

At a Glance

H.R. 4596, Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs Reauthorization Act of 2023

As ordered reported by the House Committee on Natural Resources on September 20, 2023

By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	*	11	16
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	*	11	16
Spending Subject to Appropriation (Outlays)	0	83	130

Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply?	Yes
		Mandate Effects	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

* = between zero and \$500,000.

The bill would

- Reauthorize appropriations for the Bureau of Reclamation (BOR) to complete capital projects for fish recovery programs in the Upper Colorado River Basin and the San Juan River Basin
- Reauthorize appropriations for annual operating costs of those programs
- Authorize BOR to accept and spend contributions from the Western Area Power Administration (WAPA) and nonfederal entities

Estimated budgetary effects would mainly stem from

- Authorizing appropriations for the fish recovery programs
- Spending from amounts contributed by WAPA for those programs

Areas of significant uncertainty include

- Estimating how much WAPA would contribute to the fish recovery programs

Detailed estimate begins on the next page.

See also

[CBO's Cost Estimates Explained](#), [CBO Describes Its Cost-Estimating Process](#), [Glossary](#)

Bill Summary

H.R. 4596 would authorize the Bureau of Reclamation (BOR) to participate in fish recovery programs through 2031 in the Upper Colorado River Basin and the San Juan River Basin. The agency’s authority to operate those programs expires at the end of fiscal year 2024. The bill also would allow BOR to accept and spend contributions from the Western Area Power Administration (WAPA) for annual operating costs of the fish recovery programs.

Estimated Federal Cost

The estimated budgetary effects of H.R. 4596 are shown in Table 1. The costs of the legislation fall within budget functions 270 (energy) and 300 (natural resources and environment).

Table 1. Estimated Budgetary Effects of H.R. 4596													
By Fiscal Year, Millions of Dollars												2024- 2029	2024- 2034
2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034			
Increases in Direct Spending													
Estimated Budget Authority	2	2	2	2	2	2	2	2	0	0	0	12	16
Estimated Outlays	*	3	2	2	2	2	2	2	1	0	0	11	16
Increases in Spending Subject to Appropriation													
Estimated Authorization ^a	0	16	18	19	19	19	19	20	0	0	0	91	130
Estimated Outlays	0	11	17	18	18	19	19	20	8	0	0	83	130

* = between zero and \$500,000.

a. The Bureau of Reclamation has allocated \$15 million for the capital and operating expenses of the fish recovery programs in 2024 from funds provided in the Consolidated Appropriations Act, 2024 (Public Law 118-42). The amounts shown reflect the difference between what CBO estimates would be authorized under the bill and the amount already provided.

Basis of Estimate

For this estimate, CBO assumes that H.R. 4596 will be enacted around the middle of calendar year 2024, that the estimated amounts will be appropriated in each year, and that outlays will follow historical spending patterns.

Background

The endangered fish recovery programs for the Upper Colorado River Basin and the San Juan River Basin were established in 1988 and 1992, respectively, to aid in the recovery of four fish identified under the Endangered Species Act: Colorado pikeminnow, humpback chub, razorback sucker, and bonytail. The program is operated in the basins in coordination



with the relevant states, Native American tribes, power customers, and other nonfederal entities to protect endangered fish and to maintain reliable water and power supplies to customers served by the water and power facilities in the basins. (Participating states include Colorado, New Mexico, Utah, and Wyoming.)

Direct Spending

CBO estimates that enacting H.R. 4596 would increase direct spending by \$16 million over the 2024-2034 period.

WAPA Proceeds for Fish Recovery Programs. H.R. 4596 would authorize BOR to accept and spend proceeds that WAPA receives from the sale of electricity generated by the Colorado River Storage Project. Under current law, WAPA uses a portion of those proceeds to repay outstanding obligations it owes to the Treasury; those amounts are deposited in the Treasury and are not available to be spent. Under the bill, any funds that WAPA contributes to BOR's fish recovery program would be counted as debt repayment and deducted from WAPA's outstanding obligations to the Treasury. Those funds could then be spent on fish recovery programs without further appropriation.

The amount that WAPA allocates to debt repayment under current law varies from year to year based on the financial performance of the storage project. The storage project's financial performance depends on hydrological conditions, water levels, electricity prices, and power needs in the Upper Colorado River Basin.

Relative to CBO's baseline projections for the amount of debt repayments WAPA will make each year and based on information from BOR and WAPA, CBO estimates that under the bill WAPA would contribute \$16 million to fish recovery programs over the 2024-2034 period. Under the bill, those amounts would be available for the program's annual operating costs including conducting research, monitoring fish populations, stocking of endangered fish and maintaining fish recovery facilities. Based on historical spending patterns for those programs, CBO estimates that enacting those provisions would increase direct spending by less than \$500,000 in 2024 and \$16 million over the 2024-2034 period.

Contributions from Nonfederal Sources. H.R. 4596 also would authorize BOR to accept and spend contributions by nonfederal entities including states and tribes in the Upper Colorado and San Juan River Basins. Those contributions would be used for capital projects such as constructing fish passage structures, screens, or escapement devices; restoring habitats; or rehabilitating existing capital projects. Using information from BOR, CBO estimates that agency's collections for such purposes would average less than \$1 million each year. Such contributions are recorded in the budget as offsetting receipts, that is, as reductions in direct spending. Because CBO expects that the spending of those receipts would occur soon after they are received, we estimate the net effect on direct spending from enacting that provision would be negligible in each year and over the 2024-2034 period.



Spending Subject to Appropriation

H.R. 4596 would authorize the appropriation of \$130 million over the 2024-2031 period, plus annual adjustments for inflation, for BOR to operate and complete capital projects for the fish recovery programs. In 2024, BOR has allocated \$15 million for those activities; therefore, CBO estimates the bill would authorize an additional \$115 million for those purposes over the 2024-2031 period.

Because CBO cannot predict how much would be provided in each year, we assume that it would be provided in roughly equal increments over the 2025-2031 period. On that basis, and after accounting for anticipated inflation, CBO estimates that the bill would authorize the appropriation of an additional \$130 million over the 2025-2031 period—\$115 million for the specified amounts and \$15 million for anticipated inflation.

Assuming appropriation of those amounts, CBO estimates that implementing the bill would cost \$83 million over the 2024-2029 period and \$130 million over the 2024-2034 period.

Uncertainty

This estimate is subject to uncertainty surrounding expected contributions from the Colorado River Storage Project to BOR. While the storage project contributed approximately \$21 million per year for BOR environmental activities, including fish recovery, prior to 2019, CBO does not expect that hydropower revenues will support that amount of funding over the 2024-2034 period. However, given that revenues can vary substantially based on hydrological conditions, the storage project’s actual contributions could be higher or lower than projected in this estimate.

Pay-As-You-Go Considerations

The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The increases in outlays that are subject to those pay-as-you-go procedures are shown in Table 2.

Table 2.
CBO’s Estimate of the Statutory Pay-As-You-Go Effects of H.R. 4596, the Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs Reauthorization Act of 2023, as Ordered Reported by the House Committee on Natural Resources on September 20, 2023

	By Fiscal Year, Millions of Dollars											2024-2029	2024-2034
	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034		
	Net Increase in the Deficit												
Pay-As-You-Go Effect	0	3	2	2	2	2	2	2	1	0	0	11	16

Increase in Long-Term Net Direct Spending and Deficits

CBO estimates that enacting H.R. 4596 would not increase net direct spending or deficits in any of the four consecutive 10-year periods beginning in 2035.

Mandates

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

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