:** Your testimony emphasizes the role for Colorado and other program partners to help recover the threatened and endangered fish species under the recovery programs that H.R. 5001 would reauthorize. What specific actions does the State of Colorado take to help recover these species? Are there other noteworthy activities led by your partners?

The Colorado Water Conservation Board the only entity in the state that can appropriate flows for instream use to protect the environment. As such, we have obtained water rights in critical habitat for endangered fish to ensure adequate flows. We regularly lease water and coordinate with program partners on reservoir operations to ensure that adequate water is maintained in key river reaches at times when the fish need it. We do this work in collaboration with tribes, federal and state agencies, environmental interests, water users and power users in our state.

Some noteworthy actions taken to help recover these species include: providing adequate flows for fish and their habitat at important times, restoring habitat, reducing nonnative fish, augmenting fish populations with stocked fish, and conducting research and monitoring. To emphasize some of the top activities, along with Colorado water users, we have provided more than 2 million acre feet of water for the endangered fish since 1997. In addition, Colorado Parks and Wildlife conducts annual non-native fish removal on more than 105 total river miles in critical habitat. Since the inception of the recovery programs, Colorado has spent more than \$30 million building projects on the ground for the recovery of the endangered fish.