

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), \$42,647,000, *to be derived from the Land and Water Conservation Fund*, and to remain available until expended.

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, this section 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 2007. 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 expires September 30, 2009.

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)

		2007 Actual	2008 Enacted	2009			Change From 2008 (+/-)
				Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Appropriations:							
North American Wetlands Conservation Fund	(\$000) FTE	39,412 9	41,981 9	- -	+666 -	42,647 9	+666 -
Estimated User-Pay Cost Share	(\$000)	[260]	[208]	[+12]		[220]	[+12]
Receipts:							
Migratory Bird Treaty Act Fines	(\$000)	481	4,583	-	-4,083	500	-4,083
Total:							
North American Wetlands Conservation Fund	(\$000) FTE	39,893 9	46,564 9	- -	-3,417 -	43,147 9	-3,417 -

Summary of 2009 Program Changes for North American Wetlands Conservation Fund

Request Component	(\$000)	FTE
• North American Wetlands Conservation Fund	+666	0
TOTAL Program Changes	+666	0

Justification of 2009 Program Changes

The 2009 budget request for the North American Wetlands Conservation Act (NAWCA) grants program fund is \$42,647,000 and 9 FTE, a program change of +\$666,000 and 0 FTE from 2008 Enacted.

North American Wetlands Conservation Fund (+\$666,000)

The Service request level of \$42.647 million for the NAWCA grant program includes an increase of \$666,000. The FY 2009 request will enable the NAWCA grant program to acquire 730,000 acres of wetlands, manage another 775,000 acres, and restore 496,000 acres of wetland through partnerships. Every NAWCA grant dollar will be matched at least 1:1 by partners, and in fact the program is averaging more than 2.4:1 match to grant dollars. This will result in a minimum of \$42.647 million in partner funds being contributed to support projects in the U.S., Canada, and Mexico.

The NAWCA program plays a vital role addressing wetlands habitat loss, which was identified in Audubon's "Common Birds in Decline" report as one of the major contributing factors to migratory bird population declines. NAWCA grants support the goals of the North American Waterfowl Management Plan (NAWMP), a tri-lateral agreement signed by the U.S., Canada and Mexico, which responds to the loss of wetland and other habitats essential to the survival of waterfowl populations. In addition to advancing the NAWMP, NAWCA advances many other bird conservation initiatives such as Partners in Flight, the North American Bird Conservation Initiative, the U.S. Shorebird Plan, and the North American Waterbird Conservation Plan. NAWCA is a primary funding source for habitat conservation projects developed by joint venture partners to meet the habitat conservation objectives identified via Strategic Habitat Conservation. Three of the key areas for NAWCA project funding are the Gulf Coast, Atlantic Coast, and Prairie Pothole/Playa regions of the United States. Additionally, NAWCA grants are also one of the major contributing factors to habitat conservation efforts for migratory birds in Mexico; providing more than \$1.3 million for eight (8) projects during 2005 – 2007 that were located in the 5 priority areas identified by the Administration (Chihuahuan Desert Grasslands; Marismas Nacionales; Calakmul, Yucatan; El Triunfo, Chiapas; and Laguna Madre).

Program Performance Change

Performance Goal	2005 Actual	2006 Actual	2007 Actual	2008 Plan	2009 Base Budget (2008 Plan + Fixed Costs)	2009 President's Budget	Program Change Accruing in 2009	Program Change Accruing in Outyears
Resource Protection - Landscapes and Watersheds								
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 - annual (GPRA)	410,610	593,996	559,947	603,196	603,196	496,346	-106,850 (-17.7%)	
CSF Total Actual/Projected Cost(\$000)	unk	\$19,580	\$29,649	\$32,706	\$32,706	\$27,558	(\$5,148)	
CSF Program Total Actual/Projected Cost(\$000)	unk	\$1,210	\$11,522	\$11,799	\$11,799	\$12,082	\$283	
Actual/Projected Cost Per Acre (whole dollars)	unk	\$33	\$53	\$54	\$54	\$56	\$1	
4.1.6 # of habitat acres enhanced/restored of habitat in North America through NAWCF - annual (GPRA)	365,747	483,800	453,748	566,000	566,000	464,156	-101,844 (-18.0%)	
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, and 09 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 - annual (GPRA)	552,111	3,684,773	31,556,449	785,719	785,719	775,123	-10,596 (-1.3%)	
CSF Total Actual/Projected Cost(\$000)	unk	\$17,533	\$28,233	\$720	\$720	\$727	\$7	
CSF Program Total Actual/Projected Cost(\$000)	unk	\$1,163	\$11,432	\$11,706	\$11,706	\$11,987	\$281	
Actual/Projected Cost Per Acre (whole dollars)	unk	\$5	\$1	\$1	\$1	\$1	\$0	
4.4.1 # of non-FWS wetland acres protected/secured through NAWCF - annual (GPRA)	458,820	1,945,573	1,417,084	738,680	738,680	730,187	-8,493 (-1.1%)	
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, and 09 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 is an internationally recognized conservation program that provides grants throughout North America for the conservation of waterfowl and other wetland-associated migratory birds. For over 18 years, grants made available through NAWCA have helped a multitude of partnerships protect and improve the health and integrity of the landscapes on which our fish and wildlife resources depend. Through FY 2007, the NAWCA program together with over 3,400 partners has supported 1,666 projects in 50 U.S. States, Puerto Rico, the U.S. Virgin Islands, 13 Canadian provinces and 32 Mexican states.

Country	Protected Acres	Enhanced, Restored, and Created Acres	Number of Projects
Canada	13,939,227	3,019,204 ^a	472
Mexico	1,565,942	842,072	207
U.S.	3,623,928	2,848,937	987
All Countries	19,129,097	6,710,213	1666

Acres represent total proposed acres approved for funding, through August 2007, 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 23.7 million acres have been affected by protection, enhancement, or restoration activities.

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

The NAWCA program has effectively used Federal funds to leverage private matching funds, and will continue to do so in building strong partnerships with private landowners, States, non-governmental conservation organizations, tribes, Federal agencies, trusts, and corporations, to advance the President's commitment to wetland conservation.

The NAWCA program plays a key role in achieving the Service's long-term outcome goal of having healthy and sustainable migratory bird populations. Additionally, the program is instrumental in achieving the President's Wetlands goal of restoring, protecting and improving three million wetland acres by 2009. Most recently, the President introduced a migratory bird effort in late 2007 and NAWCA plays an important role in the success of that effort.

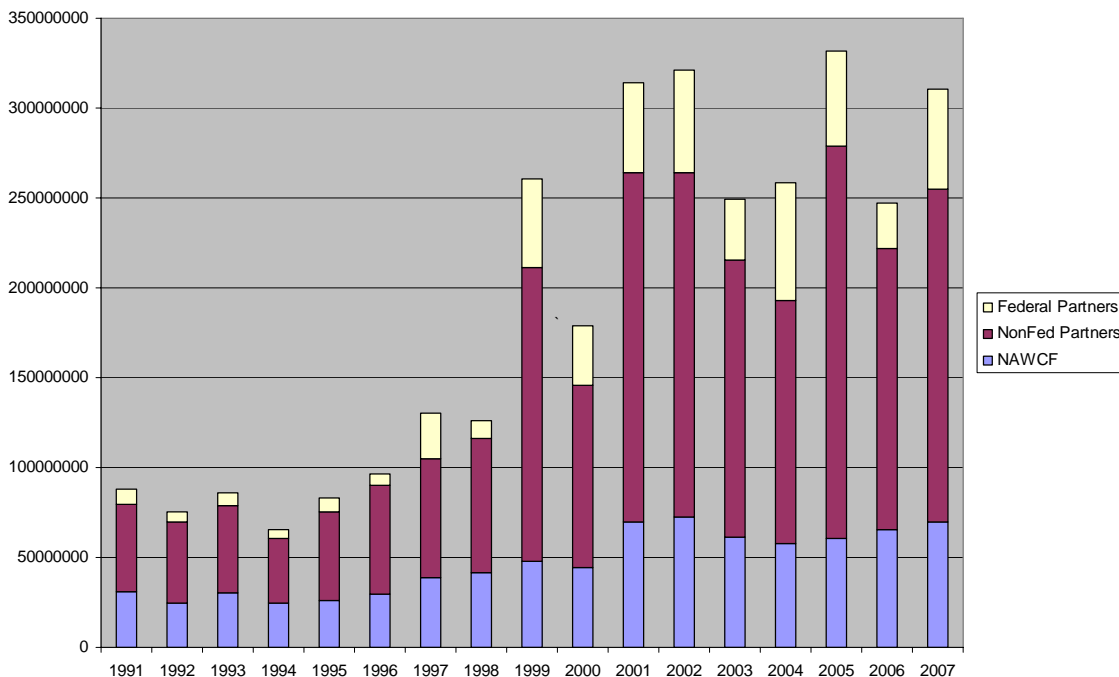
In 2004, the Migratory Bird Program was reviewed by the Administration using the Program Assessment Rating Tool (PART). The NAWCA program was included in this evaluation, as it is an integral part of the Service's overall Migratory Bird Program. New long-term and annual performance measures were crafted during this review. Baselines and goals for these new measures developed in 2005 are integrated with existing strategic goals to improve future analyses of efficiency and effectiveness. Use of these new measures over time will help managers improve program performance, link performance to budget decisions, provide a basis for making recommendations to improve results, and contribute to the achievement of the long term health and sustainability of migratory bird populations.

NAWCA grants act as catalysts in bringing partnerships together to support wetland projects and leverage funding. These grants successfully:

- Generate average partner contributions 2-3 times in excess of Federal NAWCA dollars invested;
- Foster public and private sector cooperation for migratory bird conservation, flood control, erosion control, and water quality;
- Sustain cultural traditions;

- Provide a major source of funds to implement the tri-national North American Waterfowl Management Plan and other national and international bird conservation plans; and,
- Assist in the recovery of endangered and threatened species.

Partner Funds Leveraged by NAWCF Standard Grants (Canada, Mexico, US)



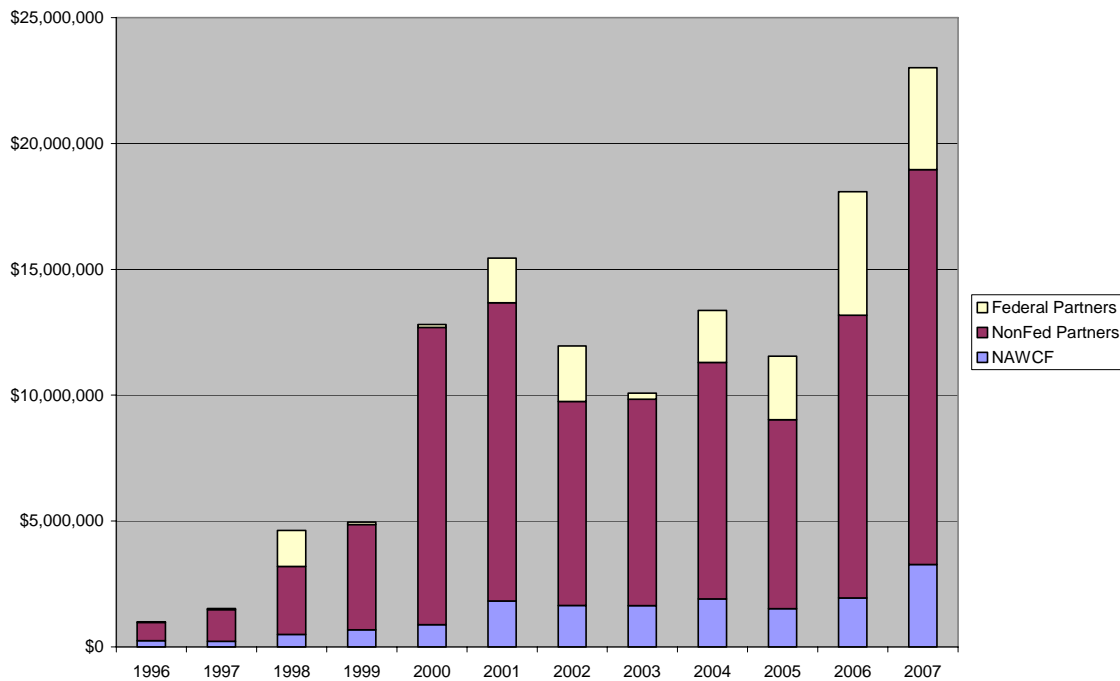
NAWCA administers both a standard and small grants program. The Standard Grants Program is open to applicants in the U.S., Canada, and Mexico. In the U.S., maximum standard grant amounts are generally \$750,000 to \$1,000,000, and eligible grantees must generate an equivalent or greater match in funds. The Small Grants Program is available only in the U.S., and is designed to assist smaller partners and projects to compete and participate in NAWCA, thus expanding the potential universe of partners and diversity of projects. Beginning in FY 2007, small grants may not exceed \$75,000.

During the years FY 1991 through FY 2007, nearly 2,700 partners including environmental organizations; sportsmen’s groups; corporations; farmers and ranchers; small businesses; Federal, State and local governments; and private landowners implemented 1,307 projects worth over \$3.2 billion under the Act’s Standard Grants Program. NAWCA has contributed over \$794 million to support these projects, with total partner funds of \$2.43 billion. Approximately 80% of these partner funds are from non-federal sources, and the ratio of non-Federal match to grant funds is \$1.95 for every \$1.00 of grant funds. These projects have protected, restored, or enhanced more than 23.5 million acres of wetlands and associated uplands in the U.S., Canada, and Mexico. In addition, many of Mexico’s large biosphere reserves have benefited from conservation actions associated with NAWCA projects including environmental education, management, and planning efforts.

In the U.S., the small grants program started in 1996 with \$250,000. Currently up to \$2.5 million of NAWCA funds may be used for small grant awards each year, depending upon the availability of qualifying projects. To date, 359 projects have been approved for a total of more than \$16.3 million. Eligible partners will contribute more than \$79 million in non-Federal matching funds (including in-kind contributions) to these projects. Small grants have leveraged \$4.84 in match dollars for every Federal grant dollar. Small grant projects have been funded in 46 States and Puerto Rico, benefiting an extremely diverse assortment of

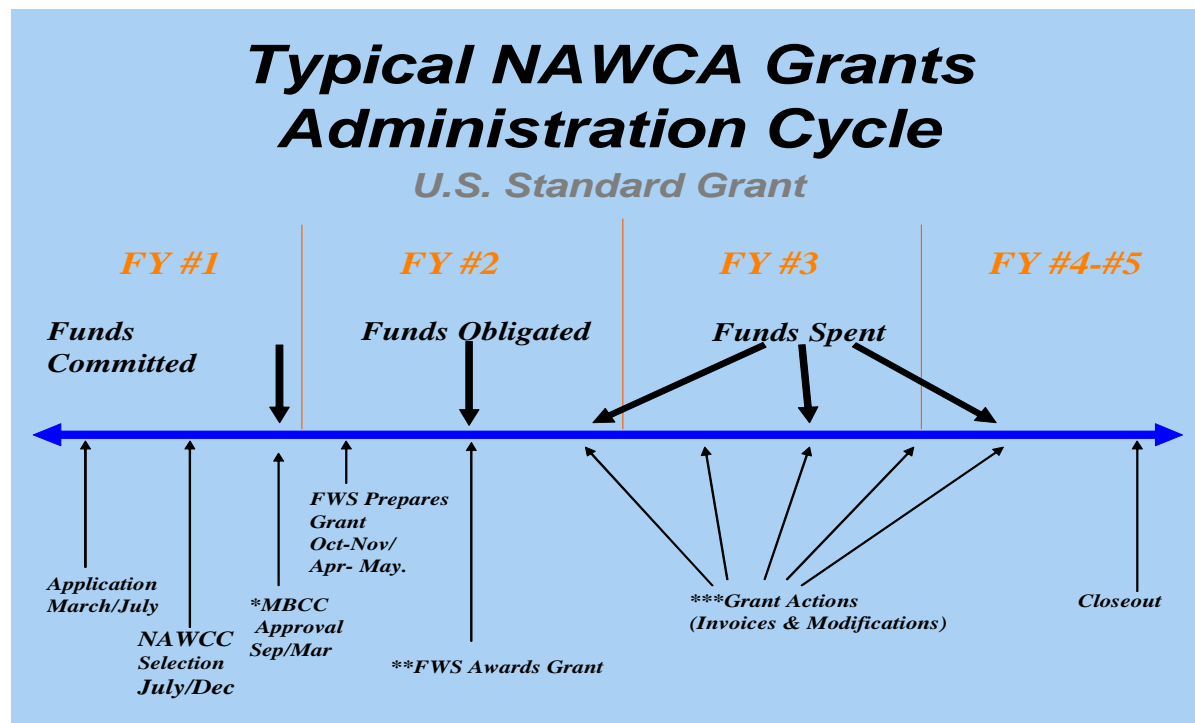
wetland and wetland-associated habitat projects, and fostering new and expanded partnerships for the NAWCA program.

Partner Funds Leveraged by Small Grants



A nine-member North American Wetlands Conservation Council recommends projects for final approval by the Migratory Bird Conservation Commission (MBCC). The Council is comprised of the following: the Service Director, the Secretary of the Board of the National Fish and Wildlife Foundation, the Directors of State Fish and Game Agencies representing each of the four 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.



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/obligation of grants often requires 3-6 months due to the nature of NAWCA projects and FWS administrative procedures.

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

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 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. To more efficiently administer the program as well as increase the level of customer service, the Service has implemented enhancements such as moving to all electronic payments to grantees, assuming programmatic responsibility for grant awards, and incorporating electronic grant application systems for the small grants program. All information technology system enhancements are coordinated with the larger DOI effort to implement IT reforms.

2009 Program Performance

The NAWCA program directly contributes to the success of Department's Strategic Mission of Resource Protection and the Service's Operational Plan goal of "Improving the Number of non-FWS wetland, upland, and marine and coastal acres that have achieved watershed and landscape goals as specified in watershed or landscape management plans or agreements that involve FWS (DOI 4, FWS Ops Plan 4). Through voluntary habitat restoration projects, this program furthers two Service Operational Plan Critical Success Factors (measures) under this Mission area. These are, 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; and 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. In addition, the NAWCA program through these habitat projects is contributing to the fulfillment of Department's strategic and the Service's Operational plan goal measuring the "Percent of all migratory bird species that are at healthy and sustainable levels (DOI 6, FWS Ops plan 6, CSF 6.1).

In FY 2009, the NAWCA program will select and fund wetland protection, restoration, and enhancement projects that will ultimately conserve approximately 1.2 million acres of wetland and wetland associated habitat. 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; these acres will actually be completed and reported in out years. The planned performance for FY 2009 is 1,194,000 acres of habitat protected, restored, or enhanced; these acres are the result of projects funded from several years previous that are reaching their completion during this fiscal year. The FY 2009 numbers are approximately 8% less than those currently expected to be completed in FY 2008; this demonstrates the variability inherent in multi-year grants as well as the year to year variability in the acreages associated with proposed projects.

In FY 2009, NAWCA will continue to contribute to both the long term Outcome and Annual Output measures developed through the PART review for the Service's Migratory Bird Program. The acres of habitat protected, restored, or improved through NAWCA are an integral part of ensuring that migratory bird species that are at healthy and sustainable levels remain there; and that suitable habitat is available and not a limiting factor for species that are on the FWS Birds of Management Concern List. NAWCA acres contribute significantly to meeting the habitat needs necessary to achieve healthy and sustainable levels of migratory birds.

Program Performance Overview

Performance Goal / Measure	2005 Actual	2006 Actual	2007 Plan	2007 Actual	2008 Plan	2009 Presidents Budget	Change from 2008 Plan to 2009	Long-term 2012 Target
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 - annual (GPRA)	410,610	593,996	554,355	559,947	603,196	496,346	-106,850 (-17.7%)	596,645
CSF Total Actual/Projected Cost(\$000)	unk	\$19,580	unk	\$29,649	\$32,706	\$27,558	(\$5,148)	\$33,127
CSF Program Total Actual/Projected Cost(\$000)	unk	\$1,210	unk	\$11,522	\$11,799	\$12,082	\$283	\$12,082
Actual/Projected Cost Per Acre (whole dollars)	unk	\$33	unk	\$53	\$54	\$56	\$1	\$56
4.1.6 # of habitat acres enhanced/restored of habitat in North America through NAWCF - annual (GPRA)	365,747	483,800	501,090	453,748	566,000	464,156	-101,844 (-18.0%)	564,455
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, and 09 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 - annual (GPRA)	552,111	3,684,773	1,059,026	31,556,449	785,719	775,123	-10,596 (-1.3%)	1,026,088
CSF Total Actual/Projected Cost(\$000)	unk	\$17,533	unk	\$28,233	\$720	\$727	\$7	\$963
CSF Program Total Actual/Projected Cost(\$000)	unk	\$1,163	unk	\$11,432	\$11,706	\$11,987	\$281	\$11,987
Actual/Projected Cost Per Acre (whole dollars)	unk	\$5	unk	\$1	\$1	\$1	\$0	\$1
4.4.1 # of non-FWS wetland acres protected/secured through NAWCF - annual (GPRA)	458,820	1,945,573	1,032,500	1,417,084	738,680	730,187	-8,493 (-1.1%)	981,152
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, and 09 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.							

Standard Form 300

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

Program and Financing (in millions of dollars)			
Identification code 14-5241-0-2-302	2007 act.	2008 est.	2009 est.
Unavailable Collections (in thousands of dollars)			
01.99 Balance, start of year	0	4	0
Receipts:			
02.00 Fines, penalties, and forfeitures from Migratory Bird Treaty Act	5	1	1
Appropriations:			
05.00 North American Wetlands Conservation Fund (-)	-1	-5	-1
07.99 Balance, end of year	4	0	0

Obligations by Program Activity:			
00.03 Wetlands conservation projects - Title 1 LWCF	44	42	43
00.04 Administration - Title I LWCF	2	2	2
10.00 Total obligations	46	44	45

Budgetary Resources Available for Obligation:			
21.40 Unobligated balance available, start of year	11	6	9
22.00 New budget authority (gross)	40	47	44
22.10 Resources available from recoveries of prior year obligations	1	0	0
23.90 Total budgetary resources available for obligation	52	53	53
23.95 Total new obligations	-46	-44	-45
24.40 Unobligated balance carried forward, end of year	6	9	8

New Budget Authority (gross), detail:			
Current:			
40.00 Appropriation (total discretionary)	39	43	43
Permanent:			
60.20 Special fund (indefinite)	1	5	1
70.00 Total new budget authority (gross)	40	47	44

Change in Unpaid Obligations:			
72.40 Obligated balance, start of year	80	89	83
73.10 Total new obligations	46	44	45
73.20 Total outlays, gross (-)	-36	-50	-52
73.45 Recoveries of prior year obligations	-1	0	0
74.40 Obligated balance, end of year	89	83	76

Standard Form 300

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

Program and Financing (in millions of dollars)			
Identification code 14-5241-0-2-302	2007 act.	2008 est.	2009 est.
<u>Outlays, (gross) detail:</u>			
86.90 Outlays from new discretionary authority	6	29	30
86.93 Outlays from discretionary balances	28	17	19
86.97 Outlays from new mandatory authority	1	4	1
86.98 Outlays from mandatory balances	1	0	2
87.00 Total outlays (gross)	36	50	52
<u>Net Budget Authority and Outlays:</u>			
89.00 Budget authority	40	47	44
90.00 Outlays	36	50	52
95.02 Unpaid obligations end of year	88	-	-
<u>Direct Obligations:</u>			
11.1 Personnel Compensation :Full-time permanent	1	1	1
25.2 Other services	1	1	1
32.0 Land and structures	2	2	2
41.0 Grants, subsidies, and contributions	42	40	41
99.9 Total obligations	46	44	45
<u>Personnel Summary</u>			
1001 Full-time equivalent employment	9	9	9

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