

Miscellaneous Permanent Appropriations

Appropriations Language

Activities funded from these mandatory spending accounts do not require appropriation language since they were authorized in previous years.

Authorizing Statutes

Department of the Interior and Related Agencies Appropriations Act of 1985, as amended (P.L. 98-473, section 320; 98 Stat. 1874). Provides that all rents and charges collected for quarters of agencies funded by the Act shall be deposited and remain available until expended for the maintenance and operation of quarters of that agency. Authorizing language is:

“Notwithstanding title 5 of the United States Code or any other provision of law, after September 30, 1984, rents and charges collected by payroll deduction or otherwise for the use or occupancy of quarters of agencies funded by this Act shall thereafter be deposited in a special fund in each agency, to remain available until expended, for the maintenance and operation of the quarters of that agency...”

Flood Control Act of 1944, as amended (16 U.S.C. 460(d)). Provides that receipts collected from the sales of timber and crops produced on U.S. Army Corps of Engineers land leased by another Federal agency for natural resources conservation may be used to cover expenses of producing these products and for managing the land for natural resource purposes. Authorizing language is:

“The Secretary of the Army is also authorized to grant leases of lands, including structures or facilities thereon, at water resource development projects for such periods, and upon such terms and for such purposes as he may deem reasonable in the public interest... [P]rovided further, that in any such lease or license to a Federal, State, or local governmental agency which involves lands to be utilized for the development and conservation of fish and wildlife, forests, and other natural resources, the licensee or lessee may be authorized to cut timber and harvest crops as may be necessary to further such beneficial uses and to collect and utilize the proceeds of any sales of timber and crops in the development, conservation, maintenance, and utilization of such lands.”

Truckee-Carson Pyramid Lake Water Rights Settlement Act (P.L. 101-618, section 206(f)), **as amended by Department of the Interior and Related Agencies Appropriations Act for FY 1998** (P.L. 105-83). Authorizes certain revenues and donations from non-federal entities to be deposited into the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund to support restoration and enhancement of wetlands in the Lahontan Valley and to restore and protect the Pyramid Lake fishery, including the recovery of two endangered or threatened species of fish. Payments to the Bureau of Reclamation for storage in Northern Nevada’s Washoe Project that exceed the operation and maintenance costs of Stampede Reservoir are deposited into the Fund and are available without further appropriation, starting in FY 1996. Beginning in FY 1998, P.L. 105-83 provides that receipts from the sales of certain lands by the Secretary of the Interior are to be deposited into the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund. Authorizing language is:

“Lahontan Valley and Pyramid Lake Fish and Wildlife Fund – (1) There is hereby established in the Treasury of the United States the ‘Lahontan Valley and Pyramid Lake Fish and Wildlife Fund’ which shall be available for deposit of donations from any source and funds provided under subsections 205(a) and (b), 206(d), and subparagraph

208(a)(2)(C), if any, of this title; (2) Moneys deposited into this fund shall be available for appropriation to the Secretary for fish and wildlife programs for Lahontan Valley consistent with this section and for protection and restoration of the Pyramid Lake fishery consistent with plans prepared under subsection 207(a) of this title. The Secretary shall endeavor to distribute benefits from this fund on an equal basis between the Pyramid Lake fishery and the Lahontan Valley wetlands, except that moneys deposited into the fund by the State of Nevada or donated by non-Federal entities or individuals for express purposes shall be available only for such purposes and may be expended without further appropriation, and funds deposited under subparagraph 208(a)(2)(C) shall only be available for the benefit of the Pyramid Lake fishery and may be expended without further appropriation.”

P.L. 105-83 – “Provided further, that the Secretary may sell land and interests in land, other than surface water rights, acquired in conformance with subsection 206(a) and 207(c) of Public Law 101-618, the receipts of which shall be deposited to the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund and used exclusively for the purposes of such subsections, without regard to the limitation on the distribution of benefits in subsection 206(f)(2) of such law.”

Community Partnership Enhancement Act of 1998 (P.L. 105-242, section 5, Section 7 of the Fish and Wildlife Act of 1956 (16 U.S.C.742f), **as amended by Department of the Interior and Related Agencies Appropriations Act for FY 1998** (H.R. 1856). This act authorizes the cooperative agreements with nonprofit organizations, academic institutions, or State and Local governments to construct, operate, maintain, or improve refuge facilities and services, and to promote volunteer outreach and education programs. Authorizing language is:

“Amounts received by the Secretary of the Interior as a result of projects and programs under subparagraph (B) shall be deposited in a separate account in the Treasury. Amounts in the account that are attributable to activities at a particular refuge or complex of geographically related refuges shall be available to the Secretary of the Interior, without further appropriation, to pay the cost of incidental expenses related to volunteer activities, and to carry out cooperative agreements for the refuge or complex of refuges.”

ACTIVITY: Miscellaneous Permanent Appropriations

	2011 Actual	2012 Enacted	2013			Change From 2012 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Operations and Maintenance of Quarters	3,172	3,100	0	0	3,100	0
(\$000)						
FTE	4	4	0	0	4	0
Proceeds from Sales	203	200	0	0	200	0
(\$000)						
FTE	0	0	0	0	0	0
Lahontan Valley & Pyramid Lake Fish and Wildlife Fund	576	566	0	0	566	0
(\$000)						
FTE	1	1	0	0	1	0
Community Partnership Enhancement	462	500	0	0	500	0
(\$000)						
FTE	0	0	0	0	0	0
Miscellaneous Permanent Appropriations	4,413	4,366	0	0	4,366	0
(\$000)						
FTE	5	5	0	0	5	0

Program Overview

Operations and Maintenance of Quarters - The Operations and Maintenance of Quarters Account (O & M Quarters) uses receipts from the rental of Service quarters to pay for maintenance and operation of those quarters. Certain circumstances, including a lack of off-site residences and site isolation, require Service personnel to occupy government-owned quarters. Such work includes protecting fish hatchery stock (ex. maintaining water flow to fish rearing ponds during freezing temperatures), monitoring water management facilities, ensuring the health and welfare of visitors, responding to fires and floods, and protecting government property. To provide for these needs, the Service manages 1,078 units comprised of 857 quarters on 216 refuges, 220 quarters on 61 hatchery facilities, and 1 quarter at an Ecological Services facility.

Quarters require regular operational maintenance, periodic rehabilitation, and upgrading to maintain safe and healthy conditions for occupants. Rental receipts are used for general maintenance and repair of quarters buildings; code and regulatory improvements; retrofitting for energy efficiency; correction of safety discrepancies, repairs to roofs and plumbing; utilities upgrades, access road repair and maintenance, grounds and other site maintenance services; and the purchase of replacement equipment such as household appliances, air conditioners, and furnaces. For example, in FY2011, Ruby Lake National Wildlife Refuge used Quarters Funds to upgrade energy efficiency in its Quarters. The energy efficiency upgrades were recommended in the Energy Audit conducted at the refuge. Funds are used to address the highest priority maintenance. Volunteers who must travel a great distance to work at a Service facility are permitted to stay in Service housing units at no cost if vacant housing units are available.

Rental rates for Service quarters are based upon comparability with private sector housing. Quarters rental rates are reset on a rotating basis every five years using statistical analysis of comparable rentals from 16 areas nationwide. Between surveys, rents are adjusted using the Consumer Price Index-Rent Series annual adjustment from the end of the fiscal year.



Receipts from the rental of Service quarters pay for maintenance and operation of those quarters. In FY2011, the Refuge System installed a new roof on the employee bunkhouse at Sand Lake National Wildlife Refuge.

Proceeds From Sales, Water Resources Development Projects - The Proceeds from Sales special fund receipt account pays for the development and maintenance of wildlife habitat and covers expenses of forestry technicians administering timber harvest activities.

Thirty national wildlife refuges and one Wetland Management District were established as overlay projects on U.S. Army Corps of Engineers land and are administered in accordance with cooperative agreements. The agreements provide that timber and grain may be harvested and sold with the receipts returned for development, conservation, maintenance, and utilization of such lands. These expenses cannot exceed the receipt amounts deposited as proceeds from sales.

Examples of some of the projects undertaken using Proceeds from Sales receipts are: soil amendments; road construction and repairs; ditch and fence construction and maintenance. The agreements with the Corps of Engineers specify that the receipts collected on refuges must be spent within five years. This agreement structure provides for carryover balances from year to year which allows the receipts to accumulate until sufficient funds are available to support some of the larger development projects on these refuges.

Lahontan Valley and Pyramid Lake Fish and Wildlife Fund - Pursuant to the Truckee-Carson-Pyramid Lake Water Rights Settlement Act of 1990 (P.L. 101-618, Title II) and the Department of the Interior and Related Agencies Appropriations Act for FY 1998 (P.L. 105-83), this fund was established for fish and wildlife purposes in the Lahontan Valley and for protection and restoration of the Pyramid

Lake Fishery. Deposits to this fund are authorized to be made from the storage revenues received by the Bureau of Reclamation's Washoe Project after operating costs are paid for Stampede Reservoir, proceeds from land sales, donations and other sources.

Wetlands in Northern Nevada's Lahontan Valley, including those at Stillwater National Wildlife Refuge and Carson Lake, are a key migration and wintering area for up to 1,000,000 waterfowl, shorebirds, and raptors traveling on the eastern edge of the Pacific Flyway. More than 250,000 ducks, 28,000 geese and 12,000 swans have been observed in the area during wet years. In addition to migratory populations, the wetlands support about 4,500 breeding pairs producing 35,000 waterfowl annually. Up to 70 bald eagles, Nevada's largest concentration, have wintered in the valley.

In 1996, the Service completed a Final Environmental Impact Statement and Record of Decision which described, analyzed and implemented a program to purchase up to 75,000 acre-feet of water from the Carson Division of the Newlands Project for Lahontan



Stillwater National Wildlife Refuge - Marsh

Valley wetlands. In partnership with the State of Nevada, the Bureau of Indian Affairs (BIA), and the Bureau of Reclamation, 42,800 acre-feet of Newlands Project water rights have been acquired for Lahontan Valley wetlands to date. Of the acquired water rights; approximately 32,100 acre-feet were acquired by the Service, 1,800 acre-feet were acquired by BIA and 8,900 acre-feet were acquired by the State. Water rights have been purchased from willing sellers at appraised market value. In addition to acquiring water, the Service is authorized to pay customary operations and maintenance charges to the local irrigation district for delivering the acquired water.

The Service's Lahontan NFH Complex is pursuing various activities to protect and restore the Pyramid Lake fishery, including operation and maintenance of Marble Bluff Fish Passage Facility, Lahontan cutthroat trout incubation operations at Marble Bluff Fish Passage Facility, and other ongoing conservation efforts for the fishes of Pyramid Lake.

Expenditures from the Lahontan Valley and Pyramid Lake Fish and Wildlife Fund continue to support the Service's water rights acquisition and land sales programs at Stillwater NWR.

Community Partnership Enhancement – The Community Partnership fund was established to encourage volunteer programs, donations, and other contributions by persons or organizations for the benefit of a particular wildlife refuge or complex. The partnership between a refuge or complex and non-federal organizations may promote public awareness of the resources of the Refuge System and public participation in the conservation of resources. Partnerships may be in the form of a non-profit organization (as described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of that Code), academic institution, or State or local government agency to carry out projects or programs for a refuge or complex.

Funds may be used to promote the education and conservation of fish, wildlife, plants and cultural and historical resources on a refuge or complex. Projects may be approved to:

- promote stewardship of resources of the refuge through habitat maintenance, restoration and improvement, biological monitoring, or research;
- support the operation and maintenance of the refuge through constructing, operating, maintaining or improving the facilities and services of the refuge;
- increase awareness and understanding of the refuge and the Refuge System through the development, publication, or distribution of educational materials and products;
- advance education concerning the purposes of the refuge and the mission of the Refuge System through the use of the refuge as an outdoor classroom and development of other educational programs.
- subject to the availability of funds, matching funds may be provided or in the case of property or in-kind services, the fair market value may be matched.



A volunteer at National Elk Refuge helps second graders identify birds. In FY2011, the Refuge System benefitted from the hard work and commitment of more than 42,000 volunteers who contributed nearly 1.5 million hours of volunteer service. Volunteers contribute nearly 20 percent of the work hours performed on refuges.

2013 Program Performance

Operation and Maintenance of Quarters

Estimated receipts in 2012 and 2013 are expected to be approximately \$3,100,000 each year. Revisions continue to be made in the management of the program to reduce the operating balance of the account and target the highest priority repairs and improvements.

Proceeds From Sales, Water Resources Development Projects

Estimated receipts in 2012 and 2013 are expected to be approximately \$200,000 each year for timber and grain harvest. Receipts depend on the amount of the commodity harvested, current market value, and the amount of the commodity that the Service uses for wildlife habitat management purposes. Annual receipts may also vary from year to year due to the influence of natural events such as flood or drought.

Lahontan Valley and Pyramid Lake Fish and Wildlife Fund

In 2013, receipts from land sales are estimated at \$566,000. The anticipated receipts have dropped from prior years because of adverse regional real estate market conditions.

Community Partnership Enhancement

Estimated receipts in 2012 and 2013 are expected to be approximately \$500,000 each year. Annual receipts may vary from year to year due to individual donations or activities of partners to generate donations.

Standard Form 300

DEPARTMENT OF THE INTERIOR
 FISH AND WILDLIFE SERVICE
 MISCELLANEOUS PERMANENT ACCOUNTS

Program and financing (in millions of dollars)

	2011	2012	2013
Identification code 14-9927-0-2-303	Actual	Estimate	Estimate
<u>Obligations by program activity:</u>			
00.01 Operations and Maintenance of Quarters	3	3	3
00.02 Proceeds from Sales	0	0	0
00.03 Lahontan Valley and Pyramid Lake	1	1	1
00.04 Community Partnership Enhancement	1	1	1
10.00 Total new obligations	5	5	5
<u>Budgetary resources available for obligation:</u>			
10.00 Unobligated balance carried forward, start of year	6	5	5
12.60 New budget authority (gross)	4	5	5
22.10 Resources available from recoveries of prior year obligations	0	0	0
19.30 Total budgetary resources available for obligation	10	10	10
19.41 Unobligated balance carried forward, end of year	6	5	5
<u>New Budget authority (gross), detail:</u>			
Mandatory:			
12.01 Appropriation (special fund)	4	5	5
19.00 Total new budget authority (gross)	4	5	5
<u>Change in obligated balances:</u>			
30.00 Obligated balance, start of year	1	1	1
30.30 Total new obligations	5	5	5
30.40 Total outlays (gross) (-)	-4	-6	-6
30.90 Obligated balance, end of year	2	0	0
<u>Outlays (gross), detail:</u>			
41.00 Outlays from new mandatory authority	3	4	4
41.01 Outlays from mandatory balances	1	2	2
41.90 Total outlays	4	6	6
<u>Net budget authority and outlays:</u>			
40.90 Budget authority	4	5	5
30.40 Outlays	4	6	6
<u>Object Classification:</u>			
25.2 Other Services	1	1	1
25.4 Operation and maintenance of facilities	1	1	1
26.0 Supplies and materials	1	1	1
32.0 Land and Structures	1	1	1

Standard Form 300

**DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE
MISCELLANEOUS PERMANENT ACCOUNTS**

Program and financing (in millions of dollars)

	2011	2012	2013
Identification code 14-9927-0-2-303	Actual	Estimate	Estimate
99.5 Below reporting threshold	1	1	1
99.9 Total obligations	5	5	5
Personnel Summary:			
Total compensable work years:			
1001 Full-time equivalent employment	5	5	5

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