



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

January 14, 2010

S. 1214 **National Fish Habitat Conservation Act**

*As ordered reported by the Senate Committee on Environment and Public Works
on December 10, 2009*

SUMMARY

S. 1214 would authorize the appropriation of \$500 million over the 2010-2014 period for the Department of the Interior (DOI) to fund projects to conserve fish habitats and establish a National Fish Habitat Conservation Office. The legislation also would establish a National Fish Habitat Board and authorize the appropriation of \$150 million over the same period to provide technical and scientific assistance to the board, Fish Habitat Partnerships (FHPs), and conservation project participants.

CBO estimates that implementing S. 1214 would cost \$591 million over the 2010-2015 period, assuming appropriation of the specified amounts. Because the legislation would authorize DOI to accept and use gifts and donations, enacting the bill could have a negligible impact on offsetting receipts and associated direct spending. Enacting the bill would not affect revenues.

S. 1214 contains no intergovernmental or private sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 1214 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By Fiscal Year, in Millions of Dollars						2010- 2014
	2010	2011	2012	2013	2014	2015	
CHANGES IN SPENDING SUBJECT TO APPROPRIATION							
Fish Habitat Conservation Projects							
Authorization Level	75	75	75	75	75	0	375
Estimated Outlays	0	57	65	75	75	50	322
Technical and Scientific Assistance							
Authorization Level	30	30	30	30	30	0	150
Estimated Outlays	8	32	38	32	30	8	148
National Fish Habitat Conservation Partnership Office							
Authorization Level	22	22	22	22	22	0	110
Estimated Outlays	2	18	32	26	22	6	106
Planning and Administration							
Authorization Level	3	3	3	3	3	0	15
Estimated Outlays	1	3	3	3	3	2	15
Total Changes							
Authorization Level	130	130	130	130	130	0	650
Estimated Outlays	11	110	138	136	130	66	591

BASIS OF ESTIMATE

For this estimate, CBO assumes that the legislation will be enacted in fiscal year 2010 and that amounts specified in the bill will be appropriated for each year.

S. 1214 would establish a National Fish Habitat Board composed of 27 members from federal, state, and tribal agencies, and nongovernmental organizations. The board would approve FHPs formed around specific aquatic habitats and geographic areas and make recommendations to the Secretary of the Interior regarding the funding of conservation projects. Those recommendations would be informed primarily by the FHPs, which would conduct scientific assessments and identify strategic priorities on behalf of public and private partners.

Fish Habitat Conservation Projects

S. 1214 would authorize the appropriation of \$75 million in each of fiscal years 2010 through 2014 for DOI to provide funding for fish habitat conservation projects,

including the acquisition of property. Projects would increase fishing opportunities for the public; increase public access to land; protect threatened and endangered species, fish, and fish habitats; and promote resilience to environmental change. No project could derive more than 50 percent of its funding from the federal government, unless the project was located on federal land or water.

CBO estimates that no spending for conservation projects would occur in 2010 because few projects would likely be approved before the conclusion of that fiscal year. Based on the historical expenditures for other conservation and land acquisition projects, we estimate that implementing this provision would cost \$322 million over the 2011-2015 period.

Technical and Scientific Assistance

S. 1214 would authorize the appropriation of \$30 million in each of fiscal years 2010 through 2014 for technical and scientific assistance to the board, the FHPs, and conservation project participants. The legislation would provide equal funding in each year to the Fish and Wildlife Service (FWS), the National Oceanic and Atmospheric Administration (NOAA), and the United States Geological Survey for those purposes. Based on the historical spending patterns for programs carried out by each of those agencies, CBO estimates that this provision would cost \$148 million over the 2010-2015 period.

National Fish Habitat Conservation Partnership Office

S. 1214 would authorize the appropriation of \$3 million, plus an amount equal to 25 percent of the funds provided for fish habitat conservation projects (which, assuming appropriation of the full amount, would total about \$19 million), in each of fiscal years 2010 through 2014 to establish a National Fish Habitat Conservation Partnership Office within FWS. The office would provide funding for operation of FHPs, including planning, outreach, implementation, and evaluation. The office also would help administer other provisions of the bill, including developing an interagency operational plan and reporting to the Congress regarding implementation of the bill and the status of aquatic habitats in the United States. CBO estimates that spending by the new office would total \$106 million over the 2010-2015 period.

Planning and Administration

S. 1214 would authorize the appropriation of \$300,000, plus an amount equal to 4 percent of the funds provided for fish habitat conservation programs (which, assuming appropriation of the full amount, would total \$3 million), in each of fiscal years 2010 through 2014 for planning and administrative expenses. Such funds would be used by

FWS, NOAA, and the board. CBO estimates that those expenses would total \$15 million over the 2010-2015 period.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

S. 1214 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. State, local, and tribal governments would benefit from technical and financial assistance authorized in the bill. Any costs to those governments would be incurred voluntarily as a condition of receiving federal assistance.

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