

## Cooperative Endangered Species Conservation Fund

### Appropriations Language

For expenses necessary to carry out section 6 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), as amended, [\$80,001,000]*\$100,000,000 to be derived from the Land and Water Conservation Fund* to remain available until expended, of which [\$25,307,000 is to be derived from the Cooperative Endangered Species Conservation Fund, of which] \$5,145,706 shall be for the Idaho Salmon and Clearwater River Basins Habitat Account pursuant to the Snake River Water Rights Act of 2004. [; and of which \$54,694,000 is to be derived from the Land and Water Conservation Fund: *Provided, That* of the unobligated balances available under this heading, \$4,500,000 are permanently rescinded]. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009.*)

### Justification of Language Change

**Deletion:** “\$25,307,000 is to be derived from the Cooperative Endangered Species Conservation Fund, of which ...”

The budget proposes that funding for the Cooperative Endangered Species fund be derived from the Land and Water Conservation Fund.

**Deletion:** “... That of the unobligated balances available under this heading, \$4,500,000 are permanently rescinded.”

The budget proposes deletion of language that rescinded funds in prior years.

### Authorizing Statutes

***Endangered Species Act of 1973***, as amended, (16 U.S.C. 1531 *et seq.*). Prohibits the import, export, or taking of fish and wildlife and plants that are listed as threatened or endangered species; provides for adding species to and removing them from the list of threatened and endangered species, and for preparing and implementing plans for their recovery; provides for interagency cooperation to avoid take of listed species and for issuing permits for otherwise prohibited activities; and implements the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES). Authorization of Appropriations: Expired September 30, 1992.

***Land and Water Conservation Fund Act of 1965***, as amended (16 U.S.C. 460l). Authorizes appropriations to the Fish and Wildlife Service to acquire land for national wildlife refuges as otherwise authorized by law. Authorization of Appropriations: Expires September 30, 2015.

**Cooperative Endangered Species Conservation Fund**

	2008 Actual	2009 Enacted	2010			Change from 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Conservation Grants (\$000)	9,845	10,001	0	+4,000	14,001	+4,000
Habitat Conservation Planning Assistance Grants (\$000)	7,523	7,642	0	+5,000	12,642	+5,000
Species Recovery Land Acquisition (\$000)	13,965	14,186	0	+15,499	29,685	+15,499
HCP Land Acquisition Grants to States (\$000)	35,031	36,008*	0	0	36,008	0
Nez Perce Settlement (\$000)	4,988	5,146	0	0	5,146	0
Administration (\$000)	2,479	2,518	0	0	2,518	0
<b>Total Appropriations (\$000)</b>	<b>73,831</b>	<b>75,501</b>	<b>0</b>	<b>24,499</b>	<b>100,000</b>	<b>+24,499</b>
<b>FTE</b>	<b>25</b>	<b>25</b>	<b>0</b>	<b>0</b>	<b>25</b>	<b>0</b>
Payment to Special Fund** (\$000)	52,371	54,582	0	0	54,501	-81

\*Amount includes \$4,500,000 rescission of recoveries per Congressional direction

\*\* Amounts shown reflect an annual deposit of an amount equal to 5% of total Federal Aid/Sport Fish and Lacey Act violation collections above \$500,000 into this Special Fund. The Special Fund amounts are not available in the fiscal year in which they are collected, but are available for subsequent appropriation to the CESCOF.

Program information may be accessed at: <http://www.fws.gov/endangered/grants/index.html>

**Summary of 2010 Program Changes for Cooperative Endangered Species Conservation Fund**

Request Component	(\$000)	FTE
• Conservation Grants	+4,000	0
• Habitat Conservation Planning Assistance Grants	+5,000	0
• Species Recovery Land Acquisition	+15,499	0
<b>Total, Program Changes</b>	<b>+24,499</b>	<b>0</b>

**Justification of 2010 Program Changes**

The 2010 budget request for Cooperative Endangered Species Conservation Fund is \$100,000,000 and 25 FTE, a net program change of +\$24,499,000 and +0 FTE from the 2009 enacted.

**Conservation Grants (+\$4,000,000/+0 FTE)** – This funding will increase the number of States that receive funding to implement recovery actions for listed species, to implement conservation measures for candidate species, and to perform research and monitoring critical to conservation of these species. The data gained through these grants allows the Service to better address threats to listed species.

**Habitat Conservation Planning Assistance Grants (+\$5,000,000/+0 FTE)** – This funding will increase the number of Habitat Conservation Planning Assistance grants available in FY 2010. These grants are provided to States to assist local governments and planning jurisdictions in the development of regional, multi-species HCPs. Through habitat improvement, habitat acquisition, monitoring, and other conservation activities, HCPs facilitate and support recovery actions that minimize and abate threats to listed species. Additionally, HCPs can help preclude the need for listing under the ESA by protecting habitat and preventing the decline of sensitive species. The

**FY 2010 BUDGET JUSTIFICATION COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND**

Service expects that with this increase in budgetary resources, approximately 10 additional Habitat Conservation Planning Assistance Grants will be funded in FY 2010 over FY 2009 totals (assuming the average grant amount is consistent with that of FY 2008).

**Species Recovery Land Acquisition (+\$15,499,000/+0 FTE)** – This funding will increase the number of Recovery Land Acquisition grants available in FY 2010. These grants are provided to States to address issues related to loss of habitat, which is the primary threat to most listed species. Land acquisition is often the most effective and efficient means of safeguarding habitats essential for recovery of listed species before land use changes impair or destroy key habitat values. Recovery Land Acquisition grant funds are matched by States and non-federal entities to acquire these habitats from willing sellers.

**Program Performance Change**

Performance Goal	2006 Actual	2007 Actual	2008 Actual	2009 Plan	2010 Base Budget (2009 Plan + Fixed Costs)	2010 President's Budget	Program Change Accruing in 2010	Program Change Accruing in Out-years
<b>Sustaining Biological Communities</b>								
CSF 7.15 Percent of recovery actions for prioritized species implemented	unk	unk	66%	51%	51%			
CSF Total Actual/Projected Expenditures(\$000)	\$67,958	\$75,840	\$83,121	\$92,470	\$92,470			
CSF Program Total Actual/Projected Expenditures(\$000)	\$39,090	\$44,721	\$45,893	\$58,001	\$58,001			
Actual/Projected Cost Per Actions (whole dollars)	unk	unk	\$22,267	\$32,943	\$32,943			
7.15.2 # of listed species benefiting from Endangered Species Grant Programs (Traditional and Nontraditional Section 6)	unk	unk	676	663	663			
7.15.3 # of prioritized listed species benefiting from Traditional and Nontraditional Section 6 Project Awards	unk	unk	91	72	72			
Comments:	This performance measure (CSF 7.15) will be replaced by CSF 7.30 in FY 2010 to more accurately reflect our objectives and species covered.							
CSF 7.30 % of recovery actions for listed Spotlight species implemented	unk	unk	unk	unk	unk	52% ( 2,892 of 5,523 )		
7.30.2 # of listed species benefiting from Endangered Species Grant Programs (Traditional and Nontraditional Section 6)	unk	unk	676	663	663	925	262 ( 28.3% )	

**COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND FY 2010 BUDGET JUSTIFICATION**

<b>Performance Goal</b>	<b>2006 Actual</b>	<b>2007 Actual</b>	<b>2008 Actual</b>	<b>2009 Plan</b>	<b>2010 Base Budget (2009 Plan + Fixed Costs)</b>	<b>2010 President's Budget</b>	<b>Program Change Accruing in 2010</b>	<b>Program Change Accruing in Out-years</b>
7.30.3 # of Spotlight listed species benefitting, Traditional & Nontraditional Sec 6 Project Awards	unk	unk	91	72	72	124	52 ( 41.9% )	
Comments:	This performance measure (CSF 7.30) replaces CSF 7.15 in FY 2010 to more accurately reflect our objectives and species covered							
CSF 8.3 % Spotlight species-at-risk, spec does not meet T&E def, conservation agreements/act	unk	unk	unk	unk	unk	( 0 of 43 )		
Comments:	This performance measure will replace CSF 8.11 in FY 2010 to more accurately reflect our objectives and species covered.							
CSF 8.11 Percent of prioritized species-at-risk for which there is an Agency determination that the species does not meet the definition of threatened or endangered due to conservation agreements or actions	unk	unk	0% ( 0 of 86 )	( 0 of 41 )	( 0 of 41 )			
CSF Total Actual/Projected Expenditures(\$000)	\$30,802	\$31,846	\$35,542	\$41,933	\$41,933			
CSF Program Total Actual/Projected Expenditures(\$000)	\$10,586	\$22,625	\$24,958	\$31,195	\$31,195	\$31,913	\$717	
Comments:	This performance measure will be replaced by CSF 8.3 in FY 2010 to more accurately reflect our objectives and species covered.							
8.11.8 Number of candidate species benefitting from Traditional and Nontraditional Section 6 Project Awards	unk	unk	89	62	62	122	60 ( 49.2% )	
Comments:	The performance increase is due to an increase in funding.							
8.11.10 # Spotlight species-at-risk benefitting from Traditional & Nontraditional Sec 6 Project Awards	unk	unk	9	10	10	12	2 ( 16.7% )	
Comments:	The performance increase is due to an increase in funding.							

**Program Overview**

The Cooperative Endangered Species Conservation Fund (CESCF; Section 6 of the Endangered Species Act) is the component of the Fish and Wildlife Service’s Endangered Species program that provides grant funding to States and territories for species and habitat conservation actions on non-federal lands, including habitat acquisition, conservation planning, habitat restoration, status surveys, captive propagation and reintroduction, research, and education.

The Fish and Wildlife Service’s Endangered Species program exists to implement the Endangered Species Act (ESA) of 1973, as amended. The key purposes of the Act are to provide a means for conserving the ecosystems upon which endangered and threatened (listed) species depend and to provide a program for the conservation of such species.

The Endangered Species program’s strategic framework is based on two over-riding goals: 1) recovering endangered or threatened (federally-listed) species, and 2) preventing the need to list species-at-risk. Our approach to achieving these goals is through the minimizing or abatement of threats to the species.

Threats are categorized under the ESA as the following five factors:

- The present or threatened destruction, modification, or curtailment of a listed species’ habitat or range;
- Overutilization for commercial, recreational, scientific, or educational purposes;
- Disease or predation;
- The inadequacy of existing regulatory mechanisms;
- Other natural or manmade factors affecting a species’ continued existence.

Because most listed species depend on habitat found on State and private lands, grant assistance through the CESCF program is crucial to listed species conservation. States and territories have been extremely effective in garnering participation of private landowners.

Section 6 grants assist States and territories in building these partnerships that achieve meaningful on-the-ground conservation. Section 6 grants also assist the Endangered Species program in minimizing or abating threats to listed species. The land acquisition grant program elements address land based threats by preventing land use changes that impair or destroy key habitat values on lands purchased through the grant program elements. The Habitat Conservation Planning Assistance grant program element assists in abating threats by protecting habitat and preventing the decline of sensitive species, and often precludes the need for listing a species under the ESA. Habitat Conservation Plans are pro-active landscape level

**Use of Cost and Performance Information**

- HCP Land Acquisition, HCP Planning Assistance, and Species Recovery Land Acquisition Grants are awarded through national and regional competitions. The established eligibility and ranking criteria for the program and the competitions conducted to select grants allow the Service to focus the program on its overall goals and ensure that program performance goals are achieved.
- The Service continues to analyze results from previous years of the program to further refine program elements to better meet our program goals. For the FY 2009 competition, the Service is targeting 10 percent of the HCP Land Acquisition funding to support single-species HCPs to further the conservation of high priority species across the Nation.
- In FY 2008, 19 HCP Planning Assistance Grants to States were awarded.
- In FY 2008, 22 Recovery Land Acquisition Grants to States and Territories were awarded.
- In FY 2008, 9 HCP Land Acquisition Grants to States were awarded.
- In FY 2008, 303 Conservation Grants to States and Territories were awarded.

planning instruments that result in private land development planning and species ecosystem conservation.

In order to receive funds under the CESCOF program, States and territories must contribute 25 percent of the estimated program costs of approved projects, or 10 percent when two or more States or territories implement a joint project. The balance of the estimated program costs is reimbursed through the grants. To ensure that State and territory programs are able to effectively carry out endangered species conservation efforts funded through these grants, a State or territory must enter into a cooperative agreement with the Service to receive grants. All 50 States currently have cooperative agreements for animals, and 44 States have agreements for plants. All territories except one have cooperative agreements for both animals and plants. In addition, in an attempt to achieve more effective conservation efforts, the Service intends to consider the priorities established in State Wildlife Conservation Plans when awarding grants, focusing on priority species and habitats.

**Activity: Cooperative Endangered Species Conservation Fund**  
**Subactivity: Conservation Grants**

	2008 Actual	2009 Enacted	2010			Change from 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Conservation Grants (\$000)	9,845	10,001	0	+4,000	14,001	+4,000

**Summary of 2010 Program Changes for the Cooperative Endangered Species Conservation Fund**

Request Component	(\$000)	FTE
• Conservation Grants	+4,000	0
<b>TOTAL Program Changes</b>	<b>+4,000</b>	<b>0</b>

**Justification of 2010 Program Changes**

The 2010 budget request for Conservation Grants is \$14,001,000 and 0 FTE, an increase of +\$4,000,000 and +0 FTE from the 2009 enacted.

**Conservation Grants (+\$4,000,000/+0 FTE)** – Conservation Grants provide financial assistance to States and territories to implement conservation projects for listed species and species at-risk. The Service makes a regional allocation of these funds based on the number of species covered under cooperative agreements within each Service region. Each Region then solicits proposals and selects projects based on species and habitat conservation benefits as well as other factors.

Through the Conservation Grants program, States receive funding to implement recovery actions for listed species, implement conservation measures for candidate species, and perform research and monitoring critical to conservation of these species. The data gained through these grants allows the Service to better address threats to listed species. The Service expects that with the 40 percent increase in budgetary resources, approximately 128 additional grants will be funded in FY 2010 over FY 2009 totals (assuming the average grant amount is constant with that of FY 2008).

**Program Overview**

Conservation Grants provide financial assistance to States and territories to implement conservation projects for listed species and species at-risk. The Service makes a regional allocation of these funds based on the number of species covered under cooperative agreements within each Service region. Each Region then solicits proposals and selects projects based on species and habitat conservation benefits as well as other factors. Through the Conservation Grants program, States receive funding to implement recovery actions for listed species, implement conservation measures for candidate species, and perform research and monitoring critical to conservation of imperiled species.

**2010 Program Performance**

The Service will publish a request for proposals in the third quarter of 2009 and anticipates making award announcements early in the 2010 fiscal year, pending appropriations. Issuing the fiscal year 2010 request for proposals late in fiscal year 2009 will promote timely obligation of funding and will maximize conservation resources. With the program increase, the Service

expects that approximately 128 additional grants will be funded in FY 2010 over FY 2009 totals (assuming the average grant amount is consistent with that of FY 2008).

The Service awarded 303 Conservation Grants in FY 2008; examples are listed below. Each project includes the federal funds provided through the CESCOF program; however, in all cases these funds were leveraged by State, county, city, or private matching funds.

- Developing and Evaluating Standardized Survey, Monitoring, and Demographic Study Protocols for Four Willamette Valley Prairie Plant Species, Oregon \$24,000
- Western Snowy Plover Nesting and Breeding Survey - Assess Distribution, Abundance, and Productivity; Protect Nests using enclosures; and Education and Outreach, Washington \$36,000
- Mid-story Thinning to Enhance Habitat for the Red-cockaded Woodpecker on the McCurtain County Wilderness Area, Oklahoma \$25,468
- Reproductive biology, genetics, and ecology of South Texas ambrosia: implications for the management, recovery, and reintroduction, Texas \$136,854
- Delineation and control of invasive feral hog threat to Mead's milkweed population at St. Francois Mountain Natural Area, Missouri \$19,847
- Piping plover inventory on the Lake Superior shoreline and at critical habitat sites, Wisconsin \$12,000
- Loggerhead, green, leatherback, and Kemp's Ridley sea turtles - nesting surveys, nest protection/management measures, data collection, and technical guidance, North Carolina \$40,000
- Indiana bat, gray bat, and Virginia big eared bat monitoring, surveys, and cave protection, Kentucky \$20,625
- Calvert County and Eastern shore monitoring, Maryland \$4,000
- Assess Trends in the Survival and Reproductive Rates of Female Grizzly Bears in the Northern Continental Divide Ecosystem, Montana \$60,000
- The Effectiveness of Avian Collision Averters in Preventing Whooping Crane, Sandhill Crane, and other Migratory Bird Mortality from Powerline Strikes in the Central Platte River, Nebraska \$24,525
- Population Status of Prince of Wales Spruce Grouse in Southeast Alaska \$27,240
- Controlling threats to California least tern colonies, California \$250,000
- Management and recovery of three listed plants of the Santa Rosa Plain, California \$77,551
- Black-footed Ferret Reintroduction in Utah, Colorado and Utah \$54,631

**Activity: Cooperative Endangered Species Conservation Fund**  
**Subactivity: Habitat Conservation Planning Assistance Grants**

	2008 Actual	2009 Enacted	2010			Change from 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Passback Budget Request	
Habitat Conservation Planning Assistance Grants (\$000)	7,523	7,642	0	+5,000	12,642	+5,000

**Summary of 2010 Program Changes for the Cooperative Endangered Species Conservation Fund**

Request Component	(\$000)	FTE
• Habitat Conservation Planning Assistance Grants	+5,000	0
<b>TOTAL Program Changes</b>	<b>+5,000</b>	<b>0</b>

**Justification of 2010 Program Changes**

The 2010 budget request for Habitat Conservation Planning Assistance Grants is \$12,642,000 and 0 FTE, an increase of +\$5,000,000 and +0 FTE from the 2009 enacted.

**Habitat Conservation Planning Assistance Grants (+\$5,000,000/+0 FTE)** –The Habitat Conservation Planning Assistance Grants program provides funding to States to assist local governments and planning jurisdictions to develop regional, multi-species HCPs. Through habitat improvement, habitat acquisition, monitoring, and other conservation activities, HCPs facilitate and support recovery actions that minimize and abate threats to listed species. Additionally, HCPs can help preclude the need for listing under the ESA by protecting habitat and preventing the decline of sensitive species. The Service expects that with this increase in budgetary resources, approximately 10 additional Habitat Conservation Planning Assistance Grants will be funded in FY 2010 over FY 2009 totals (assuming the average grant amount is consistent with that of FY 2008). Because States and territories must contribute 25 percent of the estimated program costs of approved projects, the proposed increase in the HCP Planning Grant program element will result in the leverage of an additional \$1,250,000 in cost-share. The proposed increase in the Habitat Conservation Planning Assistance Grants program element for FY 2010 will result in greater benefits to listed and candidate species for FY 2010 as compared with FY 2009.

**Program Overview**

Through the development of regional, multiple species habitat conservation plans (HCPs), local governments and planning jurisdictions incorporate species conservation into local land use plans, which streamlines the project approval process and facilitates economic development. The Habitat Conservation Planning Assistance Grants program provides funding to States to assist local governments and planning jurisdictions to develop regional, multi-species HCPs.

## **2010 Program Performance**

The Service will publish a request for proposals in the third quarter of 2009 and anticipates making award announcements early in the 2010 fiscal year, pending appropriations. Issuing the FY 2010 request for proposals late in FY 2009 will promote timely obligation of funding and will maximize conservation resources. With the program increase, the Service expects that approximately 10 additional grants will be funded in FY 2010 over FY 2009 totals (assuming the average grant amount is constant with that of FY 2008).

The Service awarded 18 Habitat Conservation Planning Assistance Grants in FY 2008; examples are listed below. Each project includes the federal funds provided through the CESCO program; however, in all cases these funds were leveraged by State, county, city, or private matching funds. (Please see <http://www.fws.gov/pdfs/Sect6FY2008AwardSummariesFINAL.pdf> for a full list of awarded projects.)

- **Bay Delta Conservation Plan** (numerous counties, CA): \$300,000. The Bay Delta Conservation Plan (BDCP) will cover certain activities that affect the San Francisco Bay/Sacramento-San Joaquin Delta (Bay-Delta) estuary, which is the largest estuary on the West Coast. It is a maze of tributaries, sloughs, and islands and a haven for wildlife, supporting over 750 plant and animal species, 126 of which are sensitive or listed as threatened or endangered. The Bay-Delta is critical to California's economy, supplying drinking water for two-thirds of Californians and irrigation water for over 7 million acres of the most highly productive agricultural lands. When completed, the BDCP could be a key tool to help resolve the long-term needs of the Bay/Delta watershed.
- **Development of a Statewide HCP for Florida Beaches** (Bay, Brevard, Broward, Citrus, Collier, Lee, Levy, Manatee, Martin, Miami Dade, Monroe, Pasco, Pinellas, St. Johns, St. Lucie, Santa Rosa, Sarasota, Dixie, Duval, Flagler, Franklin, Gulf, Hernando, Hillsborough, Indian River, Jefferson, Nassau, Okaloosa, Palm Beach, Taylor, Volusia, and Wakulla Counties): \$479,518. This is the second year of planning for a multi-county, multi-species HCP that will cover Florida beach activities seaward of the Florida Coastal Construction Control Line (FCCCL). The FCCCL is a major part of the Florida Coastal Program and sets standards to protect the natural resources in this area while allowing eligible infrastructure. Activities that may be included in the HCP include single and multi-family developments, public infrastructure, coastal armoring, beach scraping, beach cleaning, post-storm emergency activities, and beach berm and dune restoration projects. The HCP will cover habitat important to 15 federally-listed species and two candidate species, including five species of sea turtles and five sub-species of beach mice, among others.
- **Development of a Multi-Species Habitat Conservation Plan for NiSource Natural Gas Transmission Facilities in Cooperation with NiSource Gas Transmission and Storage** (Multiple Counties, Indiana, Kentucky, Louisiana, New Hampshire, New Jersey, Ohio, Tennessee, and Virginia): \$3,007,270. Working in partnership with 17 states and other partners, NiSource will develop a landscape level, multi-species Habitat Conservation Plan to avoid and minimize impacts to endangered and threatened species associated with construction, operation and maintenance of its natural gas transmission lines and ancillary facilities running from Louisiana to Indiana, Illinois and Ohio and throughout the northeast to Maine. This 15,500-mile planning area and associated 1-mile corridor covers 6.4 million acres of land and has the potential to affect 74 federally listed species. As a part of the Habitat Conservation Plan, NiSource will work in collaboration

with The Conservation Fund who will lead a strategic conservation planning process that focuses on integrating species needs with potential habitat mitigation across the landscape, providing multiple species benefits and addressing needs in a cumulative and comprehensive fashion. Species expected to benefit include the Indiana bat, copperbelly watersnake, and numerous species of federally listed freshwater mussels.

**Activity: Cooperative Endangered Species Conservation Fund**  
**Subactivity: Species Recovery Land Acquisition**

	2008 Actual	2009 Enacted	2010			Change from 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Passback Budget Request	
Species Recovery Land Acquisition (\$000)	13,965	14,186	0	+15,499	29,685	+15,499

**Summary of 2010 Program Changes for the Cooperative Endangered Species Conservation Fund**

Request Component	(\$000)	FTE
• Species Recovery Land Acquisition	+15,499	0
<b>TOTAL Program Changes</b>	<b>+15,499</b>	<b>0</b>

**Justification of 2010 Program Changes**

The 2010 budget request for Species Recovery Land Acquisition is \$29,685,000 and 0 FTE, an increase of +\$15,499,000 and +0 FTE from the 2009 enacted.

**Species Recovery Land Acquisition (+\$15,499,000/+0 FTE)** - Loss of habitat is the primary threat to most listed species. One of the most effective means of addressing loss of habitat is through land acquisition. Land acquisition allows for the safeguarding of habitats which are essential for recovery of listed species before land use changes impair or destroy key habitat values. Land acquisition can be costly and in many cases, neither the Service nor the States and territories individually have the necessary resources to acquire habitats essential for recovery of listed species. To help address this issue, Recovery Land Acquisition grant funds are matched by States and non-federal entities to acquire these habitats from willing sellers.

The Service expects that with this increase in budgetary resources, approximately 24 additional Species Recovery Land Acquisition Grants will be funded in FY 2010 over FY 2009 totals (assuming the average grant amount is consistent with that of FY 2008). Because States and territories must contribute 25 percent of the estimated program costs of approved projects, the proposed increase in the Species Recovery Land Acquisition Grant program element will result in the leverage of an additional \$3,874,750 in cost-share. The proposed increase in the Species Recovery Land Acquisition Grant program element for FY 2010 will result in greater benefits to listed and candidate species for FY 2010 as compared with FY 2009.

**Program Overview**

Loss of habitat is the primary threat to most listed species. Land acquisition is often the most effective and efficient means of safeguarding habitats essential for recovery of listed species before development or other land use changes impair or destroy key habitat values. Land acquisition is costly and often neither the Service nor the States and territories individually have the necessary resources to acquire habitats essential for recovery of listed species. Recovery Land Acquisition grant funds are matched by States and non-federal entities to acquire these habitats from willing sellers.

### **2010 Program Performance**

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The Service will publish a request for proposals in the third quarter of 2009 and anticipates making award announcements shortly after the FY 2010 Appropriations is enacted. Issuing the fiscal year 2010 request for proposals in fiscal year 2009 will promote timely obligation of funding and will maximize conservation resources. With the program increase, the Service expects that approximately 10 additional grants will be funded in FY 2009 over FY 2009 totals.

The Service awarded 22 Species Recovery Land Acquisition Grants in FY 2008; examples are listed below. Each project includes the federal funds provided through the CESCFC program; however, in all cases these funds were leveraged by state, county, city, or private matching funds. (Please see <http://www.fws.gov/pdfs/Sect6FY2008AwardSummariesFINAL.pdf> for a full list of awarded projects.)

- **Boundary Creek Conservation Easement** (Boundary County, ID) \$1,471,500. This grant will support The Nature Conservancy's acquisition of a conservation easement for more than 654 acres of high-priority private forestland in the Kootenai Valley of northern Idaho. The subject property provides a critical link between the higher elevation public lands of the Selkirk Mountains and over 2,000 acres of low-elevation protected areas owned by the Idaho Department of Fish and Game, Vital Ground Foundation and the Owens Foundation for Wildlife Conservation. The protection of this property will contribute to the recovery of grizzly bear, mountain caribou, bull trout, Canada lynx, and gray wolf.
- **Copperbelly water snake habitat easement acquisition and protection along the Upper St. Joseph River** (Hillsdale County, MI): \$689,305. The Michigan Department of Natural Resources and The Nature Conservancy will acquire conservation easements in perpetuity on three parcels totaling 442 acres of copperbelly watersnake habitat. The management and restoration of these sites will also benefit the endangered clubshell mussel, as well as 12 state-listed or special species of concern including wavy-rayed lampmussel, silver shiner, smallmouth salamander, and Blanding's turtle. The complex of wetlands, riparian forests, and upland forests that occurs at the site along the West Fork of the West Branch is one of the largest remaining along this headwater stream. Maintaining and expanding these complexes of natural communities help preserve the ecological integrity of this watershed and is critical for maintaining the copperbelly watersnake population.
- **Red-cockaded Woodpecker** (McCurtain County, OK): \$186,000. The Oklahoma Department of Wildlife Conservation will bring approximately 160 acres of native forest into public stewardship to benefit the red-cockaded woodpecker through implementation of management activities. It will expand the size of the existing McCurtain County Wilderness Area and support the Ouachita National Forest short-leaf pine/bluestem restoration that will provide additional dispersal habitat for the red-cockaded woodpecker. McCurtain County Wilderness Area supports the only remaining population of the red-cockaded woodpecker in Oklahoma.

**Activity: Cooperative Endangered Species Conservation Fund**  
**Subactivity: Habitat Conservation Plan (HCP) Land Acquisition**

	2008 Actual	2009 Enacted	2010			Change from 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
HCP Land Acquisition Grants (\$000)	35,031	36,008	0	0	36,008	0

**Program Overview**

The conservation benefits provided by HCPs can be greatly increased by protecting important habitat areas covered by HCPs. HCP Land Acquisition funds are used by states and non-federal entities to acquire habitats from willing sellers and are meant to complement, not replace, the mitigation responsibilities of HCP permittees. States and territories receive grant funds for land acquisitions associated with approved HCPs because of their authorities and close working relationships with local governments and private landowners.

**2010 Program Performance**

The Service will publish a request for proposals in the third quarter of 2009 and anticipates making award announcements shortly after the FY 2010 appropriations is enacted. Issuing the fiscal year 2010 request for proposals in fiscal year 2009 will promote timely obligation of funding and will maximize conservation resources. The Service expects that approximately the same number of grants will be funded in FY 2010 as are expected in FY 2009.

The Service awarded 9 HCP Land Acquisition Grants in FY 2008; examples are listed below. Each project includes the federal funds provided through the CESCFC program; however, in all cases these funds were leveraged by State, county, city, or private matching funds. (Please see <http://www.fws.gov/pdfs/Sect6FY2008AwardSummariesFINAL.pdf> for a full list of awarded projects.)

- **Native Fish HCP: Blackfoot Easement Project** (Powell, Missoula, and Lewis & Clark Counties, MT): \$6,515,319. The Blackfoot watershed provides crucial connectivity for many imperiled wildlife species including native bull trout, westslope cutthroat trout and mountain whitefish. The funds provided will help complete the Blackfoot Easement Project, which aims to provide permanent protection for at least 34,000 acres of watershed and working landscape. The parcels proposed for acquisition are adjacent to National Forest and State lands and will fill a critical void in maintaining the unfragmented landscape benefiting other species such as the grizzly bear, gray wolf, Canada lynx, trumpeter swan, bald eagle and Columbian sharp-tailed grouse.
- **East Point, South Bass Island, Ohio to Complete Recovery of the Threatened Lake Erie Watersnake** (Ottawa County, OH): \$1,835,000. This land acquisition completes the “Habitat Protection and Management” recovery criterion of the species’ recovery plan and will result in the protection of a core population area of the Lake Erie watersnake on South Bass Island. The purchase of this property is a rare opportunity to permanently protect a core population site and the last large tract of undeveloped habitat on the rapidly developing island. Partners include the Ohio Department of Natural Resources, First Energy Foundation, Black Swamp Conservancy, Ohio Public Works Commission and

Western Reserve Land Conservancy. This 8.6 acre site currently holds 14 percent of the islands' Lake Erie watersnake population and contains the elements needed to support the species year-round. Purchase of this site satisfies the last recovery criterion and will allow the Service to propose delisting in 2009.

- **Balcones Canyonlands Preserve/Purcell Tract** (Travis County, TX): \$5,250,000. The project will result in the purchase of two tracts of land (5.6 acres and 1.2 acres) within the Balcones Canyonlands to protect habitat for seven endangered species and three karst species of concern. The target tracts are adjacent to or near the 17.3 acre tract acquisition funded in FY07. One tract includes caves that may benefit endangered karst species, including the Bone Cave harvestman, Tooth Cave ground beetle, Tooth Cave spider, Tooth Cave pseudoscorpion, and Kretschmarr Cave mold beetle; the other is high-quality golden-cheeked warbler habitat. Both tracts are of critical biological value to these species. These tracts are adjacent to preserve land owned by Travis County and will provide critical connectivity between adjacent protected lands.

**Activity: Cooperative Endangered Species Conservation Fund**  
**Subactivity: Nez Perce Settlement - Snake River Water Rights Act of 2004**

	2008 Actual	2009 Enacted	2010			Change from 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Nez Perce Settlement (\$000)	4,988	5,146	0	0	5,146	0

**Program Overview**

Since 1998, the Nez Perce Tribe, the United States, the State of Idaho, and local communities and water users in Idaho have engaged in mediation as part of the Snake River Basin Adjudication to resolve the water rights claims of the Nez Perce Tribe in the Snake River. The Tribe’s claim to instream flow rights in the Snake River in order to protect its treaty-based fishery was one of the significant issues involved in this dispute.

In 2004, the parties reached an agreement to settle this dispute. Under the obligations of the Snake River Water Rights Act, the Department of Interior provides funding to the Nez Perce Tribe and the State of Idaho to fund water supply and habitat restoration projects. This cooperative venture with the State and Tribe protects threatened and endangered salmon in Idaho and restores Clearwater Basin habitat. It allows Idaho to complete adjudication of Snake River water rights, develop a long-term public water policy, and enables the Department to fulfill trust responsibilities. The \$5,146,706 requested through the Cooperative Endangered Species Conservation Fund is for the Idaho Salmon and Clearwater River Basins Habitat Account, which was established as part of the settlement. Fiscal year 2010 represents the third year of a five year funding commitment. This account provides funding for habitat improvement projects.

**Activity: Cooperative Endangered Species Conservation Fund**  
**Subactivity: Administration**

Program Element	2008 Actual	2009 Enacted	2010			Change From 2009 (+/-)
			Fixed Costs & Related Changes (+/-)	Program Changes (+/-)	Budget Request	
Administration (\$000)	2,479	2,518	0	0	2,518	0
FTE	25	25	0	0	25	0

**Program Overview**

Federal grant management and administrative oversight are necessary to ensure compliance with program requirements and purposes. The funding requested for Administration allows the Service to carry out these responsibilities.

Standard Form 300				
DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND				
Program and Financing (in millions of dollars)				
		2008 Actual	2009 Estimate	2010 Estimate
<b>Identification code 14-5143-0-2-302</b>				
<b><u>Obligations by program activity:</u></b>				
00.01	Grants to States	36	38	42
00.02	Grants to States/Land Acquisition/HCPs	57	56	67
00.03	Grant Administration	3	3	3
00.05	Payment to special fund unavailable receipt account	52	55	55
10.00	Total new obligations	148	152	167
<b><u>Budgetary resources available for obligation:</u></b>				
21.40	Unobligated balance carried forward, start of year	49	37	28
22.00	New budget authority (gross)	126	131	155
22.10	Resources available from recoveries of prior year obligations	10	12	12
23.90	Total budgetary resources available for obligation	185	180	195
23.95	Total new obligations (-)	-148	-152	-167
24.40	Unobligated balance carried forward, end of year	37	28	28
<b><u>New budget authority (gross) detail:</u></b>				
<b><u>Discretionary:</u></b>				
40.20	Appropriation (LWCF special fund, 14 5479) [14-5005-0-302-N-0513-01]	50	55	100
40.20	Appropriation (CESCF special fund 14 5143) [14-5005-0-302-N-0500-01]	25	25	--
40.36	Unobligated balance permanently reduced	--	-4	--
40.37	Appropriation temporarily reduced [14-5005-0-302-N-0508-01]	-1	--	--
43.00	Appropriation (total discretionary)	74	76	100
<b><u>Mandatory:</u></b>				
60.00	Appropriation	52	55	55
70.00	Total new budget authority (gross)	126	131	155
<b><u>Change in obligated balances:</u></b>				
72.40	Obligated balance, start of year	229	236	245
73.10	Total new obligations	148	152	167
73.20	Total outlays, gross (-)	-131	-131	-137
73.45	Recoveries of prior year obligations	-10	-12	-12
74.40	Obligated balance, end of year	236	245	263

<b>Standard Form 300</b>				
<b>DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE COOPERATIVE ENDANGERED SPECIES CONSERVATION FUND</b>				
<b>Program and Financing (in millions of dollars)</b>				
		<b>2008 Actual</b>	<b>2009 Estimate</b>	<b>2010 Estimate</b>
<b>Identification code 14-5143-0-2-302</b>				
<b><u>Outlays, (gross) detail:</u></b>				
86.90	Outlays from new discretionary authority	15	15	20
86.93	Outlays from discretionary balances	64	61	62
86.97	Outlays from new mandatory authority	52	55	55
87.00	Total, outlays (gross)	131	131	137
<b><u>Net budget authority and outlays:</u></b>				
89.00	Budget authority	126	131	155
90.00	Outlays	131	131	137
95.02	Unpaid obligation, end of year	236		
<b>Object classification (in millions of dollars)</b>				
		<b>2008 Actual</b>	<b>2009 Estimate</b>	<b>2010 Estimate</b>
<b>Identification code 14-5143-0-2-302</b>				
<b><u>Direct obligations:</u></b>				
<b><u>Personnel compensation:</u></b>				
11.1	Full-time permanent	2	2	2
12.1	Civilian personnel benefits	1	1	1
41.0	Grants, subsidies, and contributions	92	94	109
94.0	Financial transfers	52	55	55
99.0	Subtotal, obligations, Direct obligations	147	152	167
99.95	Below reporting threshold	1	--	--
99.99	Total new obligations	148	152	167
<b>Personnel Summary</b>				
		<b>2008 Actual</b>	<b>2009 Estimate</b>	<b>2010 Estimate</b>
<b>Identification code 14-5143-0-2-302</b>				
Total compensable workyears:				
1001	Full-time equivalent employment	25	25	25

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