

## State and Tribal Wildlife Grants

### Appropriations Language

For wildlife conservation grants to States and to the District of Columbia, Puerto Rico, Guam, the United States Virgin Islands, the Northern Mariana Islands, American Samoa, and federally-recognized Indian Tribes under the provisions of the Fish and Wildlife Act of 1956 and the Fish and Wildlife Coordination Act, for the development and implementation of programs for the benefit of wildlife and their habitat, including species that are not hunted or fished, \$90,000,000, to remain available until expended: *Provided*, That of the amount provided herein, \$7,000,000 is for a competitive grant program for *federally recognized* Indian Tribes not subject to the remaining provisions of this appropriation: *Provided further*, That \$5,000,000 is for a competitive grant program for States, territories, and other jurisdictions with approved plans, not subject to the remaining provisions of this appropriation: *Provided further*, That the Secretary shall, after deducting \$12,000,000 and administrative expenses, apportion the amount provided herein in the following manner: (1) to the District of Columbia and to the Commonwealth of Puerto Rico, each a sum equal to not more than one-half of 1 percent thereof; and (2) to Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands, each a sum equal to not more than one-fourth of 1 percent thereof: *Provided further*, That the Secretary shall apportion the remaining amount in the following manner: (1) one-third of which is based on the ratio to which the land area of such State bears to the total land area of all such States; and (2) two-thirds of which is based on the ratio to which the population of such State bears to the total population of all such States: *Provided further*, That the amounts apportioned under this paragraph shall be adjusted equitably so that no State shall be apportioned a sum which is less than 1 percent of the amount available for apportionment under this paragraph for any fiscal year or more than 5 percent of such amount: *Provided further*, That the Federal share of planning grants shall not exceed 75 percent of the total costs of such projects and the Federal share of implementation grants shall not exceed [65]50 percent of the total costs of such projects: *Provided further*, That the non-Federal share of such projects may not be derived from Federal grant programs: *Provided further*, That no State, territory, or other jurisdiction shall receive a grant if its comprehensive wildlife conservation plan is disapproved and such funds that would have been distributed to such State, territory, or other jurisdiction shall be distributed equitably to States, territories, and other jurisdictions with approved plans: *Provided further*, That any amount apportioned in [2010]2011 to any State, territory, or other jurisdiction that remains unobligated as of September 30, [2011]2012, shall be reapportioned, together with funds appropriated in [2012]2013, in the manner provided herein. (*Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010.*)

### Justification of Language Change

**Change:** "...and the Federal share of implementation grants shall not exceed [65]50 percent of the total costs of such projects."

The budget proposes the reinstatement of the State cost share to 50% in 2011 to reinforce the States' commitment to the program and to restoring our Nation's fiscal discipline.

## Authorizing Statutes

***Endangered Species Act of 1973***, as amended (16 U.S.C. 1531-1544). 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 or 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; provides for cooperation with States, including authorization of financial assistance; 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.

***Fish and Wildlife Act of 1956***, as amended (16 U.S.C. 742(a)-754). Establishes a comprehensive national fish and wildlife policy and authorizes the Secretary of the Interior to take steps required for the development, management, advancement, conservation, and protection of fisheries resources and wildlife resources through research, acquisition of refuge lands, development of existing facilities, and other means.

***Fish and Wildlife Coordination Act***, as amended (16 U.S.C. 661). The Secretary of the Interior is authorized to provide assistance to, and cooperate with, federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes, in minimizing damages from overabundant species, and in providing public shooting and fishing areas, including easements across public lands for access thereto.

**Appropriation: State and Tribal Wildlife Grants**

	2009 Actual	2010 Enacted	2011			Change from 2010 (+/-)
			DOI-wide Changes & Transfers (+/-)	Program Changes (+/-)	Budget Request	
State Wildlife Grants – Apportioned (\$000)	63,000	78,000	0	0	78,000	0
Competitive Grants for States, Territories, and other Jurisdictions (\$000)	5,000	5,000	0	0	5,000	0
Tribal Wildlife Grants (\$000)	7,000	7,000	0	0	7,000	0
<b>TOTAL, State &amp; Tribal Wildlife Grants (\$000)</b>	<b>75,000</b>	<b>90,000</b>	<b>0</b>		<b>90,000</b>	<b>0</b>
<i>FTE</i>	<i>21</i>	<i>23</i>	<i>0</i>	<i>0</i>	<i>23</i>	<i>0</i>

**Program Overview**

The State and Tribal Wildlife Grant program (STWG) provides States, the District of Columbia, Commonwealths, territories (States), and tribes, Federal grant funds for the development and implementation of programs that benefit fish and wildlife and their habitat, including species that are not hunted or fished. Since the program’s inception in 2002, more than \$708.4 million has been provided for conservation work in States and on Tribal lands. The Consolidated Appropriations Act of 2010 authorizes \$5 million for a competitive portion of the State Wildlife Grant program (SWG) to emphasize the integration of cooperation and performance. State agencies depend on these appropriated funds to conduct on-the-ground projects on Species of Greatest Conservation Need (SGCN) and their habitats. Through stable funding, State agencies will continue their long-term efforts to monitor or conduct surveys on these species and their habitats and to hire additional staff.

**Goals of the Program** - The long-term goal of the STWG is to stabilize, restore, enhance, and protect SGCN and their habitat. By doing so, the nation avoids the costly and time-consuming process that occurs when habitat is degraded or destroyed and species’ populations plummet; therefore requiring additional protection through the Endangered Species Act or other regulatory processes. The program accomplishes its protection goals by 1) focusing projects on SGCN and their habitats, and 2) leveraging Federal funding through cost-sharing provisions with State fish and wildlife agencies.

**State Comprehensive Wildlife Conservation Plan (CWCP)** - Each States must have a Comprehensive Wildlife Conservation Plan, approved by the Service’s Director, for the conservation of fish and wildlife. Each CWCP must consider the broad range of fish and wildlife and associated habitats, with priority on those species with the greatest conservation need, and take into consideration the relative level of funding available for the conservation of those species. The States must review and, if necessary, revise their CWCP by October 1, 2015, and every ten years afterwards, unless completed more frequently at each State’s discretion. Revisions to States’ CWCPs must follow the guidance issued in the July 12, 2007 letter from the Service’s Director and the President of the Association of Fish and Wildlife Agencies.

**Tribal Wildlife Grants** - The Tribal Wildlife Grant (TWG) program provides funds to federally recognized Tribal governments to develop and implement programs for the benefits of wildlife and their habitat, including species of Native American cultural or traditional importance and species that are not hunted or fished. Although Tribes are exempt from the requirement to develop wildlife plans, individual Tribes are eager to continue their conservation work using resources from the nationally competitive Tribal program.

**Types of STWG Projects** - All 50 States; the District of Columbia; the Commonwealths of Puerto Rico and the Northern Mariana Islands; the territories of American Samoa, Guam, and the U.S. Virgin Islands; and Tribes participate in this program through their respective fish and wildlife agencies. Each State, Commonwealth, and territory develops and select projects for funding based on the agencies' assessment of problems and needs associated with their CWCP. The following are eligible activities under the STWG:

- A. Conservation actions, such as research, surveys, species, and habitat management, acquisition of real property, facilities development, and monitoring.
- B. Coordination and administrative activities, such as data management systems development and maintenance, developing strategic and operational plans, and coordinating implementation meetings with partners. Partners are entities that participate in the planning or implementation of a State's plan. These entities include, but are not limited to, Federal, State, and local agencies, Tribes, nonprofit organizations, academic institutions, industry groups, and private individuals.
- C. Education and law enforcement activities under the following conditions:
  - 1. The education activities are actions intended to increase the public's knowledge or understanding of wildlife or wildlife conservation through instruction or distribution of materials.
  - 2. The law enforcement activities are efforts intended to compel the observance of laws or regulations.
  - 3. The activities are critical to achieving the project's objectives.
  - 4. The activities are no more than 10 percent of the respective project cost.
  - 5. The activities specifically benefit SGCN or their habitats.
- D. Technical guidance to a specific agency, organization, or person that monitors or manages SGCN or their habitats. Technical guidance is expert advice provided to governmental agencies, landowners, land managers, and organizations responsible for implementing land planning and management.
- E. Elimination of nuisance wildlife or remediation of damage caused by wildlife, but only if the objective is to contribute to the conservation of SGCN or their habitats, as indicated in a State's Plan.
- F. Environmental reviews, site evaluations, permit reviews, or similar functions intended to protect SGCN or their habitats.
- G. Response to emerging issues.
- H. Planning activities.

**Funding Planning and Implementation Grants** – In 2007, the Service introduced new SWG program guidance that narrowed the scope of work that may be conducted under planning grants. The guidance also restricted the content of State planning grants to 1) conducting internal evaluation of CWCPs, and 2) obtaining input from partners and the public on how to improve those plans. Because of the restrictions on the content of work that can be carried out under planning grants, the Service expects the States will shift most of their SWG financial resources away from planning activities and toward conducting “implementation” work for more on-the-ground activities.

After deducting administrative costs for the Service’s Washington and Regional Offices, the Service distributes SWG funds to States in the following manner:

- A. The District of Columbia and the Commonwealth of Puerto Rico each receive a sum equal to not more than one-half of 1 percent. The territories of American Samoa, Guam, and the U. S. Virgin Islands, and the Commonwealth of the Northern Mariana Islands each receive a sum equal to not more than one-fourth of 1 percent.
- B. The Service divides the remaining amount among the 50 States by a formula where one-third of the amount for each State is based on the ratio of the State land area to the total land area of the 50 States, with the other two-thirds based on the ratio of the State population to the total population of the 50 States. However, each of the 50 States must receive no less than 1 percent of the total amount available and no more than 5 percent.

The Federal share of planning grants must not exceed 75 percent of the total cost, and the Federal share of implementation grants must not exceed 50 percent of the total cost. The Wildlife and Sport Fish Restoration Program (WSFR) must waive any required cost sharing under \$200,000 for the Commonwealth of the Northern Mariana Islands, and the territories of Guam, the United States Virgin Islands, and American Samoa despite any other provision of law. The non-Federal share may not include any Federal funds or Federal in-kind contributions unless legislation specifically allows it. Again, Tribal Wildlife Grants are competitive and are not required to provide a share of project costs; however, many do, and some quite substantially.

**Obligation Requirements** – States must obligate SWG funds to a grant by September 30 of the second Federal fiscal year after their apportionment, or the remaining unobligated dollars revert to the Service. Reverted SWG funds lose their original fiscal year and State identity, and all States will receive them as an addition to the next year’s national apportionment. If a State obligates SWG funds to an approved grant but does not expend the funds in the grant period, WSFR will deobligate the unexpended balance. If WSFR deobligates the funds during the 2-year period of availability, WSFR will reobligate these funds to an existing or new grant to the same State.

**Performance Measurement** – In response to a program review in September 2008, the Service developed a Conservation Heritage Strategic Plan in cooperation with the States and interested organizations. The conservation heritage measures are still under development.

### **2011 Program Performance**

With the FY 2011 budget of approximately \$90.0 million in payments (less administrative expenses) to States and Tribes, the Service expects program grantees to continue to stabilize, restore, enhance, and protect SGCN, as well as their habitat. In addition, the Service will continue working cooperatively with them to find ways to more consistently and comprehensively report accomplishments.

The STWG has proved a stable Federal funding source for State and Tribal fish and wildlife agencies for the past nine years. This funding stability is critical to the recovery and continued resilience of many

species that are in the greatest need of conservation. Some examples of activities planned by State fish and wildlife agencies in FY 2010 that are likely to be similar to those anticipated in FY 2011 are:

- **Alaska (Seldovia Village Tribe)** – The objective of this grant is to prepare the Seldovia River Salmon Restoration Plan and design, install and operate an efficient, low-maintenance fish ladder, one mile upstream from tidal influence. The Tribe will install a video monitoring system to document fish use of the ladder and monitor fish spawning recruitment and rearing habitat after fish passage after installation. This will allow the Seldovia River a suitable spawning habitat for salmon.
- **Colorado** – This grant will search for suitable habitat from Hotchkiss to Bowie to determine site occupancy of Yellow-billed cuckoos and confirm that the species is breeding in the North Fork of the Gunnison River Valley. Confirmation of presence of a breeding population of Western yellow-billed cuckoos in the western Colorado would be an important first step in efforts to establish a conservation plan for the species in western Colorado. Without confirmation of the species' presence, there is little reason to expend the resources to develop a conservation plan.
- **Georgia** – This grant will improve the habitat on Ossabaw Island for several bird species and in particular the loggerhead turtle nesting rookeries from the impacts of exotic feral swine populations. The feral swine is affecting the natural forest regeneration and cause degradation of the bird, ground dwelling vertebrates, and invertebrates. This grant will allow the development of a feral swine control program that will effectively reduce the numbers to the point they are no longer affecting the native vegetation or loggerhead turtle populations. The benefit will be an increase in habitat diversity and loggerhead turtle population on Ossabaw Island.
- **Kansas** – This grant will 1) restore and/or enhance 30,000 acres of grasslands. Emphasis will be directed toward tracts that contribute to the development or maintenance of large blocks. SGCN that will benefit include those that are area sensitive or require large home ranges for breeding, including Lesser Prairie-Chicken, Greater Prairie-Chicken, Ferruginous Hawk, Swainson's Hawk, Upland Sandpiper, Grasshopper Sparrow, and Swift Fox; 2) restore and/or enhance 400 acres of playas and surrounding uplands, with an emphasis directed toward areas supporting high playa densities. SGCN that will benefit include those that require wetland complexes for migration and breeding, including American Avocet, Northern Pintail, Lesser Yellowlegs, Whooping Crane, White-rumped Sandpiper, Least Tern, Green Toad, and Northern Cricket Frog; and 3) restore and/or enhance 15 miles of streams and associated riparian buffers. SGCN that will benefit include those that require complex stream habitats of sufficient quality, including Topeka Shiner, Neosho Mucket, Neosho Madtom, and Arkansas Darter. Short-term benefits (<10 years) from the projects proposed above may include, but are not limited to, the conversion of cropland to native grass, removal of invasive vegetation, improved grazing distribution and application of prescribed fire that will lead to the increased quantity and quality of grassland, stream/riparian, and wetland habitats for SGCN as described above.
- **Maine (Aroostook Band of Micmacs)** – This grant will acquire approximately 1,200 acres of woodlands and wetlands in Winterville to protect the federally threatened Canada lynx and its habitat. It will also restore ancestral hunting areas to the Micmac Tribe and will provide a forested land base for the Tribe to implement forestry, fish, and wildlife management programs.
- **Washington** –The objective of this grant is to monitor the herring spawning to estimate populations in Puget Sound, in order to provide valuable management information for biologist to protect the fish species.

## State Wildlife Grants Apportionment

Catalog of Federal Domestic Assistance Number 15.634

**FY 2010**

<u>State</u>	<u>Reverted FY08</u>		<u>2010 Funds</u>	<u>Total</u>
	<u>Funds</u>			
Alabama	\$ 37,168	\$	1,133,225	\$ 1,170,393
Alaska	121,463		3,703,363	3,824,826
American Samoa	6,073		185,168	191,241
Arizona	62,766		1,913,718	1,976,484
Arkansas	28,331		863,766	892,097
California	121,463		3,703,363	3,824,826
Colorado	52,256		1,593,268	1,645,524
Connecticut	24,293		740,673	764,966
Delaware	24,293		740,673	764,966
District of Columbia	12,146		370,336	382,482
Florida	109,016		3,323,873	3,432,889
Georgia	64,972		1,980,981	2,045,953
Guam	6,073		185,168	191,241
Hawaii	24,293		740,673	764,966
Idaho	29,345		894,717	924,062
Illinois	79,920		2,436,734	2,516,654
Indiana	41,860		1,276,300	1,318,160
Iowa	29,726		906,334	936,060
Kansas	35,462		1,081,228	1,116,690
Kentucky	32,262		983,646	1,015,908
Louisiana	35,044		1,068,489	1,103,533
Maine	24,293		740,673	764,966
Maryland	31,570		962,569	994,139
Massachusetts	35,537		1,083,505	1,119,042
Michigan	65,554		1,998,710	2,064,264
Minnesota	48,408		1,475,948	1,524,356
Mississippi	27,236		830,371	857,607
Missouri	48,282		1,472,105	1,520,387
Montana	42,791		1,304,695	1,347,486
N. Mariana Islands	6,073		185,168	191,241
Nebraska	29,016		884,672	913,688
Nevada	41,853		1,276,078	1,317,931
New Hampshire	24,293		740,673	764,966
New Jersey	46,133		1,406,591	1,452,724
New Mexico	41,482		1,264,783	1,306,265
New York	111,658		3,404,420	3,516,078
North Carolina	61,091		1,862,657	1,923,748
North Dakota	24,293		740,673	764,966
Ohio	69,125		2,107,588	2,176,713
Oklahoma	36,675		1,118,216	1,154,891
Oregon	44,366		1,352,710	1,397,076
Pennsylvania	75,531		2,302,922	2,378,453
Puerto Rico	12,146		370,336	382,482
Rhode Island	24,293		740,673	764,966
South Carolina	31,122		948,904	980,026
South Dakota	24,293		740,673	764,966
Tennessee	42,751		1,303,479	1,346,230
Texas	121,463		3,703,363	3,824,826
Utah	35,964		1,096,527	1,132,491
Vermont	24,293		740,673	764,966
Virgin Islands	6,073		185,168	191,241
Virginia	50,392		1,536,444	1,586,836
Washington	51,297		1,564,024	1,615,321
West Virginia	24,293		740,673	764,966
Wisconsin	43,104		1,314,232	1,357,336
Wyoming	24,293		740,673	764,966
<b>Total</b>	<b>\$ 2,429,262</b>	<b>\$</b>	<b>74,067,265</b>	<b>\$76,496,527</b>

Standard Form 300			
DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE STATE and TRIBAL WILDLIFE GRANTS FUND			
Program and Financing (in millions of dollars) Identification code 14-1694-0-302	2009 Actual	2010 Estimate	2011 Estimate
<b>Obligations by program activity:</b>			
00.01 State Wildlife Grants	61	74	78
00.02 State Competitive Grants	8	7	5
00.03 Administration	3	3	3
00.04 Tribal Wildlife Grants	6	6	6
<b>10.00 Total obligations</b>	<b>78</b>	<b>90</b>	<b>92</b>
<b>Budgetary resources available for obligation:</b>			
21.40 Unobligated balance available, start of year	51	52	56
22.00 New Budget authority (gross)	75	90	90
22.10 Recoveries of prior year obligations	4	4	2
23.90 Total budgetary resources available for obligation	130	146	148
23.95 Total new obligations (-)	-78	-90	-92
<b>24.40 Unobligated balance available, end of year</b>	<b>52</b>	<b>56</b>	<b>56</b>
<b>New budget authority (gross), detail:</b>			
Discretionary:			
40.00 Appropriation	75	90	90
<b>43.00 Appropriation (Total discretionary)</b>	<b>75</b>	<b>90</b>	<b>90</b>
<b>Change in unpaid obligations:</b>			
72.40 Obligated balance, start of year	137	143	150
73.10 Total new obligations	78	90	92
73.20 Total outlays, gross (-)	-68	-79	-81
73.45 Recoveries of prior year obligations	-4	-4	-2
<b>74.40 Obligated balance, end of year</b>	<b>143</b>	<b>150</b>	<b>159</b>
<b>Outlays (gross), detail:</b>			
86.90 Outlays from new discretionary authority	10	20	20
86.93 Outlays from discretionary balances	58	59	61
<b>87.00 Total outlays (gross)</b>	<b>68</b>	<b>79</b>	<b>81</b>
<b>Net budget authority and outlays:</b>			
89.00 Budget authority	75	90	90
90.00 Outlays	68	79	81
95.02 Unpaid obligation, end of year	142	0	0
<b>Object Classification (in millions of dollars)</b>			
<b>Direct obligations:</b>			
11.11 Personnel compensation: Full-time permanent	2	2	2
14.10 Grants, subsidies and contributions	74	87	89
19.90 Subtotal, Direct Obligations	76	89	91
99.95 Below Threshold	2	1	1
<b>99.99 Total obligations</b>	<b>78</b>	<b>90</b>	<b>92</b>
<b>Personnel Summary</b>			
<b>Direct:</b>			
Total compensable workyears:			
<b>10.01 Full-time equivalent employment</b>	<b>21</b>	<b>23</b>	<b>23</b>