



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

June 29, 2012

### **H.R. 4043** **Military Readiness and Southern Sea Otter Conservation Act**

*As ordered reported by the House Committee on Natural Resources  
on May 16, 2012*

H.R. 4043 would establish three areas off the coast of southern California to accommodate certain training needs of the Navy and Marine Corps. Since 1987, the U.S. Fish and Wildlife Service (FWS) has conducted an experiment to relocate southern sea otters to those areas in an effort to increase the otter population. That program has not succeeded and FWS plans to terminate it. While the program was in effect, naval operations in those areas were exempt from compliance with the incidental takings provisions of the Endangered Species Act and the Marine Mammal Protection Act as they applied to the southern sea otter. (An incidental taking refers to the harming or killing of an endangered species that results from an otherwise lawful activity.) When the program is ended, the Department of the Navy will have to conduct certain environmental studies and obtain incidental takings permits for southern sea otters before it operates in those training areas.

H.R. 4043 would exempt the department from those incidental takings provisions, reducing administrative efforts and compliance costs. The bill would require the Navy to annually monitor the otter population in the established zones and to report to the Congress every third year, the results of that monitoring. Navy monitoring of the otter population would supplant similar efforts currently conducted by the U.S. Geological Survey, albeit on a less frequent basis. Based on information from the Department of the Navy, CBO estimates that implementing the bill would have no significant impact on the federal budget.

Enacting H.R. 4043 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 4043 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act.

The CBO staff contact for this estimate is David Newman. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.