

# Angling & Boating Alliance

February 24, 2014

## *Coordinated Statement on Reauthorization of the Sport Fish Restoration & Boating Trust Fund*

The **Angling & Boating Alliance** is an ad hoc coalition of national recreational boating, angling, outdoor recreation interests, conservation groups, and state boating safety and natural resources agencies committed to the sustainable future of the Sport Fish Restoration & Boating Trust Fund (“Trust Fund”). The mission of the Alliance is to protect the Trust Fund, lead a national advocacy effort for the Trust Fund’s reauthorization as part of the Federal Highway Bill during the 113th Congress, and communicate the importance of the fund to the Administration. The Alliance has reached consensus agreement on reauthorization priorities and statutory changes to ensure the Trust Fund’s continued vitality and success as a “user pays, public benefits” program. Members of the Alliance Steering Committee are:

- *American Sportfishing Association (ASA)*
- *Association of Fish & Wildlife Agencies (AFWA)*
- *Association of Marina Industries (AMI)*
- *B.A.S.S. LLC*
- *Boat Owners Association of the United States (BoatU.S.)*
- *Coastal Conservation Association (CCA)*
- *Congressional Sportsmen’s Foundation (CSF)*
- *Marine Retailers Association of America (MRAA)*
- *National Association of State Boating Law Administrators (NASBLA)*
- *National Marine Manufacturers Association (NMMA)*
- *States Organization for Boating Access (SOBA)*
- *Trout Unlimited (TU)*

### ***About the Trust Fund***

The Sport Fish Restoration and Boating Trust Fund serves as the backbone for fishery conservation funding in the United States - a uniquely American System of Conservation Funding. It is a critical funding tool for a diverse set of important state and national recreational fishing and boating programs, including recreational boating safety, boat manufacturing compliance, fisheries management, habitat conservation, vessel sewage pump-out stations, water and boating access infrastructure programs, and aquatic resource education programs, among others. Funding for the Trust Fund is attained through a “user tax” system, in which excise duties on fishing tackle and equipment, motorboat fuel, and import duties on recreational boats and fishing equipment are collected for the various sportfish restoration programs and boating programs operating under the Dingell-Johnson Sportfish Restoration Act (16 U.S.C. 777). These combined excise taxes and duties on the boating and fishing communities generate nearly \$600 million annually.

The Sport Fish Restoration and Boating Trust Fund (originally created in 1950 and amended and expanded in 1984) was most recently fully reauthorized in 2005 as part of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users or "SAFETEA-LU" [Public Law 109-59, title XI, subtitle B, part 2, section 11115, approved August 10, 2005,] as amended by the Sportfishing and Recreational Boating Safety Amendments Act of 2005 [Public Law 109-74, approved September 29, 2005]. The Trust Fund reauthorization was extended with no changes as part of the 2009 Highway Bill and extended again in a 2012 action.

***Angling & Boating Alliance Agreement  
on Statutory Amendments to the Trust Fund***

- To make the Trust Fund as equitable as possible the Alliance agrees that each account of the Trust Fund be a percent of the total revenues to the Trust Fund, including administrative costs.
- In recognition of both the fragile economic climate and the likelihood that oscillations in revenues for the Trust Fund will continue, the Alliance agrees that the annual administrative payments for both the U.S. Fish and Wildlife Service and the U.S. Coast Guard should be a percentage of the total annual collections with an established minimum and maximum amount available annually.
  - For the U.S. Fish and Wildlife Service beginning in FY-2015 the Alliance supports an annual administrative payment of 1.99 percent of total annual collections (about \$11,852,000 based on a baseline of FY-13 revenue for the Trust Fund of \$595.6 million) with a minimum annual amount not less than \$11,500,000 and a maximum annual amount of not more than \$12,843,432 (based on a 2020 revenue estimate in the administration's proposal). Administrative costs for the small grant programs – Clean Vessel, Outreach, BIG, and Multistate Grants – should continue as currently authorized.
  - For the U.S. Coast Guard beginning in FY-2015 the Alliance supports an annual administrative payment of 0.35 percent of total annual collections (about \$2,085,000 based on a baseline of FY-13 revenue for the Trust Fund of \$595.6 million) with a minimum annual amount of not less than \$2,000,000 and an annual amount of not more than \$2,500,000.
  - The Alliance further agrees that legislative amendments stipulate that any administrative payment amounts that are not expended or obligated in due time shall be made available for allocation to the States, as in current statute.
- The Alliance recommends that the Association of Fish and Wildlife Agencies and the U.S. Fish and Wildlife Service annually evaluate and report on the administrative services of the USFWS for the Trust Fund to the states, the sportfishing community, and Congress using metrics determined through concurrence by the states and the U.S. Fish and Wildlife Service.
- The Alliance recommends that the National Boating Safety Advisory Council (NBSAC) annually evaluate and report on the administrative services of the USCG for the boating components of the Trust Fund to the states, the boating community, the

Commandant of the USCG and Congress using metrics determined through concurrence by the states, boating community and the U.S. Coast Guard.

- To ensure equity among all aspects of the Trust Fund, the Alliance agrees that all costs, such as those for commissions, councils, and specific grant programs, will be absorbed by the appropriate account (e.g., State Boating Safety, Sport Fish Restoration) and that those costs remain as they are in current statute.
- The Alliance agrees that the allocation for Coastal Wetlands be revised from the current 18.5% to 15.36% so the allocation more closely aligns with historical receipts from the small engine gas tax (as originally intended). Since inception, coastal wetlands allocations have exceeded the small engine gas tax receipts by nearly \$257 million and this percentage change provides the appropriate correction. \$208 million of that excess has occurred since 2001.
- The Alliance agrees that in order to offset the impact of anticipated revenue declines for the crucial Clean Vessel Act (CVA) and Boating Infrastructure Grant (BIG) programs, and to take advantage of current lower real estate market values, the percentage allocation for each of these programs should be increased by .1% from 2.0% to 2.1% each.
- The Alliance believes that Outreach and Participation is a critical component of the Trust Fund, particularly given the current economic climate. Therefore, the Alliance agrees to support an increase to the Outreach and Participation percentage allocation from 2.0% to 2.2%. This program has proven worthy of its past investment and is critical to the continued growth of angler and boater participation.
- The Alliance agrees to support an adjustment of the Sport Fish Restoration (SFR) percentage allocation from 57% to 57.2%.
- The Alliance agrees to support an adjustment of Recreational Boating Safety (RBS) percentage allocation from 18.5% to 18.7%.
- The Alliance, in recognition of the importance of recreational boating safety, supports funding the National Boating Safety Advisory Council (NBSAC) as an allowable cost, including travel, within the USCG national program coordination allocation of \$5,500,000.
- The Alliance agrees that the federal/state match requirement for Recreational Boating Safety (RBS) grants should be 75% federal funds and 25% state funds as opposed to the current 50-50 required match. This aligns the match for boating safety grants with the match required for Sport Fish Restoration. This change should be accompanied by a statutory Maintenance of Effort clause in the Recreational Boating Safety Program.
- In recognition of the importance of ensuring recreational angling and boating access to waterways and the need to have a coordinated approach to water access, the Alliance agrees that up to \$300,000 from the 15% allocation for angling and boating access under

the Sport Fish Restoration account should be made available, subject to a competitive bidding process, for non-profit entities to address specific access concerns.

- The Alliance, in recognition of the importance of the USCG Manufacturing Compliance Program and anticipated increased future needs, supports modifying the statutory minimum funding for the program from \$2 million to \$2.5 million, authorizing an adequate number of FTEs for successful program implementation, inspections, certifications and associated travel to domestic recreational manufacturing facilities.
- With respect to the USCG National Recreational Boating Survey, and consistent with NBSAC Resolution #2012-90-04, the Alliance supports funding of \$1.5 million annually, to be made available until expended, for this survey to be conducted not more frequently than every three years. It is expected that this direct funding allocation will be accomplished in a manner similar to the USCG's receipt of the \$5,500,000 for national program coordination.
- In order to increase transparency, reporting, and accountability, the Alliance supports the addition of a requirement for program administrators for each program under the Trust Fund to submit reports twice yearly to all relevant stakeholders, including the Sport Fish and Boating Partnership Council and NBSAC on expenditures, accomplishments, and other crucial information with respect to the implementation of each program's mission.
- In recognition of new challenges and opportunities associated with access to recreational water bodies and in awareness of new environmental requirements in states across the nation, the Alliance agrees to allow (but not require) a certain portion of Clean Vessel Act program dollars to be spent on a specific set of capital improvement and infrastructure projects to support facilities that meet state permit requirements for minimizing the introduction of pollutants into the waterways, such as: power wash-down stations at ingresses to water bodies, including marinas; containment & treatment stations at marinas; and other such infrastructure projects. The Alliance agrees to a maximum allowance of not more than 25% of state-apportioned CVA program dollars to be used for such purposes.