

North American Wetlands Conservation Fund

Appropriations Language

For expenses necessary to carry out the provisions of the North American Wetlands Conservation Act, as amended (16 U.S.C. 4401-4414), \$50,000,000, to remain available until expended.

Note.—A full-year 2011 appropriation for this account was not enacted at the time the budget was prepared; therefore, this account is operating under a continuing resolution (P.L. 111-242, as amended). The amounts included for 2011 reflect the annualized level provided by the continuing resolution.

Authorizing Statutes

North American Wetlands Conservation Act of 1989 (16 U.S.C. 4401). Section 4406 of the Act (NAWCA) authorizes fines, penalties, and forfeitures from violations of the Migratory Bird Treaty Act to be made available for wetlands conservation projects. Section 4407 authorized interest on excise taxes for hunting equipment deposited for wetlands conservation grants and costs for administering this grant program. On October 11, 2006, Section 4406 was extended through fiscal year 2012. The Act authorizes appropriations to be used to encourage partnerships among public agencies and other interests to protect, enhance, restore, and manage wetland ecosystems and other habitats for migratory birds and other fish and wildlife; to maintain current or improved distributions of migratory bird populations; and to sustain an abundance of waterfowl and other migratory birds consistent with goals of the North American Waterfowl Management Plan and international obligations with other countries. The Act authorizes annual appropriations not to exceed \$55 million in FY 2003, \$60 million in FY 2004, and increasing annually by \$5 million until reaching an amount not to exceed \$75 million in FY 2012. The allocation of funds available for projects in Canada and Mexico is “at least 30 per cent and not more than 60 per cent” and the allocation of funds available for projects in the United States is “at least 40 percent and not more than 70 percent.” *Coastal Wetlands Planning, Protection and Restoration Act* funds are available only for U.S. projects.

Coastal Wetlands Planning, Protection and Restoration Act (16 U.S.C. 3951-3956). Establishes the National Coastal Wetlands Planning, Protection and Restoration Program within the Sport Fish Restoration Account for projects authorized by NAWCA in coastal states. Authorization of Appropriations expired September 30, 2009. Several extensions authorized spending through March 4, 2011. Reauthorization is pending.

Aquatic Resources Trust Fund (26 U.S.C. 9504). Authorizes appropriations from the Sport Fish Restoration Account to carry out the *Coastal Wetlands Planning, Protection and Restoration Act*.

Other Authorizations

Appropriations Act of August 31, 1951 (P.L. 82-136, 65 Stat. 261).

Federal Aid in Wildlife Restoration Act of 1937, as amended (16 U.S.C. 669-669i).

Migratory Bird Conservation Act, as amended (16 U.S.C. 715).

Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. 703-712).

Nonindigenous Aquatic Nuisance Prevention and Control Act, as amended (16 U.S.C. 4701 et.seq.).

Federal Aid in Fish Restoration Act, as amended (16 U.S.C. 777-777k).

Appropriation: North American Wetlands Conservation Fund

	2010 Actual	2010 Enacted/ 2011 CR	2012			Change from 2011 CR (+/-)
			Fixed Costs and Related Changes (+/-)	Program Changes (+/-)	Budget Request	
<i>Appropriations:</i>						
North American Wetlands Conservation Fund (\$000)	47,647	47,647	0	+2,353	50,000	+2,353
Estimated User Pay Cost Share (\$000)	[235]	[245]	0	0	[234]	[-11]
<i>Receipts (Mandatory):</i>						
Migratory Bird Treaty Act Fines (\$000)	5,834	689		+311	1,000	+311
Total, North American Wetlands Conservation Fund (\$000)	53,481	48,336		+2,664	51,000	+2,664
FTE	14	14	0	0	14	0

Summary of 2012 Program Changes for North American Wetlands Conservation Fund

Request Component	(\$000)	FTE
• North American Wetlands Conservation Fund	+2,353	+0
Program Changes	+2,353	+0

Justification of 2012 Program Changes

The 2012 budget request for the North American Wetlands Conservation Act (NAWCA) grants program is \$50,000,000 and 14 FTE, with a net program change of \$2,353,000 from the 2010 Enacted/annualized 2011 Continuing Resolution.

North American Wetlands Conservation Fund (+2,353,000/+0 FTE)

The Administration requests \$50 million for the North American Wetlands Conservation Fund in 2012 to help partners acquire, protect, restore and enhance wetland habitat across the continent. NAWCA funding is frequently the catalyst needed to bring federal and state conservation agencies, local governments, private industry, non-profit conservation organizations, and individuals together in public-private partnerships to address mutual conservation needs and concerns in our important wetlands.

These vital local conservation partnerships will add a dollar, often times more, in matching *non-federal funds* to each grant dollar awarded. Consequently, the full impact of the FY 2012 increase is even more considerable to the conservation of habitats in important wetland ecosystems such as the Gulf Coast of Louisiana and Mississippi, the San Francisco Bay and Sacramento/San Joaquin River Delta, the Great Lakes watershed, and the Atlantic Coast.

Receipts are derived from court imposed fines for violations of the Migratory Bird Treaty Act and vary greatly from year to year. However, it should be noted the amount received in 2010 was an anomaly due to one court case. An estimate of \$1.0 million is consistent with the routine income trend for this account.

North American Wetlands Conservation Fund - Performance Change Table

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Plan	2012 PB	Program Change Accruing in 2012	Program Change Accruing in Out-years
CSF 4.1 Number of non-FWS wetland acres restored, including acres restored through partnerships, as specified in management plans or agreements that involve FWS (GPRA)	559,947	974,658	458,713	363,141	415,744	281,062	-134,682 (-32.4%)	n/a
CSF Total Actual/Projected Expenditures (\$000)	\$36,921	\$44,848	\$48,479	\$47,550	\$55,146	\$37,766	(\$17,380)	n/a
CSF Program Total Actual/Projected Expenditures (\$000)	\$11,522	\$18,252	\$18,716	\$19,367	\$19,618	\$19,873	\$255	n/a
Actual/Projected Cost Per Acre (whole dollars)	\$66	\$46	\$106	\$131	\$133	\$134	\$2	n/a
4.1.6 # of habitat acres enhanced/restored of habitat in North America through NAWCF - annual (GPRA)	453,748	468,928	264,189	214,507	364,139	229,454	-134,685 (-37%)	14,375
Comments	Acres of habitat reported as restored or enhanced are the result of projects funded from several years previous that were completed during a particular fiscal year. The change in performance from 2007 to 08, 09, 10, 11 and 2012 demonstrates the variability inherent in multi-year grants, as to when they are proposed/funded and when they are reported as completed. This year-to-year variability is responsible for the fluctuation in reported acreages that are associated with a given fiscal year.							
CSF 4.4 Number of non-FWS wetland acres managed or protected to maintain desired condition, including acres managed or protected through partnerships, as specified in management plans or agreements that involve FWS (GPRA)	31,556,449	7,872,799	2,440,943	965,710	768,606	662,313	-106,293 (-13.8%)	n/a

North American Wetlands Conservation Fund - Performance Change Table

Performance Goal	2007 Actual	2008 Actual	2009 Actual	2010 Actual	2011 Plan	2012 PB	Program Change Accruing in 2012	Program Change Accruing in Out- years
CSF Total Actual/Projected Expenditures (\$000)	\$28,640	\$37,147	\$37,179	\$37,045	\$29,867	\$26,072	(\$3,796)	n/a
CSF Program Total Actual/Projected Expenditures (\$000)	\$11,432	\$18,204	\$18,689	\$19,301	\$19,552	\$19,806	\$254	n/a
Actual/Projected Cost Per Acre (whole dollars)	\$1	\$5	\$15	\$38	\$39	\$39	\$1	n/a
4.4.1 # of non-FWS wetland acres protected/secured through NAWCF (GPRA)	1,417,084	709,942	497,254	797,083	686,552	580,257	-106,295 (-15.5%)	43,125
Comments	Acres of habitat reported as protected or secured are the result of projects funded from several years previous that were completed during a particular fiscal year. The change in performance from 2007 to 08, 09, 10, 11, 2012 demonstrates the variability inherent in multi-year grants as to when they are proposed/funded and when they are reported as completed. This year-to-year variability is responsible for the fluctuation in reported acreages that are associated with a given fiscal year.							

Program Overview

The North American Wetlands Conservation Act (NAWCA) grant program provides grants throughout North America for the conservation of waterfowl and other wetland-associated migratory birds. For the past twenty years, NAWCA funds have been invested in the Nation's most vital wetland ecosystems. Projects have been and will continue to be funded based on the significance of the wetland ecosystems and wildlife habitat to be conserved, migratory bird species benefitted, partner diversity and non-federal contributions leveraged, as well as the long-term value of the conservation work proposed.

Country	Protected Acres	Enhanced, Restored, and Created Acres	Number of Projects
Canada	14,489,105	3,251,689*	489
Mexico	1,876,977	1,067,745	244
U.S.	4,413,135	3,411,821	1,277
All Countries	20,779,217	7,731,255	2,010

Acreages represent total proposed acres approved for funding in the U.S. and Canada through FY 2010. Some acres are included in both "Protected" and "Enhanced, Restored and Created" due to multiple activities occurring on the same property. Therefore, while the two categories should not be added to demonstrate total acres affected, approximately 28.5 million acres have been affected by protection, enhancement, or restoration activities.

* This figure includes 413,910 acres of moist soil management completed prior to 1998.

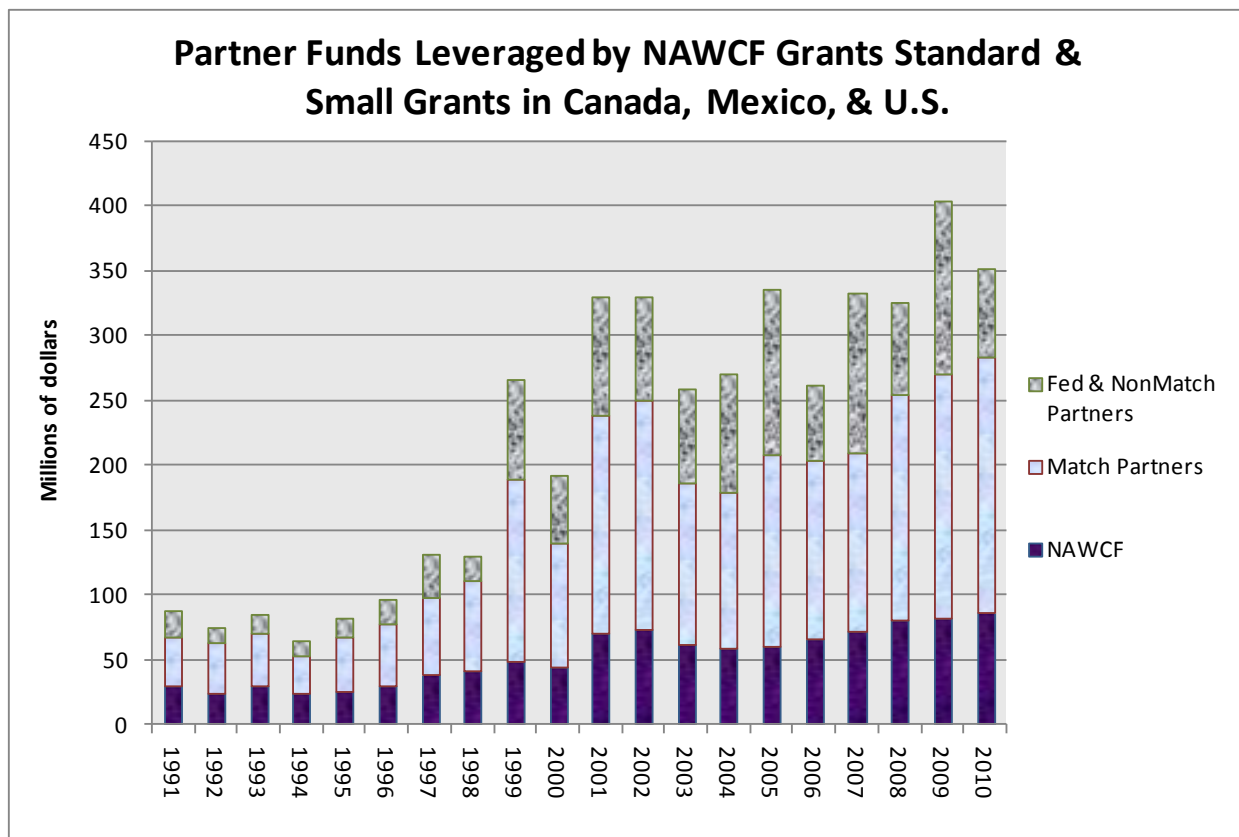
Grants made available through NAWCA have helped thousands of public-private partnerships protect and improve the health and integrity of wetland and wetland-associated landscapes. Through FY 2010 the NAWCA program has supported 2,010 projects in 50 U.S. States, Puerto Rico, the U.S. Virgin Islands, 13 Canadian provinces and territories, and 31 Mexican states and the Federal District of Mexico. Millions of acres have been protected, restored and enhanced by more than 4,300 partners.

NAWCA partners can be either matching or non-matching contributors. Non-federal partners like private landowners, states, local governments, non-governmental conservation organizations, tribes, trusts, and corporations, match NAWCA funds with non-federal dollars. Federal agencies and programs (referred to as federal and non-match partners below) also partner with NAWCA, but their federal-source contributions are not considered part of the legally required match.

By partnering with non-federal partners, NAWCA funds have effectively leveraged twice the legally required 1:1 match-to-grant ratio. NAWCA grants are the catalysts for partnerships and projects that:

- Generate migratory bird conservation, flood control, erosion control, and water quality improvement;
- Sustain cultural traditions;
- Help implement the tri-national North American Waterfowl Management Plan and other national and international bird conservation plans;
- Assist in the recovery of endangered and threatened species; and,
- Achieve the Service's long-term outcome goal of healthy and sustainable migratory bird populations.

NAWCA administers both Standard and Small Grants programs. The Standard Grants Program is open to applicants in the U.S., Canada, and Mexico. Standard grant amounts in the U.S. are generally \$750,000 to \$1,000,000, and eligible grantees must provide matching funds at least equal to the award amount. Usually, the *non-federal match* amount exceeds the requested grant amount by more than 2:1. The Small Grants Program, available only in the U.S. and limited to \$75,000 per project, is intended to assist smaller partners and projects to successfully compete for NAWCA funds. This program attracts new partners for wetland conservation and helps diversify the types and locations of projects funded by NAWCA.



Data collected through 2010 shows the Standard Grants Program has supported nearly 3,400 partners, including environmental organizations; sportsmen’s groups; corporations; farmers and ranchers; small businesses; federal, state and local governments; and private landowners, as they implemented 1,519 projects worth over \$4.2 billion. NAWCA has contributed over \$1.03 billion to these projects, with total partner funds of more than \$3.1 billion. More than \$2 billion of these partner funds are from *non-federal sources*, providing \$2.00 in eligible match for every NAWCA dollar awarded. More than 28.3 million acres of wetlands and associated uplands have been protected, restored, enhanced and/or established through the Standard Grants Program in the U.S., Canada, and Mexico.

The Small Grants Program started in 1996 with \$250,000. Currently up to \$5 million of NAWCA funds may be used for small grant awards each year, depending upon the availability of funds and qualifying projects. Through 2010, 491 projects have been approved for more than \$25.5 million in grant funds. Eligible partners have contributed more than \$106 million in *non-federal matching* funds (including in-kind contributions) to projects located in 49 states and Puerto Rico. Such *non-federal matching* has allowed small grants to leverage more than \$4 for every NAWCA dollar, awarded affecting almost 194,000 acres, benefiting a diversity of wetland and wetland-associated habitats, and fostering new and expanded partnerships for the NAWCA program.

A nine-member North American Wetlands Conservation Council (NAWCC) recommends projects for final approval by the Migratory Bird Conservation Commission (MBCC). The NAWCC is comprised of the FWS Director, the Secretary of the Board of the National Fish and Wildlife Foundation, four Directors of state fish and game agencies representing each of the migratory bird flyways (Atlantic, Mississippi, Central, Pacific), and representatives from three nonprofit conservation organizations actively involved in wetlands conservation projects.

The MBCC includes the Secretaries of Interior and Agriculture, the Administrator of the Environmental Protection Agency, two U.S. Senators and two U.S. Representatives. The MBCC approves or rejects projects, or may reorder the priority of any Council-recommended project list.

The Act authorizes funding from four sources:

- Direct appropriations
- Interest from receipts in the Federal Aid in Wildlife Restoration account
- Fines, penalties and forfeitures resulting from violations of the Migratory Bird Treaty Act, and
- Receipts from the Sport Fish Restoration account for U.S. coastal projects (Pacific and Atlantic coastal states, states bordering the Great Lakes, Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa).

Section 8(a)(1) of the North American Wetlands Conservation Act, as amended, authorizes the Secretary to use up to 4% of appropriated, interest, fines and coastal funding available in a given year for administering the wetlands conservation program. Electronic submission and fund withdrawal have helped streamline procedures for grant recipients. More rigorous internal controls have helped insure administrative funds are used effectively. The Service also has increased the amount and intensity of project monitoring to help grantees' projects succeed and ensure grant program accountability. Consistent and thorough monitoring helps the Service identify areas of technical assistance needed by partners; evaluate grantee performance; ensure regulatory compliance and responsible financial management; correct grant administration errors, irregularities and noncompliance; and deter waste, fraud and abuse.

2012 Program Performance

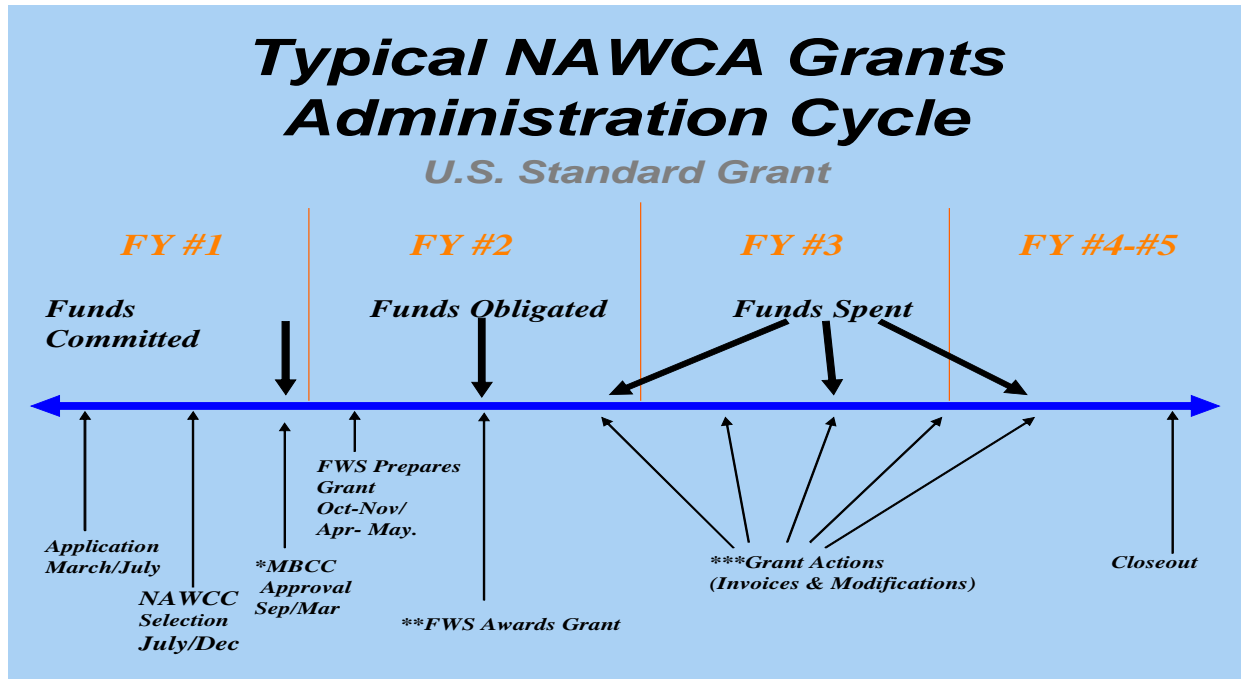
NAWCA projects will continue to focus on wetland priority areas and support partners as they identify the appropriate tools and activities for the habitat conservation they have committed to accomplish. NAWCA-funded projects will meet DOI's objective of optimizing landscape conservation, leveraging private contributions and conserving land for wildlife habitat value.

Additionally, projects funded through NAWCA grants explicitly address two Fish and Wildlife Service measurable outcomes (FWS Ops Plan CSF 4.1 and 4.4). These measures are the number of habitat acres enhanced/restored in North America through the North American Wetlands Conservation Fund (NAWCF) (FWS CSF 4.1.6) and the number of non-FWS wetland acres protected or secured by NAWCF (FWS CSF 4.4.1). Habitats protected, restored, or improved through NAWCA help maintain healthy and sustainable wetland-associated migratory bird populations by insuring that suitable habitat is available.

The 2012 request, along with non-federal partner matches, will enable the NAWCA program to select and fund wetland protection, restoration, and enhancement projects that will ultimately conserve approximately 1,222,000 acres of wetland and wetland associated habitats in out years, including the estimated 57,500 acres attributed to the proposed budget increase. An estimated 809,700 acres of protected, restored, and enhanced habitat will be reported in 2012. All of these acres will result from previously funded projects that are currently scheduled for completion in 2012.

NAWCA grants are typically multi-year projects so there is not a direct correlation between the funding received in a fiscal year and the accomplishments reported that year. Acres accomplished by projects awarded with 2012 funds will actually be completed and reported in out years. Acres reported as protected, restored, and enhanced in 2012 are the result of previously funded projects that are scheduled for completion in 2012. If projects are extended, completed early or even terminated for cause, changes in the previously estimated acreages can occur. For example, the 2012 performance numbers are more than twice the number of acres estimated in the 2011 budget, demonstrating the significant year-to-year

variability that occurs because projects have unique acreage objectives and funding periods that may be extended up to five years.



May not accurately represent the less complex small grants.

* 100% of NAWCA grants are approved and committed by the MBCC in the same fiscal year in which those funds are appropriated.

** Processing/obligating grants may require 2-6 months due to the complexity of NAWCA projects, the need for environmental and historic preservation clearances, and FWS administrative procedures.

*** Funds are expended as requested by each grantee over the life of the grant, typically 2-5 fiscal years.

Standard Form 300

DEPARTMENT OF THE INTERIOR
 FISH AND WILDLIFE SERVICE
 NORTH AMERICAN WETLANDS CONSERVATION FUND

Program and financing (in millions of dollars)	2010	2011	2012
Identification code 14-5241-0-302	Actual	Estimate	Estimate
0100 Balance, start of year	6	1	1
Receipts:			
0200 Fines, Penalties and Forfeitures from Migratory Bird Treaty Act	1	1	1
0400 Total: Balances and collections	7	2	2
Appropriations:			
0500 North American Wetlands Conservation Fund (-)	-6	-1	-1
0799 Balance, end of year	1	1	1
Obligations by program activity:			
0003 Wetlands conservation projects	52	46	49
0004 Administration	2	2	2
0900 Total obligations	54	48	51
Budgetary Resources:			
Unobligated balance:			
1000 Unobligated balance brought forward, Oct. 1	9	12	14
1021 Recoveries of prior year unpaid obligations	3	1	1
1050 Unobligated balance, total	12	13	15
Budget authority:			
1100 Appropriation, discretionary	48	48	50
1201 Appropriation (special fund)	6	1	1
1900 Budgetary authority, total	54	49	51
1930 Total budgetary resources available	66	62	66
1941 Unexpired unobligated balance, end of year	12	14	15
Change in obligated balance:			
3000 Obligated balance, start of year	81	89	79
3030 Obligations incurred	54	48	51
3040 Total outlays, gross (-)	-43	-57	-58
3080 Recoveries of prior year unpaid obligations	-3	-1	-1
3090 Unpaid obligations, end of year	89	79	71

Standard Form 300

**DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
NORTH AMERICAN WETLANDS CONSERVATION FUND**

Program and financing (in millions of dollars)	2010	2011	2012
Identification code 14-5241-0-302	Actual	Estimate	Estimate
<u>Budgetary authority and outlays, net:</u>			
Discretionary:			
4000 Budgetary authority, gross	48	48	50
4010 Outlays from new discretionary authority	11	10	10
4011 Outlays from discretionary balances	30	43	44
4020 Total outlays (gross)	41	53	54
Mandatory:			
4090 Budgetary authority, gross	6	1	1
4100 Outlays from new mandatory authority	0	1	1
4101 Outlays from mandatory balances	2	3	3
4110 Total outlays (gross)	2	4	4
4180 Budget authority, net	54	49	51
4190 Outlays, net	43	57	58
<u>Direct Obligations:</u>			
11.1 Full-time permanent	1	1	1
25.2 Other services	1	1	1
32.0 Land and structures	4	1	1
41.0 Grants, subsidies, and contributions	48	45	48
99.9 Total obligations	54	48	51
Personnel Summary			
1001 Civilian full-time equivalent employment	14	14	14