Iowa Fish and Game Protection Fund

A Report to the Governor and General Assembly | Fiscal Year 2010

SUBMITTED BY

IOWA DEPARTMENT OF NATURAL RESOURCES

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EXECUTIVE SUMMARY

Report Requirements

The 83rd General Assembly of the Iowa Legislature passed an act in 2010 that establishes a detailed report of the Fish and Game Protection Fund (Trust Fund). The report, as outlined in House File 2525, requires the detailed accounting of revenue and expenditures from the Trust Fund; specifically, information regarding the Fisheries, Wildlife, and Law Enforcement Bureaus, and management. The report is to include:

- A description of all programs supported by the Trust Fund and justification for each of the programs as a constitutionally allowed expenditure.
- Full-time position titles, descriptions, and FTE allocations for the four operational units (three bureaus and management).
- A line by line accounting and description of revenue and expenditures for the four operational units (three bureaus and management).
- Accounting for the balance forward line item.
- A line-item accounting of capital projects, including justification for each project, current land purchases, and projected land purchases.
- And revenue generated by land leases.

Fish and Game Protection Fund (Trust Fund) – Creation and Purpose

The Department of Natural Resources Fish and Game Protection Fund (Trust Fund) is a special account first established in Iowa in 1937 to manage and regulate Iowa's wildlife and fishery resources. In 1996, an amendment to the Iowa Constitution was passed to protect the Trust Fund from being diverted (or "swept") for other purposes during difficult state economic times. This amendment stipulates that fee-generated revenue and associated federal funds can only be used for the purposes of promoting, managing, researching, and regulating hunting, fishing, and trapping in Iowa. The Trust Fund is comprised of all fees from hunting, angling and trapping licenses and from the sale of mandated fees. These state license fees, paid by outdoor recreationists, provide matching funds for federal excise tax receipts from nationwide hunting and angling equipment sales. These federal funds are administered to the states by the US Fish and Wildlife Service and are closely audited for appropriate use.

Trust Fund Bureaus

The management and regulation of Iowa's wildlife and fishery resources are accomplished by three bureaus: Wildlife, Fisheries, and Law Enforcement, under the Conservation and Recreation Division management. These three bureaus, combined, manage 325 full-time employees and 61 full-time equivalent seasonal employees.

The Fisheries Bureau manages 8 hatcheries, 200 lakes, 19,000 miles of interior rivers, 200,000 acres of the bordering rivers and 78 trout streams, and establishes fishing opportunities for Iowans across the state. The bureau's work includes a broad range of water quality improvement projects, research, aquatic education, and fish stocking. The economic benefits to Iowa include $362,000,000 annually spent on fishing in Iowa and 7,100 jobs created from fishing in Iowa. One in three Iowans annually spend 7.4 million days fishing.

The Wildlife Bureau is responsible for the management of Iowa's abundant wildlife resources, and oversees 510 public wildlife areas, 307 boat ramps, and 9 shooting ranges. Professional wildlife staff performs

surveys, census, and research studies that produce data and provide for science–based management and policy decisions. The economic benefits to Iowa from wildlife management include $443,000,000 per year spent on hunting in Iowa by 250,000 hunters. The 1,022,000 wildlife watchers in Iowa spend $342,000,000 per year. Hunters spend 4,000,000 days on their sport in Iowa, and wildlife watchers spend 6,400,000 on their activity.

The Law Enforcement Bureau ensures that Iowa's fish, game, and public natural area laws are followed, which have a direct effect on the health of Iowa's natural resources. Officers have diverse duties in addition to enforcement, including public education, public relations, inspections, and outreach. Conservation Officers have the complex job of balancing public relations with the conservation of Iowa's natural resources by providing fish and game law enforcement; boating and other recreational activity enforcement; recreational programs related to boating, shooting sports, and hunter safety; inspections for taxidermists, scientific collectors, bait dealers, fur buyers, boat docks, and recreation trails and parks. They are also an important resource for public relations and education through articles, radio and television programs, and civic group presentations.

Public Lands

The state purchases specific types of land on behalf of the citizens of Iowa to manage and protect natural resources and to provide public recreational opportunities. Across Iowa, wetlands, forests, scenic areas, prairies, wildlife and fish habitat, access easements to trout streams, rare species habitat, and other resources are being protected and managed. Owners of Iowa land who want to secure the protection or use of the natural resources voluntarily donate land, participate in the easement program, or sell acres for that purpose. The DNR 1) only negotiates with willing landowners, 2) does not condemn land, and 3) has a policy of paying appraised value for easements and acquisitions. There are specific funding sources within the Trust Fund that are designated by law for land purchases only. The department does not use general funds for land acquisitions or conservation easements.

Currently, over 91% of the state is in private ownership. Iowa ranks in the bottom five of all states in terms of the amount of public lands devoted to fish and wildlife oriented recreation. As a result, public wildlife lands in Iowa receive substantial user pressure, particularly during the first weeks of open hunting seasons, on weekends, and during holidays. Of the 35,756,390 total acres of Iowa's land, publicly owned acres managed by the department total 484,915, which include wildlife areas funded by Trust Fund dollars, and state forests, parks and preserves funded by non-Trust Fund dollars. Of those acres managed by the DNR, over 130,000 acres are owned by another public agency, mainly the US Fish and Wildlife Service or the US Army Corps of Engineers.

Recreation on natural areas is a significant economic anchor in Iowa. Hunters, anglers, and wildlife watchers spent $974 million in retail sales in Iowa in 2006. Visits to Iowa's state and county lakes, parks, and trails translates to 50 million visits, supporting 27,400 jobs, and generating statewide spending of $2.63 billion (Economic Value of Iowa's Natural Resources, ISU, Center for Agriculture and Rural Development, Dec 2007 www.iowadnr.gov/sustainablefunding/files/econ_study.pdf).

Agricultural Leases

Maintaining a portion of public lands in agricultural production is a cost effective and efficient way of achieving wildlife habitat goals and objectives. Most of Iowa's native wildlife species have adapted to agriculture and are now dependent upon agricultural crops for food and cover at some point during their life cycle (i.e. deer, pheasant, quail, meadowlark, songbirds, and several furbearers).

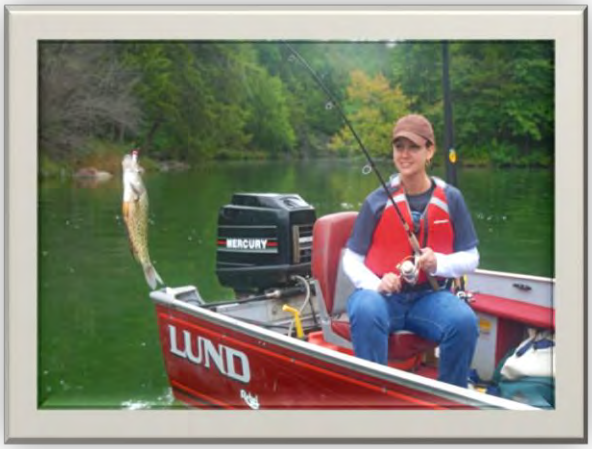
Of the approximately 400,000 acres of wildlife areas, the Wildlife Bureau manages around 10% as leased agricultural land. Of those leased acres, about 10% is left unharvested for wildlife management purposes (i.e. food plots). The other acres are managed for habitat.

Wildlife habitat management goals for these agricultural lands differ by area, but generally include: 1) the provision of food, winter cover, and nesting cover, 2) the control of natural succession and annual weeds, 3) lure crops to help reduce wildlife depredation on adjacent private lands, 4) soil preparation for permanent seedings, 5) attracting wildlife to public hunting areas for improved hunting opportunity, 6) demonstrating successful wildlife management on farmed lands to private producers, and 7) providing limited farming opportunities for area producers.

Revenue

Trust Fund revenue is derived from the following sources:

- General Hunting and Fishing License Fees
- Wildlife Habitat Fee
- State Migratory Game Bird Fee (aka Duck Stamp)
- Trout Stamp
- Nongame Check-off
- Pittman-Robertson Wildlife Restoration Federal Aid (PR)
- Dingell-Johnson Fisheries Federal Aid (DJ)
- Hunter Safety Federal Aid
- Agricultural Lease
- Boat Registration Fee
- Small Miscellaneous Sources of Income



Total Trust Fund revenue for FY 10 was $56,583,621. (Note this figure does not include the FY09 balance forward, as it is not considered revenue.)

Budget and Planning

Both short term and long term planning must occur so the Trust Fund remains solvent and sustainable over time. Licenses and fee sales only occur at certain times of the year, and sales are weather dependent. Federal funds are received quarterly and, in some instances, must be processed as reimbursements for projects that the Trust Fund "carried" for a period of time. Boat registration fees are received in a three year cycle and the department must average the three years of revenue to meet annual expenses and provide the services as outlined in Iowa Code. Unlike other bureaus funded with state General Funds, the Trust Fund must absorb expenses for automatic salary increases negotiated by the unions, costs of retirement benefits, and insurance payout programs for Trust Fund staff. It takes approximately $3,000,000 per month to "cash flow" operations and projects for the three Trust Fund bureaus. The Trust Fund budget must be carefully planned so there is a minimum of $3,000,000 per month throughout the entire year, despite the fluctuating revenue into the Trust Fund during that year.

An annual **balance forward** establishes a method to pay ongoing expenses when, throughout the year, each month does not provide a stable income. Another critical factor affecting the need for a balance forward is that, over time, the Trust Fund is subject to the "Law of Diminishing Returns." This occurs when certain

revenue sources remain the same while the cost of doing business increases with inflation. License fees are set by the Iowa legislature and, historically, have been increased on average between 7 to 11 years. When fees have been increased, the increase does not account for inflation over the previous years or for subsequent years, and the cost of doing business surpasses the revenue source. At a minimum, sound business principles suggest the Trust Fund should have a balance forward amount equaling at least one month's worth of operation costs, or $3,000,000. Long-term planning may dictate that the balance forward should be higher to span the years between revenue increases.

Operations include all the expenses expected for day-to-day activities such as: salaries and benefits, annual salary cost of living increases, supplies, vehicles, overhead costs (such as department support services, office space, phones, and internet access), equipment (ranging from computers to tractors and heavy-duty mowers), and travel expenses.

Capitals include infrastructure projects such as dikes, levies, roads, buildings; land protection easements and acquisitions; FEMA repair projects; public shooting ranges; minor repairs or small projects. The capitals budget also includes unpredictable, one-time expenses for tracking purposes.

Before the Trust Fund bureaus begin building their operations and capitals budgets for the year, a comprehensive analysis of the previous year must be made by the division management team and bureau chiefs, and a five-year model based on reliable projections is developed.

Trends, Challenges, and Needs

Iowa's citizens are passionate about natural resource based recreational opportunities. Pressure is growing on the Trust Fund and the limited public lands for all kinds of recreation, including ATV and snowmobile trails, water trails for kayakers and canoeists, and wildlife watching events. At the same time, Iowa and the nation have been experiencing a decline in hunting and, to a lesser extent, angling license sales over the last 15 years. These license sales are the bread and butter of the Trust Fund revenue. The DNR is working hard to improve education, mentoring, and marketing in an effort to reverse the downward trend and address changing demands.

Trust Fund revenue is also affected by weather and natural disasters. Vulnerable species, such as pheasant, have seen a decline in population due to harsh winters and flooding, which causes a decline in hunting license sales. Angling license sales decrease during floods.

The fact that license fees are not adjusted for cost of living increases makes the management of the Trust Fund difficult. The legislature determines license fees and, historically, they have been raised every 7-11 years only after lengthy and contentious debate. Over those 7-11 years, employee salaries, price of gas and equipment, cost of land -- in short, the cost of doing business -- increases. As workloads increase, the dollars to do this work decreases.

Take all the challenges above and include the variable schedules of when revenue is received (such as the Boat Registration Fees on a three-year cycle or hunting license sales at certain times of the year), and it equals a very volatile fund over time. For instance, a $17,000,000 balance forward in one year does not mean there will not be a negative balance forward four years later, even without an increase in spending for basic programs or capitals.

The FY10 budget summary table below illustrates an example of an unusual revenue year, which is discussed in more detail later in this report.

Fish and Game Protection Fund (Trust Fund)	**FY10**
Revenue and Balance Forward	
Balance Forward	$8,297,099
Federal	$17,515,889
Boat Registrations	$6,144,334
Licenses	$28,761,637
Other	$4,161,761
Total Revenue and Balance Forward	$64,880,720
Expenditures	
Operations	$35,832,014
Capitals	$11,685,823
Total Expenditures	$47,517,837

The DNR works closely with its constituent groups to determine Iowans' priorities and interests in how the Trust Fund is spent. For instance, even though hunting participation has declined over the years, it has become apparent that hunting lands access is an issue. The department recently received a grant to develop a pilot private lands public hunting access program in FY 11 and FY 12.

The department is in the process of conducting public meetings across the state in November 2010, to ask hunters, anglers, trappers, and the general public what they see as needs and opportunities relating to the Trust Fund programs. The input of the constituents will help the DNR and legislators determine what Trust Fund programs will look like in the next several years.

TRUST FUND – INTRODUCTION

Trust Fund Creation and Purpose

The Department of Natural Resources Fish and Game Protection Fund (Trust Fund) is a special account first established in Iowa in 1937 to manage and regulate Iowa's wildlife and fishery resources. The Trust Fund is comprised of all fees from hunting, angling, and trapping licenses and from the sale of habitat fees. These state license fees, paid by outdoor recreationists, provide matching funds for federal excise tax receipts from nationwide hunting and angling equipment sales. These federal funds are administered to the states by the US Fish and Wildlife Service through its formula-based federal aid programs (Pittman-Robertson and Dingell-Johnson) and deposited into the Trust Fund. This federal aid averages an approximate $9 million, annually. By federal and state law, the license fees and associated federal funds must be used for identified hunting and angling purposes, and are closely audited for appropriate use internally by the Department of Natural Resources (DNR), the state of Iowa, the US Fish and Wildlife Service and the federal Office of the Inspector General.

In 1996, an amendment to the Iowa Constitution was passed to protect the Trust Fund from being diverted (or "swept") for other purposes during difficult state economic times. This amendment stipulates that the hunting, angling, and trapping license and associated fees and associated federal funds can only be used for the purposes of promoting, managing, researching, and regulating hunting and fishing in Iowa. The amendment was passed by 88% of the voters, illustrating the strong support outdoor advocates have for recreation related to hunting and fishing.

Along with licenses and mandated fees, Trust Fund revenue includes millions of dollars of federal grant funds for specific purposes, land management income, donations, and other miscellaneous sources of income. The Trust Fund also houses Boat Registration Fees, which are dedicated to boating recreation, navigational safety, and aquatic invasive species control as outlined in Iowa Code.

Operational Units (Bureaus and Management)

The management and regulation of Iowa's wildlife and fishery resources are mainly accomplished by three bureaus: Wildlife, Fisheries, and Law Enforcement, under the Conservation and Recreation Division. State general funds are not appropriated to these bureaus. (However, in 2009, the legislature allocated a one-time general fund budget supplement to the Trust Fund after extreme weather and flooding conditions caused extraordinary damage to state managed lands and reductions in license sales, which put the health of the Trust Fund at risk.)

The Conservation and Recreation Division (CRD) provides the **management** for the Trust Fund. The division's six bureaus, Fisheries, Wildlife, Law Enforcement, Parks, Forestry, and Land and Waters, operates with 647.35 employees, which includes both full time and seasonal employees. The CRD manages all the public recreation lands and waters, including hundreds of millions of dollars worth of infrastructure across the state. The total budget for the division, including operations and capitals, is over $120,000,000.

Iowa Code 456A.17 that creates the Trust Fund mandates that the cost of CRD administration should come proportionally from the Trust Fund and from the Conservation Fund, which supports the Land and Waters, Parks, and Forestry bureaus.

The CRD management staff has a large variety of responsibilities and consists of a Division Administrator, Deputy Division Administrator, two executive officers in charge of specific division management and

program areas, a program planner in charge of key division-wide programs, and a secretary that provides administrative support to the six division bureau chiefs.

The **Fisheries Bureau** manages 8 hatcheries, 200 lakes, 19,000 miles of interior rivers, 200,000 border river acres, and 78 trout streams, and establishes fishing opportunities for Iowans across the state. The bureau work includes a broad range of water quality improvement projects, research, aquatic education, and fish stocking.

The fish hatcheries are vital to Iowa's reputation as a great place to fish, from private farm ponds to the trout streams in northeast Iowa, to Okoboji and the Great Lakes area. Last year, hatcheries provided 133,000,000 quality, species-appropriate fish to 300 public rivers, streams, and lakes across Iowa. In recent years, the Fisheries Bureau has had great success in providing and promoting urban fishing opportunities. Trout fishing at Summerset State Park, on the campus of Des Moines Area Community College, and in Davenport with fish stocked from the hatcheries has proved extremely popular and has connected more people to the outdoors and fishing.

The Iowa specific research the bureau provides has resulted in the well-known outstanding fishing opportunities across Iowa. This includes the walleye and muskellunge fisheries that draw anglers from all over, pan fish opportunities across the state, and trout fishing successes in Iowa's coldwater streams. Research has led to the protection of important species such as the sturgeon and paddlefish. A significant portion of Fisheries' work includes watershed improvement for our rivers, streams, and lakes which has played a large role in identifying and solving water quality issues.

The economic benefits of a good fishery to Iowa include $362,000,000 annually spent on fishing in Iowa and 7,100 jobs created from fishing in Iowa. A common way of determining economic benefits is by tabulating how many days an identifiable number of participants are engaged in their activity of choice. Studies show that one in three Iowans spend 7.4 million days fishing in Iowa every year.

The **Wildlife Bureau** is responsible for the management of Iowa's wildlife resources. The bureau houses a wide array of programs and activities that promote habitat protection and the development of public and private lands. Staff provide assistance to individuals interested in wildlife habitat development, and public lands are developed and managed to protect natural resources, create habitat, and provide viable wildlife populations that support recreational hunting and viewing. Regulations are established to protect Iowa's wildlife populations and provide wildlife based recreational opportunities.

Wildlife staff manages 510 public areas, 307 boat ramps, and 9 shooting ranges. In addition, it manages the Prairie Seed Program in partnership with the Iowa Department of Corrections to provide native plantings on public property.

The DNR realizes that over 91% of Iowa is privately owned, and recognizes the need to work with private landowners to sustain healthy wildlife habitat in Iowa. The Private Lands Program offers technical assistance to private landowners by providing information for their habitat restoration decisions and how to acquire federal funding. Private landowners have taken advantage of this assistance and have improved private wildlife habitat on over 230,000 acres, including over 79,000 acres of wetland development, and nearly 17,000 acres of conservation improvements such as buffer strips along rivers and streams.

The Wildlife Bureau's work also includes research of wildlife populations with the goal of better management, and administers restoration efforts for game (pheasant, grouse) and non-game species. One

of the many restoration success stories is the reintroduction of the wild turkey in Iowa. The Wildlife Diversity section oversees nongame species, and helps reintroduce species such as the osprey and peregrine falcons. This section also provides expertise for nongame management on public lands. A large component of all Wildlife Bureau activities includes public education.

The economic benefits to Iowa from a healthy wildlife resource include $443,000,000 per year spent on hunting in Iowa by 250,000 hunters. The 1,022,000 wildlife watchers in Iowa spend $342,000,000 per year. Hunters cumulatively spend 4,000,000 days on their sport in Iowa, and wildlife watchers spend 6,400,000 with their activity.

The **Law Enforcement Bureau** provides the Conservation Officers for fish and game law enforcement, public safety, and public education. The bureau's role is to ensure that Iowa's fish, game, and public natural area laws are followed. These laws have a direct effect on the health of Iowa's natural resources. As part of their enforcement duties, officers inspect taxidermists, scientific collectors, bait dealers, fur buyers, inspect and enforce public land construction permits, and identify encroachments on public lands.

In addition to specific DNR training, such as waterfowl identification and wildlife forensics, Conservation Officers are fully trained certified peace officers who also provide back-up support in local communities when needed.

Officers also provide education opportunities for outdoor recreational activities like shooting sports, hunter safety courses, mentored youth hunts, Outdoor Journey for Girls and many other public programs.

Boat registration fees support officers' time dedicated toward the regulation of navigation and recreation safety, aquatic invasive species control, and recreational boating education. Boat registration fees are deposited into the Trust Fund, and are carefully tracked through activity codes that detail how employee time is used. These fees have a specific purpose outlined in Iowa Code. The Law Enforcement Bureau also manages boat dock regulations, which are funded from the fees collected through this program.

In Iowa, All Terrain Vehicles (ATVs) and snowmobiles are required to register if they are used on public lands or trails. These registration fees are placed in a separate fund, but a percentage of Law Enforcement Bureau staff time is dedicated to ATV/Snowmobile safety and regulation, and these activities are paid for with these non-Trust Fund registration fees by transferring the appropriate amount into the Trust Fund.

DNR Conservation Officers fill an important public relations role, meeting and communicating to the public through license checks, response to calls, articles, radio and television programs, civic group presentations, and educational programs. This contact helps build important and necessary local relationships across the state.

TRUST FUND – OPERATIONAL UNITS

The Trust Fund's four operational units are comprised of 3 bureaus (Fisheries, Wildlife, and Law Enforcement), and the Trust Fund management team.

DIVISION MANAGEMENT

The **Conservation and Recreation Division (CRD)** includes six bureaus (Fisheries, Wildlife, Law Enforcement, Parks, Forestry, Land and Waters) and operates with 647.35 employees which include both full time and seasonal employees. The CRD manages all state-owned recreation lands and waters, including hundreds of millions of dollars worth of infrastructure across the state. The total budget for the division, including operations and capitals, is over $120,000,000.

Because of the diversity of the bureaus in CRD, Iowa Code 456A.17 mandates that the cost of CRD management staff should come proportionally from the Trust Fund and from the Conservation Fund. The Conservation Fund includes Parks and Forestry revenue, and supports the non-Trust Fund bureaus of Parks, Forestry, and Land and Waters.

The Conservation and Recreation Division Administrator (DA) is one of three "at-will" positions appointed by the DNR Director and is a key member of the Director's executive management team along with the Deputy Director, the DA of Environmental Services Division, the DA of the Management Services Division, the Chief Fiscal Officer, and the Chief Legal Counsel. This team essentially manages the Department of 1,000+ employees with a budget of $215,000,000.

The CRD DA leads the CRD executive management team in setting the policies, budgets, and vision for the entire division, and ensures the collective bureaus are working together to optimize the resources each brings to the table. The DA also serves as staff lead for the Director in support of the Natural Resource Commission. The CRD DA position is highly visible and is called upon to represent the CRD and the DNR at public meetings and stakeholder events, to the press, nationally, and in the state's political arena. The CRD DA is a lynch pin of the division in terms of making sure the work, mission, vision, and needs are clearly articulated at all levels, internally and publicly.

The six division bureau chiefs report directly to the DA, as well as the Deputy Division Administrator, two executive officers who manage specific division-wide programs and duties, a program planner who handles specific program responsibilities, and a secretary who supports the CRD bureau chiefs. The six chiefs work collaboratively on many issues, and comprise the CRD executive management team with the Division Administrator (DA) and the Deputy Division Administrator. The DA leads this team that is ultimately responsible for the operations of the CRD across the state, whether staff are in state park campgrounds, performing field work during hunting season, water patrolling during the summer boating season, participating in eagle watch days or peregrine releases, in Iowa's forest resources, or in the popular fish hatcheries.

The Deputy Division Administrator fulfills all functions in the absence of the DA at the direction of the DA, including lead support for the Natural Resource Commission meetings, representing the division at executive management meetings, approving contracts and correspondence, and providing leadership internally and publicly. This position also has the key duties of serving as legislative liaison for the CRD; facilitating weekly division management meetings with the bureau chiefs; developing legislative and internal policy and budget proposals; ensuring that strategic planning, staffing planning and accountability reporting requirements are

met; assisting with personnel issues; and management oversight for the $55,000,000 division operations budget and the $50-70,000,000 capitals budget.

The Executive Officer 2 position serves as the general projects manager for the division's capital budget and is responsible for tracking the division's projects each year; and serves as the department's educational interpretation program manager, including developing the programs, training seasonal staff, and working with permanent staff in all six bureaus to improve and increase programs and effective public outreach. This position also coordinates special events and meetings, and prepares reports and plans as assigned.

The Executive Officer 1 position serves as executive assistant to the DA and Deputy DA, ensuring the DA and Deputy DA are prepared for meetings, presentations, and other proceedings; processes public inquiries and complaints; is responsible for division personnel issues including coordinating staffing plans, analyzing training needs, tracking employee hiring when vacancies arise, and assisting the DA in completing evaluations in a timely manner. This position also serves as division point person for Natural Resource Commission requests and needs; assists with budget related inquiries; manages the department's donation program; represents the division in technology issues, contract management, departmental meetings, and process improvement; and prepares and assists with reports as assigned.

The Program Planner 3 position assists in managing the Resource Enhancement and Protection (REAP) program; manages the Help Us Stop Hunger (HUSH) program and the Iowa Nature Store; provides special event planning; researches grants; and prepares reports and provides tracking of funds as assigned.

The Secretary 2 position provides support to the CRD bureau chiefs in the division, including taking meeting minutes when assigned; preparing invoices and vouchers; helping orient new employees; serving on departmental committees when assigned; providing administrative support for granting programs; and other support duties as assigned.

Two positions housed under other bureaus, but paid out of Trust Fund dollars, include: an attorney from the Legal Bureau assigned to address Trust Fund issues including violations, contract issues, rules and legislative language, and other legal matters; an information specialist from the Communications Bureau who handles hunting and angling publications, press releases, displays, fishing reports, and other communications responsibilities related to the Trust Fund.

Management – FTEs and Position Descriptions

(FTE = full time equivalent position)

FTE Allocation	Position Title	Position Description
1	Public Service Executive 5 (Division Administrator)	Manages the CRD; represents a major part of the agency's total operations; part of Director's Executive Management Team
1	Executive Officer 4 (Deputy Division Administrator)	Fulfills duties of DA when assigned; leads development of policy and budget and oversees both, and serves as legislative liaison
1	Executive Officer 2	Tracks and manages capitals projects and budgets; in charge of environmental education and outreach programs
1	Executive Officer 1	Executive assistant to DA and Deputy DA; division point person for committees, plans, and personnel issues
1	Program Planner 3	Coordinator for HUSH, Nature Store, special events; assists with REAP
1	Secretary 2	Performs administrative support duties for the division bureau chiefs; performs other division-wide duties as assigned
*1**	*Attorney 2* **FTE accounted for in Legal Bureau*	*Performs legal duties related to Trust Fund issues such as violations, contracts, rules and legislation.*
*1**	*Info Tech Specialist 2* **FTE accounted for in Communications Bureau*	*Manages and prepares Trust Fund related publications such as hunting and fishing regulation books, press releases, and displays.*
6	TOTAL DIVISION MGMNT FTES	

The CRD Management budget funds division-wide expenses such as membership fees for national professional organizations linked to federal funding, and temporary partner and contract employees. Most of the national programs and contracts are related to Trust Fund bureaus.

Management – Line Item Accounting of Revenue and Expenditures

Conservation and Recreation Division (management) **FY10 – Revenue and Expenditures**	
REVENUE	
Conservation Fund	$251,609
Trust Fund Allocation	$876,108
TOTAL REVENUE	$1,127,717
EXPENDITURES	
Personal Services (staff)	$826,989
Travel	$6,708
State Vehicle Operations (fuel, service, insurance)	$466
Office and General Supplies (office supplies, organization dues)	$42,678
Print & Binding (publications)	$1,330
Communications (i.e. telephones)	$7,151
Utilities	$75
Professional Services (i.e. surveys, division medical services)	$6,549
Outside Services (i.e. temporary or contract employees, partnerships)	$80,984
Reimbursement to Other Agency (ie. training, health insurance)	$317
ITD Services Reimbursement	$730
IT Hardware	$4,517
Other Expenses (i.e. retirement related)	$33,197
Indirects (general overhead costs; i.e. DAS billing, Worker's Comp, IT services, Auditor's Ofc, departmental support staff, general postage)	$116,026
TOTAL EXPENDITURES (includes Conservation Fund Expenditures)	$1,127,717
TOTAL TRUST FUND EXPENDITURES	**876,108**

FISHERIES BUREAU (http://www.iowadnr.gov/fish/index.html)

The Fisheries Bureau manages 8 hatcheries, 200 lakes, 19,000 miles of interior rivers, 200,000 border river acres, and 78 trout streams, and establishes fishing opportunities for Iowans across the state. The bureau's work includes a broad range of water quality improvement projects, research, aquatic education, and fish stocking.

The economic benefits to Iowa include $362,000,000 annually spent on fishing in Iowa and 7,100 jobs created from fishing in Iowa. One in three Iowans annually spend 7.4 million days fishing.

There are four main program areas in Fisheries: Fish Culture (hatcheries), Fisheries Management and Research, Aquatic Invasive Species, and Aquatic Education.

Fish Culture

The Fish Culture Section is responsible for the production, acquisition, and distribution of a variety of fish species requested by the Management and Research Sections of the Fisheries Bureau. Fish culture is defined as the artificial breeding and rearing of fish. Fish hatcheries primarily release young (juvenile) fish into the wild for recreational fishing and to supplement a species' natural numbers. The Iowa DNR Fisheries Bureau operates eight fish hatcheries in the state; all of the facilities are open for public tours. Aquacultural research is done at a number of these facilities.

Specific research projects include: Best Management Practices for Channel Catfish Culture; Better Diets and Culture Environments to Increase Hatchery Production of Walleye; Feeding Walleye; Finding Better Feeds and Better Environments for Walleye; Increasing Production of Wild Brown Trout; Intensive Culture of Walleye Fry; Oxygen Injection Systems; Production of Walleye; Raising Fish; and Walleye Egg Fertility.

Spirit Lake Fish Hatchery

The first fish hatchery at Spirit Lake was established in 1880. Changes since that time include a replacement hatchery building which was constructed in 1915 and was enlarged in 1927. This building was used until 1963 when it was replaced by the current facility. The only major structural change since 1963 is the enlargement of the tank room for the intensive rearing of walleye and muskellunge. Each year the Iowa Department of Natural Resources welcomes between 40,000 and 60,000 visitors to the Spirit Lake Hatchery.

The Spirit Lake Hatchery is a cool water station located in Dickinson County. The facility collects, spawns, incubates, and raises walleye for use throughout the state. Each year between 60 and 70 million walleye fry are hatched at this facility. These fish may be stocked as two-day-old fry, transferred to other hatcheries, or stocked in natural lakes in the Spirit Lake area where they are collected using large seines. At that point these fish are usually five- to eight-inches long. Muskellunge and northern pike are, also, produced at this location. This facility serves as the sole source of Iowa's muskellunge. The fish are raised to ten inches before being transferred to Rathbun Hatchery where they are overwintered and stocked throughout the state as yearlings in the spring.

Rathbun Fish Hatchery

Rathbun Fish Hatchery is a warm/cool water hatchery located in Appanoose County. It is capable of both intensive and extensive fish culture. The hatchery is situated on 375 acres of land, leased from the Army Corps of Engineers, directly below the Rathbun Lake dam.

The primary species raised at the Rathbun Fish Hatchery are walleye, channel catfish, and muskellunge. The facility has the ability to raise a number of species to large fingerlings for use in fisheries management applications or for research purposes. Fish produced at this facility are stocked statewide in Iowa farm ponds, rivers, and more than 250 lakes and reservoirs. Annually, up to 150,000 large fingerling catfish (7-8"), 50 million walleye fry, 450,000 small walleye fingerlings (2"), 200,000 advanced walleye fingerlings (8-10"), and 5,000 fingerling muskellunge (10") are produced at Rathbun. In addition, up to 50,000 four- to six-inch catfish are provided for county conservation boards and cities each year for their caged-catfish rearing programs.

The Rathbun walleye culture program is a one-of-a-kind program in the United States. Through focused research and continual improvement, impediments have been overcome and walleye culture can now be considered an efficient process. Iowa's walleye culture program is unique and progressive in that it can boast 8-10" walleyes which are produced in one growing season on pelleted diets. The expertise of the staff is often sought for the knowledge about intensive walleye culture.

Fairport Fish Hatchery

The Fairport Fish Hatchery is located in Muscatine County along the scenic upper Mississippi River valley. The land where the hatchery is located was donated to the federal government by the Association of Button Manufacturers and was established as a biological station by Congress in 1908. The station was set up for freshwater mussel research and propagation, which was of economic importance to the region at the time. In 1929 the station became a federal fish hatchery and, in 1973, the operation was transferred to the Department of Natural Resources as an opportunity to add, without cost to Iowa anglers, another hatchery to the system.

The Fairport Fish Hatchery has eighteen ponds to hatch and rear warm-water angling favorites such as largemouth bass, bluegill, saugeye, and walleye. In addition, the hatchery is responsible for the statewide farm pond stocking program.

Big Spring Fish Hatchery

The Big Spring Fish Hatchery was originally constructed as a private hatchery and fishing club in 1938, and sold to the Iowa Conservation Commission, now the DNR, in March of 1961. The hatchery is located along the Turkey River in Clayton County and includes the largest coldwater spring found in Iowa. In 2008, flooding inundated the facility and plans are in progress to replace the severely damaged office/shop complex.

The Big Spring facility serves as a trout rearing station and annually produces 150,000 trout in 24 raceways. Besides stocking over 17 streams, Big Spring stocks many of the urban trout lakes throughout Iowa. A "kid's only" fishing pond is, also, located on the property.

Manchester Fish Hatchery

In the late 1880s, the U.S. Department of the Interior sent a representative to the Upper Mississippi River to locate a suitable site for fish culture. In 1894, the present 25 acre site was donated by local citizens. In 1976, the US Fish and Wildlife Service traded the facility to the Iowa Conservation Commission, now the Iowa DNR.

All trout begin their life at the Manchester Hatchery. It produces all the eggs for the DNR. The hatchery is primarily responsible for supplying 500,000 fingerling rainbow trout, brown trout, and brook trout. Some are stocked out and the rest are distributed to the Big Spring and Decorah hatcheries for further rearing. Manchester is also responsible for raising catchable-size fish for stocking into thirteen streams and several impoundments. The streams in Delaware, Dubuque, and Jackson counties are stocked from Manchester. In addition, the facility serves as the northeastern office for the DNR Fisheries and Law Enforcement bureaus.

Decorah Fish Hatchery

The Decorah Fish Hatchery is located in Winneshiek County. The picturesque limestone office and residence date back to the 1930s as a project of the Civilian Conservation Corps.

The Decorah Hatchery is responsible for the stocking of fifteen streams in the counties of Winneshiek, Allamakee, Howard, and Mitchell with 120,000 catchable size rainbow trout, plus twelve thousand catchable brook trout. These fish are annually requested by fisheries management staff to meet the put-and-take need in these streams. In addition to the stream stocking, Decorah Hatchery is also responsible for the stocking of several thousand trout into urban ponds located in Mason City and Sioux City during the winter months for ice fishing.

Mount Ayr Hatchery

Mount Ayr Hatchery is located in Ringgold County. In 1941, the City of Mount Ayr agreed to allow the DNR to use city owned property directly below Loch Ayr to propagate fish. In 1959, the state expanded the area to increase the number of fish rearing ponds. While this hatchery has only 6.4 acres of water in eight ponds, it produces all the hybrid striped bass stocked in Iowa. It also produces bluegill and largemouth bass for statewide use.
Fish Management personnel operate the facility.

Guttenberg Hatchery

Guttenberg Hatchery is located in the City of Guttenberg in Clayton County. The facility was originally constructed by the US Fish & Wildlife Service in 1938 and it was operated as a hatchery until 1971 when it closed. In 1974, the DNR leased the facility and, in 1984, fee title was given to the DNR. The facility only operates as a hatchery for one month to produce several million northern pike fry. It also houses a public aquarium and the Upper Mississippi River Fish Management team. This team operates the facility and

conducts the netting and spawning operations for northern pike. Most of the fish hatched are stocked in the shallow backwater habitat of the Mississippi River.

Fish Management and Research

Fisheries management biologists perform a number of tasks, including habitat improvements, fishery surveys, fish kill investigations, fishing tournament administration, regulation assessment, water quality monitoring, public programs, and fishing clinics.

There are 14 fisheries management stations in Iowa. Eleven of these have responsibilities that cover the lakes (both natural and manmade) and streams of all sizes within the management districts. Most management districts have a variety of fishery resource types within the respective districts. For instance, the Spirit Lake Management Team is responsible for a number of large natural lakes, several small streams, and a number of small impoundments.

Fisheries research biologists evaluate projects aimed at improving Iowa's water and aquatic resources. These include research on fish communities in specific types of water habitats, strategies to protect and enhance fish habitats in the various water systems, ways to improve angling opportunities in Iowa, and fish stocking strategies.

There are seven fisheries research stations in Iowa. Each has a particular field of investigation. Therefore, a number of fisheries research topics may be addressed by multiple research teams within the boundaries of any given management district. The overlap of these topics of research exemplifies the diversity of Iowa's fishery resources. Three stations have river responsibilities that deal specifically with the pools of the Mississippi River. One station has responsibilities on the Missouri River. Fisheries research and investigations provide a vast amount of knowledge that fishery management teams can use to improve the quality of Iowa's fishing resources.

Management and research staff work closely together because, although the work has different functions, each area of work benefits the others' goals. There are five types of fishery resources in Iowa that Fisheries management and research addresses: interior streams, Mississippi River, natural lakes, constructed lakes (impounds), and large reservoirs.

1. Interior Streams: Surveys conducted to determine the attitudes and preferences of Iowa anglers showed that one in five fishing trips takes place on one of Iowa's interior waterways. Part of the popularity of our rivers and streams is due to the fact most of the cities, and therefore Iowa's greatest population, are adjacent to these types of waters. Stream fishing has a particular fascination to people who like elbow room, enjoy wildlife of a never-ending variety, and a different angling challenge to solve around every bend.

2. Mississippi River: The Mississippi River borders Iowa for more than 300 miles, entering the state between precipitous bluffs that rise four to six hundred feet above the river level. Bluffs diminish in size and spectacular appearance from Bellevue southward. The river meanders east and west through numerous side channels, chutes, and sloughs across its two- to six-mile wide valley. In addition to the very popular sport fishing, commercial food-fish catches from the river provide a large proportion of the freshwater fish species consumed in the Midwest and along the east coast. Value of the fishery in Iowa exceeds well over one million dollars each year. The fishing industry on the Mississippi supports wholly or, in part, many families.

3. Natural Lakes: Natural lakes, formed by glaciations, are common in the northwestern and north-central parts of Iowa. This area contains 31 major natural lakes, with a combined surface area of almost 29,000

acres, and 17 marsh-like lakes, with over 3,000 acres of combined surface area. Many of these lakes provide premier sport fishing opportunities.

4. Constructed Lakes (Impoundments): There are a large number of small impoundments scattered across the state of Iowa. The purposes of these types of systems vary. Some are water supply reservoirs, others were built exclusively for recreation. Most of these water bodies are concentrated in the southern portions of the state. Water acreage can vary from less than one acre to several hundred acres; however, most public waters that are managed by the DNR are at least 20 acres in size. Many of these lakes provide some of the best largemouth bass and bluegill fishing in the state. Northern pike and channel catfish, also, provide an additional important fishing opportunity.

5. Large Reservoirs: There are four large river impoundments in the state of Iowa, including Lakes Coralville, Rathbun, Red Rock, and Saylorville. These lakes serve as flood control reservoirs and are subject to large annual fluctuations in size. These systems are extremely important, providing a variety of recreational opportunities. Most river impoundments contain fish populations indigenous to the parent stream, but in the flood control reservoirs, fish populations are significantly influenced by stocking programs. Channel catfish, carp, and bullhead are present in addition to walleye, crappie, bluegill, and largemouth bass. Due to their large size, these systems are quite different from the many other types of aquatic systems in Iowa and pose different challenges to the fishery management and research teams responsible for protecting and enhancing the fishery resources.

Aquatic Invasive Species

Aquatic research staff monitors, educates, and works to manage invasive species, such as bighead carp, silver carp, Eurasian water milfoil, zebra mussels and other nonnative aquatic species that threaten Iowa waters. These aquatic invaders do not occur naturally in our lakes and rivers. When transplanted into them, these exotic species can cause ecological and economic harm by displacing native plants and animals, damaging water resources, and interfering with water based recreation, including fishing. A proportion of funding for this program comes from the Boat Registration Fees. A detailed explanation of this program's activities can be located in the annual Boat Registration Fee Report.

Aquatic Education

The Aquatic Education Program incorporates angler education including a fishing module targeted to middle-high school physical education, which reaches an estimated 160,000 participants each year. Funds support local partners who provide fishing instruction and opportunities through youth organizations, parks and recreation departments, county conservation boards, the Iowa Sports Foundation, and others.

Aquatic Education also works in conjunction with other bureaus to provide conservation education training, materials and leadership to hundreds of Iowa educators through *Projects WILD, WILD Aquatic, and Learning Tree*. Key partners in training and program delivery include colleges and universities, the Department of Education, area education agencies, and local Extension and County Conservation Boards. Most training is delivered through courses for college or re-certification credit and provides Iowa-specific ecological knowledge and resources, as well as age-appropriate activities for Pre-Kindergarten through grade 12.

Finally, the program provides web-based information as well as a host of printed materials related to Iowa's aquatic resources for the general public. It also funds the fisheries display at the Iowa State Fair and informational displays at hatchery and other aquatic visitor centers across Iowa.

Lake Restoration Program

The Fisheries Bureau also manages the Lake Restoration Program. This program is funded through non-Trust Fund dollars and has averaged $8 million in funding, annually, over the past five years. The department worked with Iowa State University to develop an initial list of 35 significant publicly-owned lakes to be considered for funding, and works with representatives of each lake community to develop a joint lake restoration action plan, including watershed work followed by in-lake restoration and management plans.

The program goals are to ensure a cost effective, positive return on investment; ensure local community commitment to lake and watershed protection; ensure significant improvement in water clarity, safety, and quality of Iowa lakes; provide for a sustainable, healthy, functioning lake system; and result in the removal of the lake from the impaired waters list. The program's goals and plans are presented in the annual Lake Restoration report.

Fisheries Bureau – FTEs and Position Descriptions

(FTE = full time equivalent position)

FTE Allocation	Position Title	Position Description
1	Public Service Executive 4 (Bureau Chief)	Manages the Fisheries Bureau; part of Division Administrator's management team; responsible for Fisheries Bureau personnel and the work within the bureau.
2	Public Service Executive 3	Performs administrative management of the Fish Management and Research sections; responsible for personnel issues and budgets.
5	Public Service Executive 2	Performs supervisory management work with field staff in the fish management and research sections.
1	Executive Officer 2	Performs program management for the Fisheries Bureau; manages federal aid grants; manages the Fisheries Bureau capital plan.
31	Natural Resources Biologist	Performs professional fisheries biological work in a hatchery, fisheries or wildlife management, or research unit; oversees the work of other staff.
38	Natural Resources Tech 2	Performs a variety of technical tasks in fisheries research, management, hatchery; responsible for carrying out annual plans developed by a biologist; helps direct the work of seasonal employees in the performance of operations in one of the units.
7	Natural Resources Tech 1	Performs a variety of maintenance and technical tasks in a fisheries research or management unit or in a fish hatchery.
6	Secretary 2	Performs critical administrative support duties at the field stations; also provides support for the other TF bureaus.
1	Facilities Maint Coordinator	Performs buildings and grounds maintenance and related support at a hatchery.
27.09	Non-Permanent (Seasonals)	Under immediate supervision, performs a variety of natural resource area maintenance tasks; conducts surveys and collects data related to natural resources.
119.09	TOTAL FISHERIES FTES	

Fisheries Bureau – Line Item Accounting of Revenue and Expenditures

Fisheries Bureau FY10 – Revenue and Expenditures	
REVENUE	
Trust Fund Allocation	$10,179,502
TOTAL REVENUE	$10,179,502
EXPENDITURES	
Personal Services (staff)	$7,249,314
Travel	$66,554
State Vehicle Operations (fuel, service, insurance)	$160,360
Vehicle Depreciation Payments (savings acct for vehicle replacement)	$274,805
Office Supplies (office supplies, organization dues)	$18,869
Facility Maintenance Supplies	$66,951
Equipment Maintenance	$149,307
Ag Supplies (i.e. pesticide, chemical, fertilizer supplies)	$308,644
General Supplies and Materials	$120,940
Print & Binding (of publications)	$76,159
Uniforms	$13,896
Postage	$36,263
Communications (i.e. cell phones, internet service)	$54,863
Rentals	$30,019
Utilities	$183,969
Outside Services (i.e. ISU research; science related, machine/operator cost)	189,899
Adver. Publishing (i.e. newspaper, radio)	$52,476
Reimbursement to Other Agency (ie. Training, Health Ins)	$12,909
ITD Services Reimbursement	$1,743
Equipment	$76,253
IT Hardware	$11,675
Other Expenses (i.e. retirement related)	$2,453
Licenses, Permits, and Fees	$4,101
Indirects (general overhead costs; i.e. DAS billing, Worker's Comp, IT services, Auditor's Ofc, departmental support staff, general postage)	$1,017,079
TOTAL TRUST FUND EXPENDITURES	**$10,179,502**

WILDLIFE BUREAU (http://www.iowadnr.gov/wildlife/index.html)

The Wildlife Bureau is responsible for the management of Iowa's precious wildlife resources. Accomplishing this goal involves a wide array of programs and activities which promote the habitat protection and habitat development in Iowa, providing viable wildlife populations that support recreational hunting and viewing.

Professional wildlife staff perform surveys, census, and research studies that produce data and provide for science based management and policy decisions. Partnerships with other agencies and private organizations are actively pursued to develop and achieve common natural resource goals. Added landscape diversity, improved soil and water conservation, and enhanced water quality are benefits resulting from Wildlife Bureau programs.

The bureau manages 510 public wildlife areas, 307 boat ramps, and 9 shooting ranges. In addition, it manages the Prairie Seed Program in partnership with the Iowa Department of Corrections to provide native plantings on public property.

The economic benefits to Iowa from wildlife management include $443,000,000 per year spent on hunting in Iowa by 250,000 hunters. The 1,022,000 wildlife watchers in Iowa spend $342,000,000 per year. Hunters spend 4,000,000 days on their sport in Iowa, and wildlife watchers spend 6,400,000 with their activity.

The wildlife staffs work closely with other government agencies and with conservation groups such as Pheasants Forever, Ducks Unlimited, Wild Turkey Federation, Quail Unlimited, Waterfowl USA, and Wetlands for Iowa to promote good wildlife management through various programs.

Wildlife Research and Management

To better manage Iowa's wildlife resources, the Wildlife Bureau established two sections: Research and Management.

The Wildlife Research Section operates three stations staffed with biologists and technicians who conduct research on wildlife populations, coordinate wildlife reintroduction and restoration efforts, collect biological data, make hunting season recommendations, and band waterfowl.

Staff is involved in the very important role of monitoring wildlife populations throughout the state. Information gained through this work is used to solve wildlife problems, make hunting season recommendations, and design new techniques and management strategies to ensure a sound wildlife population for the future. Wildlife reintroduction projects in Iowa are another big success story made possible through this program. Thirty years ago nesting Canada geese, wild turkeys, prairie chickens and river otters were a distant memory and deer hunting opportunities were limited, at best. Today, Canada geese and wild turkeys nest across the state, as well as world-class deer, which provide some of the best recreational opportunities in the nation.

The Wildlife Management Section consists of 16 management units covering the state. Each unit is staffed with a wildlife biologist and several technicians. Work involves managing public lands, assisting

private landowners with habitat improvement projects, and providing information about wildlife populations on local public lands. Wildlife management areas encompass over one-third of a million acres for outdoor recreation, including river access to 10,400 miles of Iowa streams. Wetland restoration is an important focus of habitat improvement projects and, in the last several years, more wetlands have been restored in Iowa than have been drained. Since 1987, over 900 wetland basins (4,100 acres) have been restored.

The Wildlife Bureau manages over 400,000 acres (state owned and federally contracted). The majority of these acres are managed to provide habitat for Iowa's native wildlife species and those species that migrate through our state. Developing and restoring wildlife habitat to ensure that wildlife species have a safe place to breed, rest, and feed is the primary management objective. Wildlife dependent recreational activities are allowed to enable residents and non-residents to enjoy these wildlife species.

Only basic public use facilities, such as parking lots and boats ramps, are provided in wildlife management areas. Portions of these areas may be designated as refuges and restrictions are placed on certain uses that may interfere with management goals and objectives.

Private Lands Program

Most of Iowa's land is in private ownership. Because much of the wildlife production and recreation occurs on this type of land, private land habitat improvement is important. The DNR conducts a program to provide landowners cost-share programs and technical assistance to plan, implement, and improve habitat. Food plots, prairie grasses, and shelterbelts are now recognized by farmers, conservation organizations, and outdoor enthusiasts as sound land use practices. The Private Lands Program also provides technical expertise to landowners interested in restoring or establishing wetlands on their property.

The Iowa DNR coordinates its efforts with Natural Resources Conservation Services (NRCS), Farm Service Agency (FSA), and the Soil and Water Conservation Districts (SWCD) to enroll landowners in conservation programs across the state. Program staff also works cooperatively and receives assistance from many non-governmental organizations such as Pheasants Forever and The Nature Conservancy in the effort to encourage quality habitat in Iowa. In the first ten years of the program, 2000-2009, 318,000 acres of habitat improvement suggestions were made. Of that, 100,000 acres of habitat improvement suggestions were targeted at wetland restoration. Sixty percent of all habitat recommendations made by the private lands program staff are voluntarily implemented by private landowners.

Wildlife Diversity Program

To many Iowans, the first thing that comes to mind when talking about the fish and wildlife resources might be deer, pheasants, walleye, ducks, catfish, turkeys, muskrats, crappies and other traditional game or sport fish species. However, the vast majority of wildlife species in Iowa are not hunted, trapped, or fished.

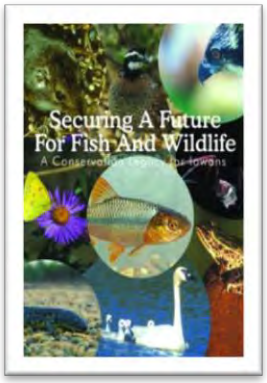
In addition to Trust Fund dollars, Iowa's Wildlife Diversity Program has multiple funding sources that support habitat and research work benefiting both game and non-game species. Those sources include the Chickadee (Fish and Wildlife) tax check off, nongame support certificates, a portion of REAP Natural Resource License Plate sales, donations, and publication sales (i.e. Wildlife Viewing Guides). Since 2001, DNR's Wildlife Diversity Program has been the recipient of annual appropriations from the federal government that have provided critically needed funding for wildlife diversity projects.

The Wildlife Diversity Program is supported by six staff members. The program focus is on landscape and ecosystem management, statewide inventory and monitoring of all wildlife species, and training volunteer wildlife surveyors, while continuing public outreach functions and selected species reintroduction programs.

Public events like Bluebird Workshops, Bald Eagle Appreciation Days, and Hawk Watches are attended annually by thousands who want to learn more about the need for conservation of Iowa's wildlife.

The Iowa Wildlife Action Plan

The Wildlife Diversity Program currently oversees implementation of the Iowa Wildlife Action Plan, a comprehensive strategy that will help guide DNR's fish and wildlife management activities over the next 25 years. This plan was written by Iowans for Iowans.



The Iowa Wildlife Action Plan is a proactive plan designed to conserve all wildlife in Iowa before species become rare and more costly to protect. Developed by a coalition of scientists, sportsmen and women, conservationists, and members of the public, this plan can help protect wildlife and habitats for future generations. If the steps in the action plan are successfully carried out, Iowa will have cleaner water and air, and a healthy environment for people and wildlife.

The plan, titled *Securing a Future for Fish and Wildlife: a Conservation Legacy for Iowans,* is the first attempt ever to enumerate most of the state's wildlife and evaluate the status of each species. It also examines stresses on wild creatures or their habitats and lays out visions and strategies to conserve wildlife over the next 25 years. The comprehensive plan can be viewed at http://www.iowadnr.gov/wildlife/diversity/plan.html.

Iowa Bird Conservation Area (BCA) Program

Within the last two decades, alarming declines in a large number of species of North American birds have led to the emergence of national and international initiatives dedicated to conservation of game and nongame birds. Various conservation programs or plans aimed at individual groups of declining birds are gathered under the umbrella of the North American Bird Conservation Initiative (NABCI), to conserve "all birds in all habitats." As part of this initiative, and in an effort to protect dwindling populations of many Iowa birds, Iowa's Bird Conservation Area (BCA) Program was established by the Wildlife Bureau.

In 2001, the Iowa DNR designated its first BCA, the Kellerton Grasslands Bird Conservation Area, located in Ringgold County. This was the first grassland BCA to be dedicated in the United States. Managing for the prairie chickens found in this BCA is the main focus, but a host of other grassland birds will benefit.

Bird watching, or birding, is one of North America's fastest growing pastimes, with an estimated 50 - 70 million participants in the United States. These and other associated activities benefit the economies of the regions where they occur. A recent survey by the US Fish & Wildlife Service found that over one million Iowans watched wildlife in 2006 and that Iowa residents and nonresidents spent $304 million on wildlife watching in Iowa that same year. Since 1991, wildlife watching expenditures have grown in the U.S. by 46%. Special highway and recreational area maps guide birders along "birding trails," and bird festivals and guided birding field trips are offered by a growing number of commercial firms, conservation organizations, and agencies. Bird Conservation Areas may help draw the attention of eco-tourism to Iowa, with economic gain for the area motels, restaurants, and other businesses in the BCA vicinity.

Wildlife Bureau – FTEs and Position Descriptions

(FTE = full time equivalent position)

FTE Allocation	Position Title	Position Description
1	Public Service Executive 4 (Bureau Chief)	Manages the Wildlife Bureau; part of Division Administrator's management team; responsible for Wildlife Bureau personnel and the work within the bureau.
1	Public Service Executive 3	Performs supervisory management work with the Wildlife Research Sections; responsible for personnel issues and budgets.
5	Public Service Executive 2	Performs the supervisory management work in the 5 wildlife management districts.
1	Executive Officer 3	Performs program oversight for the 5 management districts; provides budget development and tracking for the Wildlife Management Section; directs planning.
5	Executive Officer 2	Performs program management work including writing and administering federal grants, managing the federal aid and capitals budgets, and managing the Private Lands Program.
35	Natural Resources Biologist	Performs professional wildlife biological work in a wildlife management or research unit; oversees the work of other staff.
37	Natural Resources Tech 2	Performs a variety of technical tasks in a wildlife research or management unit; responsible for carrying out annual plans developed by biologist; may direct the work of others in the performance of operations in one of the units.
41	Natural Resources Tech 1	Performs a variety of maintenance and technical tasks in a wildlife research or management unit.
1	Natural Resource Biometrician	Performs advanced level professional work in planning, designing, and conducting surveys and field research projects; creates and/or maintains databases of historical data.
1	Environmental Specialist	Serves as expert botanist for the bureau; conducts surveys and helps develop management plans.
.5	Forester 2	Performs professional forest habitat management work on wildlife areas.
17.79	Non-Permanent (Seasonals)	Under immediate supervision, performs a variety of natural resource area maintenance tasks; conducts surveys or otherwise collects data related to natural resources.
146.29	TOTAL WILDLIFE FTES	

Wildlife Bureau – Line Item Accounting of Revenue and Expenditures

Wildlife Bureau FY10 – Revenue and Expenditures	
REVENUE	
Trust Fund Allocation	$13,493,350
Condition 5 Funding (U.S. Army Corps of Engineers pass through management funds for Corps owned-DNR managed land.)	$471,784
TOTAL REVENUE	$13,965,134
EXPENDITURES	
Personal Services	$9,277,215
Travel	$93,953
State Vehicle Operations (fuel, service, insurance)	$341,838
Vehicle Depreciation Payments (savings acct for vehicle replacement)	$526,485
Office Supplies (office supplies, organization dues)	$32,650
Facility Maintenance Supplies	$174,613
Equipment Maintenance	$403,573
Ag Supplies (i.e. pesticide, chemical, fertilizer supplies)	$52,827
General Supplies and Materials	$154,168
Print & Binding (of publications)	$69,618
Uniforms	$17,795
Postage	$6,796
Communications (i.e. telephone service)	$104,135
Rentals	$48,906
Utilities	$117,751
Outside Services (i.e. research; veterinary specimen testing, science related, program education, machine/operator cost)	$827,401
Adver. Publishing (i.e. official newspaper publications)	$2,126
Reimbursement to Other Agency (ie. training, health ins)	$28,001
ITD Services Reimbursement	$1,443
Equipment	$351,494
IT Hardware	$18,699
Other Expenses (i.e. retirement related)	$10,299
Licenses, Permits, and Fees	$1,755
Indirects (general overhead costs; i.e. DAS billing, Worker's Comp, IT services, Auditor's Ofc, departmental support staff, general postage)	$1,301,593
TOTAL EXPENDITURES (includes Condition 5 Expenditures)	$13,965,134
TOTAL TRUST FUND EXPENDITURES	**13,493,350**

LAW ENFORCEMENT BUREAU (http://www.iowadnr.gov/law/index.html)

The mission of the Law Enforcement Bureau is to protect the state's natural resources, provide public safety, and educate and serve the public. Conservation Officers ensure that Iowa's fish, game, and public natural area laws are followed, which have a direct effect on the health of Iowa's natural resources. Officers have diverse duties in addition to enforcement. They include public education, public relations, inspections, and outreach.

The Law Enforcement Bureau force includes five districts across the state, staffed by Conservation Officers assigned to one or two counties or parts of counties, depending on the need. Each district has a supervisor.

Conservation Officers

The Conservation Officers are the backbone of the Law Enforcement Bureau. They have the complex job of balancing public relations with the conservation of Iowa's natural resources. They a) provide fish and game law enforcement, boating and other recreational activity enforcement; b) serve as Recreational Safety Officers (RSOs) for boating, shooting sports, hunter safety, and other recreational safety programs; c) are trained in areas such as firearms, defensive tactics, CPR, waterfowl identifications, forensic trainings; and d) provide inspections for taxidermists, scientific collectors, bait dealers, fur buyers, boat docks, and recreation trails and parks. They are also an important resource for public relations and education through articles, radio and television programs, and civic group presentations.

In addition to the officer's normal job duties, they serve during environmental disasters in Iowa. They provide disaster assistance, environmental impact assessment efforts, aftermath clean-up efforts, and provide boats/staff to EPA, National Guard, and Environmental Protection staff to locate hazardous materials and orphaned drums that have been displaced. These activities are funded through the appropriate activity coding, including FEMA reimbursements when applicable.

Officers are on-call 24 hours a day, seven days a week, by radio and telephone. They work most weekends, particularly during the opening of hunting seasons and during summer holidays. Offices are maintained in their homes and in their issued vehicles.

Conservation Officers usually have 4-year degrees in fish and wildlife management, biology, criminal justice or similar fields. Most also have experience recreating in the outdoors and using the tools of outdoor pursuits.

All of the officers in the bureau are state peace officers certified by the Iowa Law Enforcement Academy, with the authority to enforce all the laws of Iowa. As U.S. Federal deputy game wardens, they are also able to cross over state lines when violations of federal laws related to wildlife crimes have been committed.

Officer training does not end after completing initial basic training at the Iowa Law Enforcement Academy. In-service training includes defensive tactics, firearms, communication skills, ice and swift water rescue, and law enforcement driving skills. Many officers act as instructor/trainers for the bureau.

Recreational Safety Officers work closely with the recreational safety programs, and provide accident investigation assistance to field officers. When needed, they also perform the regular duties of a Conservation Officer.

In Iowa, All Terrain Vehicles (ATVs) and snowmobiles are required to register if they are used on public lands or trails. These registration fees are not placed in the Trust Fund, but a percentage of Law Enforcement Bureau staff time is dedicated to ATV/Snowmobile safety and regulation, and these activities are coded and paid for through these non-Trust Fund registration fees.

Boat registration fees support officers' time dedicated toward the regulation of navigation and recreation safety, aquatic invasive species control, and recreational boating education. Boat registration fees are deposited into the Trust Fund, and are carefully tracked through the use of activity codes that detail how employee time is spent. These fees have a specific purpose outlined in Iowa Code, which is provided in the Boat Registration Fee Report.

Each summer, the bureau hires individuals to serve as temporary Water Patrol Officers (WPOs). This resource serves to assist the growing number of recreational boat users during the season. The WPO duties include patrolling Iowa's lakes and rivers by boat and foot, checking for compliance with Iowa's navigation and fishing regulations, with an emphasis on aquatic invasive species education and enforcement, and helping to ensure a safe recreational environment for the public.

The Law Enforcement Bureau receives federal funding for public education programs. These educational opportunities are mandated public training or voluntary educational programs. The following is a list of core public programs the bureau provides and manages:

Boating Safety Education Courses	Mandatory program for any person 12-17 who will operate a motorboat over 10 horsepower or personal watercraft (PWC) on Iowa waters. The program offers 3 different learning styles for the mandated education certificate.
Bow Hunter Education	Program designed to teach bow hunters safe and ethical hunting techniques and to instill responsible attitudes toward people, wildlife and the environment. Majority of students complete the online course and then are required to participate in a field day.
Fur Harvester Education	This voluntary home-study course provides students the opportunity to become certified in fur harvesting. Students receive instruction on the history and heritage of the fur trade, biology and management of Iowa furbearers, wildlife

	regulations and their purpose, ethics and responsibility, fur harvesting equipment, the basics of harvesting Iowa furbearers, marketing furbearers, public relations, and the basics of outdoor safety and survival.
Hunter Ed Program	Mandatory program that is designed to introduce students to several life-long skills important to many different types of outdoor recreational opportunities. The course teaches students basic survival and first aid skills, water safety, wildlife identification, and the basics of wildlife management, hunting laws, and firearm/archery safety.
Iowa High School and Scholastic Clay Target Program (SCTP)	The Iowa High School and Scholastic Clay Target Program (SCTP) is a team-based clay target shooting program. Through organized clay target shooting, youth learn lifelong skills such as firearm safety, teamwork, respect for self and others, mental focus, and self-discipline.
National Archery In the Schools Program (NASP)	The program promotes student education and participation in the life-long sport of archery. The program's focus is to provide International style target archery training in physical education classes for grades 4-12.
Outdoor Journey for Girls	A 3-day, 2-night workshop aimed at introducing outdoor skills to girls ages 12 to 15 years old in a supportive, learning environment where they have "hands-on" opportunities.
Shooting Sports Program	The Shooting Sports Program introduces Iowans to the target shooting sports, promotes existing target shooting programs, provides new target shooting programs, provides shooting facilities, and improves existing facilities. Target shooting is a life-time sport that families can enjoy together, and it teaches fundamental marksmanship skills.

The Law Enforcement Bureau also manages the Turn in Poachers (TIP) program. TIP is an organized non-profit corporation. The responsibility for TIP is shared by the TIP board and the DNR. The Department receives and records reports of fish or game violations, routes confidential information to DNR officers for investigation, and arranges reward payments to informants through the TIP board. The toll-free TIP number is monitored 24-hours a day for citizens to report information about crimes against fish or wildlife.

Although some Law Enforcement positions were temporarily vacant in the beginning of FY09 and through most of FY10 due to an unprecedented number of retirements in December 2009 and hiring freezes, vacant Conservation Officer positions have been filled or are in the process of being filled in FY11.

Rivers Program – Water Trails and Low-head Dam Public Hazard Program

The Iowa DNR Water Trails and Low-Head Dam Public Hazard Program works statewide to ensure improved navigational safety on waterways throughout Iowa. This is achieved through public education and by developing consistently signed water trails, a warning signage system, navigation maps, accesses, and portage trails around dangerous dams. Program employees are funded with approximately $180,000 from the Boat Registration Fees fund within the Trust Fund, and from a variety of other funds, which are transferred into the Trust Fund specifically for these program employees.

A Law Enforcement Bureau cost center is used, and activity codes are used to make sure the different funds are expended appropriately. In addition to Boat Registration Fee funds, this program uses special appropriations through infrastructure funds, Marine Fuel Tax funds where appropriate, and REAP Protected Waters Area program funds where appropriate.

The program serves a growing segment of boat users – canoeists and kayakers, as well as more traditional recreational segments, including anglers and powerboaters. National statistics show that canoeists and kayakers have a higher rate of death per capita compared to other boaters. Two brochures, "SmartStart for Safe Paddling" and "The Drowning Machine" are disseminated to county recorders, boat rental facilities, paddling clubs, local governments, and field staff. The water trails program completed its sixth "Expedition and Fishing Guide" for whole river systems. The first two completed were for the Maquoketa and Raccoon river systems. These maps contain angling information, dam, and launch locations. Printing is paid for cooperatively with the Fisheries Bureau, and the brochure maps are being disseminated in cooperation with Iowa Welcome Centers, county conservation boards, and state parks and fish hatcheries.

Three two-day canoe school trainings were offered for naturalists and other agency staff to "train the trainers." This responds to a need identified by agencies with canoe fleets that take groups on lakes and river. It provides consistent training for leading safe tours, developing risk management plans, and demonstrating appropriate canoeing skills. Two trainings for canoe liveries using the Professional Paddlesports Association training materials were held in the winter in order to promote safe, responsible enjoyment of streams and lakes.

The River Programs Director is responsible for overall program direction and management; a construction technician plans, develops, and maintains warning signage plans and portage trails, including launches and landings around dams; two seasonal assistants lay out plans, assist with mapping, conduct river assessment field work for dam-related projects, and install signage and construct portages; an FTE is focused half-time on leading river survey and assessment work at low-head dams, and half-time on the Protected Water Areas program, a land conservation program along rivers.

Law Enforcement Bureau – FTEs and Position Descriptions

(FTE = full time equivalent position)

FTE Allocation	Position Title	Position Description
1	Public Service Executive 4 (Bureau Chief)	Manages the Law Enforcement Bureau; part of Division Administrator's management team; responsible for Law Enforcement personnel and the work within the bureau.
1	Public Service Executive 3 (Asst Bureau Chief)	Performs supervisory management work for the bureau relating to all enforcement activities, personnel issues, budgets, capitals, and serves as acting Bureau Chief as assigned.
7	Public Service Executive 2 (Law Enf Supervisors)	Performs supervisory management work for the five districts, recreational safety programs and licensing section; directs Conservation Officers and provides services to the public in regard to the enforcement of state and federal fish and game laws.
86	Conservation Officer	Enforces state and federal fish and game laws and promotes conservation practices throughout an assigned area of the state.
2	Executive Officer 2	1) Performs program management work, such as the Turn In Poachers program; handles disputed license issues related to criminal activity (i.e. license revocations). 1) Responsible for Rivers Program supervision, which includes statewide plan development; collaborating on river survey, assessment, and design work with engineering; and technical assistance to external dam owners.
1	Administrative Assistant 1	Performs administrative program work relating to Hunter Education and other public education programs.
2	Program Planner 3	Manages the Boating Safety Program, including the Water Patrol Officer program (funded by Boat Registration Fees); serves as Shooting Sports coordinator; performs advanced professional level program planning work of broad technical scope and depth.
1	Environmental Specialist	Performs river surveys for dam modification and removal projects, conducts stream assessments and monitoring, updates the Protected Water Areas Management Plans
2	Program Planner 1	1) Create maps and brochures, manages the state's river data (i.e. river access points and dams), assists with river surveys and construction 1) River programs outreach coordinator, coordinates water trail designation, involved in water trail development, assists with portage trail construction and general upkeep
1	Construction Technician	Plans, develops, and maintains warning signage plans and portage trails, including launches and landings, around dams; advisor to communities relating to dams and water trails
16.8	Non-Permanent (Seasonals)	15.8) Under immediate supervision, enforces state and federal fish and game laws and promotes conservation practices throughout an assigned area of the state; performs a variety of natural resource area maintenance tasks; conducts surveys or otherwise collects data related to natural resources. 1) Lay out river access plans, assist with mapping, conduct river assessment field work for dam-related projects, and install signage and construct portages.
120.8	TOTAL LAW ENF FTES	

Law Enforcement Bureau – Line Item Accounting of Revenue and Expenditures

Law Enforcement Bureau FY10 – Revenue and Expenditures	
REVENUE	
Trust Fund Allocation	$11,283,054
TOTAL REVENUE	$11,283,054
EXPENDITURES	
Personal Services	$7,729,378
Travel	$131430
State Vehicle Operations (fuel, service, insurance)	$576,349
Vehicle Depreciation Payments (savings acct for vehicle replacement)	$324,350
Office Supplies (office supplies, organization dues)	$51,953
Facility Maintenance Supplies	$56,249
Equipment Maintenance	$142,672
General Supplies and Materials	$322,166
Print & Binding (of publications)	$130,499
Uniforms	$33,618
Postage	$6,437
Communications (i.e. cell phones, internet service)	$146,882
Rentals	$10,522
Utilities	$25,812
Outside Services (i.e. hunter safety consultation, education awareness, machine/operator cost)	$94,766
Adver. Publishing (i.e. advertising, promotional supplies)	$53,241
Reimbursement to Other Agency (ie. training, health ins)	$18,440
ITD Services Reimbursement	$20,875
Equipment	$276,558
IT Hardware	$45,013
Other Expenses (i.e. retirement related)	$1,413
Indirects (general overhead costs; i.e. DAS billing, Worker's Comp, IT services, Auditor's Ofc, departmental support staff, general postage)	$1,084,432
TOTAL TRUST FUND EXPENDITURES	**$11,283,054**

PUBLIC LAND – FUNDING AND PURPOSE

The overall mission of the DNR is to conserve and enhance our natural resources in cooperation with individuals and organizations to improve the quality of life for Iowans and ensure a legacy for future generations. Ensuring there are quality natural areas open for outdoor recreation and renewal is a vital component of this mission. The Natural Resource Commission (NRC), outdoor recreationists, and economic development and tourism proponents recognize that Iowa has one of the lowest percentages of public land of all states in the nation. The responsible and reasoned increase of Iowa's public land base is viewed as one of the wisest natural resource investments for current and future Iowans and visitors.

The state purchases specific types of land, on behalf of the citizens of Iowa, to manage and protect natural resources and to provide public outdoor recreational opportunities. Across Iowa, wetlands, forests, scenic areas, prairies, wildlife and fish habitat, access easements to trout streams, rare species habitat, and other resources are being protected and managed. Owners of Iowa land who want to secure the protection or use of the natural resource voluntarily donate land, participate in the easement program, or sell acres for that purpose. The DNR 1) only negotiates with willing landowners, 2) does not condemn land, and 3) has a policy of paying appraised value for easements and acquisitions. After land has been secured, development and management of these lands and waters are planned by professional wildlife biologists to sustain quality environments for all wildlife species.

Currently, over 91% of the state is in private ownership. Iowa ranks in the bottom five of all states in terms of the amount of public lands devoted to fish and wildlife oriented recreation and species protection. As a result, public wildlife lands in Iowa receive substantial user pressure, particularly during the first weeks of open hunting seasons, on weekends, and during holidays.

Recreation on natural areas is a significant economic anchor in Iowa. Hunters, anglers, and wildlife watchers spent $974 million in retail sales in Iowa in 2006. Visits to Iowa's state and county lakes, parks, and trails translate to 50 million visits, supporting 27,400 jobs, and generating statewide spending of $2.63 billion (Economic Value of Iowa's Natural Resources, ISU, Center for Agriculture and Rural Development, Dec 2007 www.iowadnr.gov/sustainablefunding/files/econ_study.pdf).

When reviewing natural areas for protection, goals considered are:

- To provide additional public outdoor recreation lands in response to increasing public demand
- To preserve or enhance unique irreplaceable archaeological, historical, or cultural features existing in Iowa land
- To enhance ecosystems and biodiversity on public areas
- To assist in solving environment concerns such as water quality
- To protect threatened and endangered species
- To enhance the natural quality and recreational potential of the land
- To enhance the public user base and its associated economic impacts
- To implement the Wildlife Action Plan's goals

Of the 35,756,390 total acres of Iowa's land, the DNR holds 354,915 acres in ownership for the public - less than 1%. These acres include state forests, parks and preserves that are not funded with Trust Fund dollars, as well as fish and game areas. The department also manages 130,000 acres under contract by other public agencies, mainly the U.S. Fish and Wildlife Service or U.S. Army Corps of Engineers. A cooperative management agreement between the DNR and the federal agency is developed for each management area.

Iowa's landscape has undergone significant alteration since settlement. The majority of native habitats have been converted to agricultural land. Wetlands have been drained, forests have been cut over, and prairies have been plowed for the purpose of producing domestic crops such as corn and soybeans. Attempts of landowners to convert some of these lands to agricultural production have not been successful for a variety of reasons, resulting in lands of marginal agricultural productivity. Approximately 40% of public lands managed by the DNR are classified as "highly erodible soils," warranting protection. Corn Suitability Rating (CSR) is an index procedure developed in Iowa to rate each different kind of soil for its potential row-crop productivity. A CSR of 85 is considered good for farming row crops. The average CSR (Corn Suitability Rating) of state lands managed by the department is 32.1.

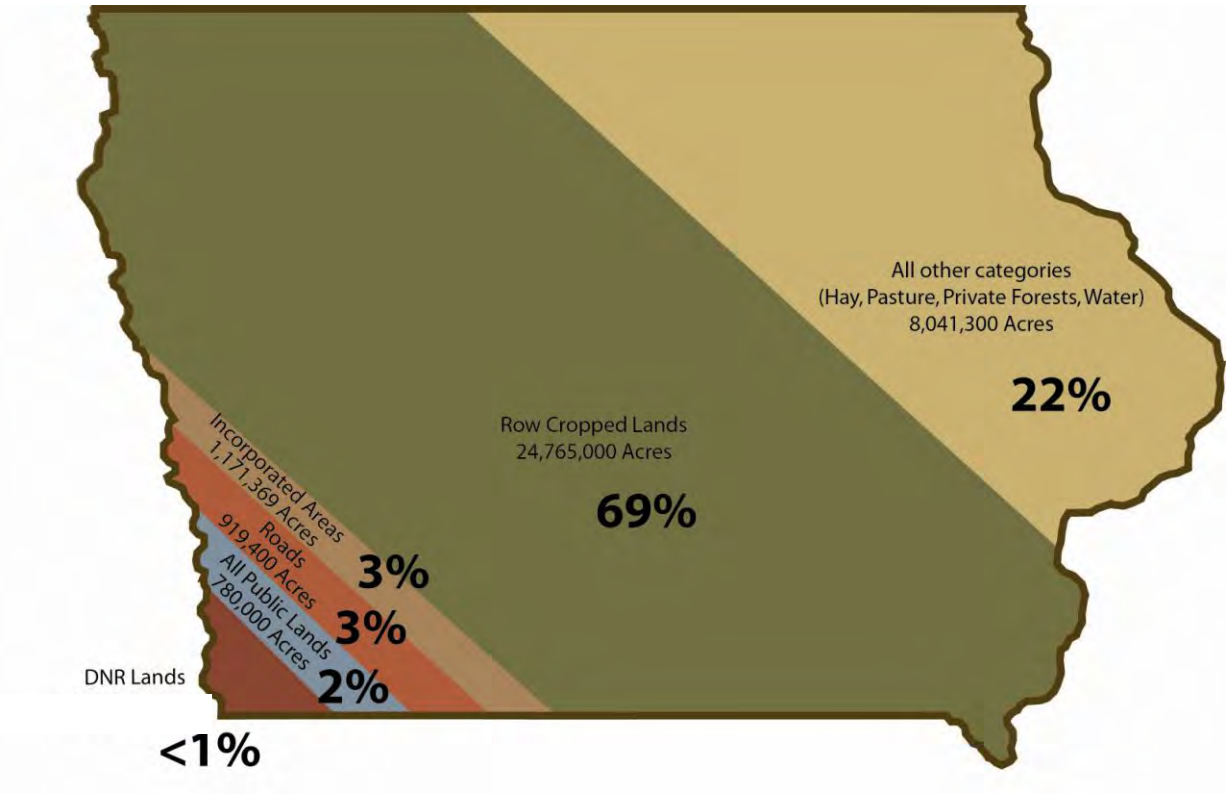
In addition to natural areas, DNR has identified some of these marginal agricultural lands as having potential for wetland restoration, prairie establishment, and reforestation. It is neither the DNR's goal, nor desire, to convert highly productive agricultural land to fish and wildlife habitat.

The DNR carefully identifies and prioritizes potential public land purchases based on the answers to six important questions: 1) Is it close to adjacent public lands or an in-holding? 2) Will it improve an existing wetland complex? 3) Is it adjacent to protected fish and wildlife complexes, whether public or private? 4) Does it contain unique habitats? 5) Is there wildlife diversity? 6) Is it close to a river or stream?

Several of the questions deal with the department's ability to effectively manage the area. However, the most important aspect is the biological value. Research indicates that the effects of habitat fragmentation are detrimental to many species of native wildlife, which require large blocks of intact habitat.

Of Iowa's total landscape, the department has less than 1% of the land and water acres of Iowa under protection. Two percent of Iowa's natural areas are owned by cities, counties, or the federal government. Roads represent 3% of Iowa's acres, and incorporated areas (cities and towns) represent another 3%. Agriculture lands represent over 91% of Iowa's acres. The following maps illustrate Iowa's land use.

Iowa's Land Use by Percentages



DNR Managed Public Land

(identified by the colored patches)

Funding for Public Land

The department does not use general funds for land acquisitions. Federal funds are used for the permanent protection of wetlands and unique natural lands of marginal agricultural value through conservation easements, purchase of residual value, and acquisition. Each license dollar from the Trust Fund leverages these federal dollars. The DNR competes with other states for federal acquisition and easement funding sources. These funds would be given to other states if Iowa did not secure the grants and utilize them for the designated purposes. Sending federal dollars to another state, when each acre of public wildlife area annually generates $402.00 in economic activity, is not in the public's best interest, and the citizens would lose significant dollars these natural areas generate. In this recovering national economy, Iowans will be recreating close to home, looking for additional opportunities outdoors, and will keep their money in Iowa if they have those opportunities.

Federal Funding (NAWCA, PPJV, WRP, SWG)

The **North American Wetlands Conservation Act (NAWCA) provides** federal funding that is critical for Iowa wetlands restoration and protection. NAWCA provides matching grants to organizations and individuals who have developed partnerships to carry out wetlands conservation projects in the United States, Canada, and Mexico for the benefit of wetlands-associated migratory birds and other wildlife. These competitive grant programs require that grant requests are matched by partner contributions at no less than a 1-to-1 ratio. Funds from other U.S. federal sources may contribute toward a project, but are not eligible as match. The department has cultivated national and local funding partnerships with organizations such as Ducks Unlimited, County Conservation Boards, Pheasants Forever, The Nature Conservancy, Iowa Natural Heritage Foundation, the US Fish and Wildlife Service, private foundations, and private individuals to facilitate grant success and project completion.

The department is authorized by the US Fish and Wildlife Service (USFWS) to negotiate for the acquisition of public lands in the **Prairie Pothole Joint Venture** (PPJV) region, located in north central and northwestern Iowa. This land is owned by the United States and managed by the Iowa DNR. To date, approximately 224,000 acres of Iowa public land has been secured utilizing the DNR / USFWS partnership.

The purpose of the PPJV priority areas is to guide decisions of the USFWS and DNR staff engaged in delivering the Waterfowl Production Area program. Conservation efforts are focused on locations with the greatest potential for developing ecologically functional landscapes capable of supporting waterfowl population goals set forth in the North American Waterfowl Management Plan (NAWMP) and the PPJV Implementation Plan. NAWMP goals center on developing wetland complexes, ensuring core areas are in permanent protection. Wetland conservation goals depend on the coordination of resources from multiple partners, both public and private. Building wetland complexes through broad partnerships takes many years of effective cooperation to achieve success.

One of the most important tools the federal and state agencies promote is the federal landowner incentive programs. The **Wetland Reserve Program (WRP)** is operated by the United States Department of Agriculture Natural Resource Conservation Service as a voluntary program for landowners desiring to restore and protect wetlands on their property through conservation easements. Landowners receive payments from the federal government for easements in order to place restored wetlands in a reserve status and landowners agree to implement wetland/wildlife restoration plans. The program's first priority is to develop wetlands that enhance habitat for migratory birds and other wildlife, and provide 50 to 100 percent federal cost sharing for re-establishment of wetlands vegetation and maintenance.

By developing a set of priority areas across the existing small and fragmented PPJV region, restoration activities are focused on improving wetland complexes; coordinating a broad number of activities, programs, and partners; and achieving landscape level habitat objectives. Priority areas are selected based on their potential to achieve federal objectives, and include social and economic factors as well as agricultural infrastructure to ensure the best chance for success.

Since 2002, Congress has annually appropriated funds for state nongame wildlife programs through the **State Wildlife Grants (SWG)** program. Money is awarded to each state on a formula basis, with a requirement of 1:1 match using state or other non-federal sources. SWG funds may be used only for projects relating to "species of greatest conservation need" identified in the Iowa Wildlife Action Plan.

The SWG program has allowed the Iowa Department of Natural Resources and its partners to accomplish much more for Iowa's natural resources than was possible before its inception. SWG is the nation's most important program in keeping species from becoming endangered. It has brought an average of $775,000 a year (~$7.75 million since 2001) into the state which has been matched in kind by the DNR and multiple partners. It has funded vital research, allowing our land managers to make the best science-based decisions for wildlife, and it has allowed better management on public lands.

User Fees

The **Wildlife Habitat Fee** is dedicated by Iowa Code for the permanent protection and development of wildlife habitat. Fifty percent of this revenue is available to county conservation boards through 75%/25% cost-share grants for habitat protection and development at the county level. The **State Migratory Game Bird Fee** (aka Duck Stamp) revenue is used for protecting and propagating migratory waterfowl and for the acquisition, development, restoration, maintenance, and preservation of wetlands. These fees are deposited into the Trust Fund to prevent any use except for the protection of wildlife habitat as outlined in Iowa Code 483A. These funds can only be used for the designated purposes of permanent land protection.

Resource Enhancement And Protection (REAP) – OPEN SPACES

The REAP Open Spaces fund, a percentage of the total REAP allocation to the DNR, specifically states that it is to be used for open space protection and for the development of parks and facilities. There are requirements within this fund that include a percentage for cost-sharing with private conservation organizations through the public/private grants program; a percentage for the Protected Waters Area program; and a percentage that pays local property tax.

The Open Spaces public/private grants program was developed to provide funds for public land acquisitions in partnership with private organizations. The cost-share grant provides 75% of the acquisition costs through Open Spaces, with the requirement that the other 25% comes from private contributions. This program provides an excellent opportunity for private conservation organizations to help the state protect natural areas and provide outdoor recreational opportunities.

Conservation Easement Program

There are many types of conservation easements including wetlands easements, angler access easements to trout streams, and forest and farm easements, to name a few. Conservation easements on private lands differ from public land acquisitions in that the general public usually does not have access to these private lands. Conservation easements are used to promote the personal desires of the landowner in protecting and improving water quality, wildlife habitat, and natural resources in general, while allowing owners to

retain many private property rights and, at the same time, potentially provide them with tax benefits. Landowners voluntarily donate or sell easements as a legal means to protect and preserve land.

Conservation easements are one of the most powerful, effective tools available for the conservation of private lands. Nationwide, their use has successfully protected millions of acres of wildlife habitat and open space, and hundreds of miles of rivers, all the while keeping property in private hands and generating significant public benefits. Often, some of the most ecologically significant lands and waters in the country are those found in rural and agricultural landscapes. Easements have been instrumental in preserving these landscapes, from family farms to working ranches and timberlands. As people struggle to keep family farms and ranches together in the face of steep taxes and unpredictable markets, conservation easements are often the tool of choice. In Iowa, easements have helped halt development across important landscapes such as the Loess Hills, while keeping family-run ranches and farms in business. Between 1992 and 1997, more than 11 million acres of rural land in the United States were converted to developed use.

Public benefits of conservation easements include:

- Protection of water quality
- Conservation of wildlife habitat
- Preservation of open space
- Preservation of farmland, ranchland, timberland
- Maintain character of rural communities
- Buffer public lands
- Maintain landscapes for tourism
- Require less in public services, generate more in local revenues

Conservation Easements the Department Purchased in FY10:

Note: The federal funding from the Landowner Incentive Program (LIP) was used to encourage the protection of threatened and endangered species on private lands. This program has since been discontinued.

AREA NAME	ACRES	FUND	COST	PURPOSE
Wapsi River Greenbelt	53.3	*Federal Landowner Incentive Program Grant*	$115,000	Wildlife Conservation Easement
Algific Talus Slope Easement	9.35	*Federal Landowner Incentive Program Grant*	$7,650	Wildlife Conservation Easement
Algific Talus Slope Easement	11.45	*Federal Landowner Incentive Program Grant*	$6,250	Wildlife Conservation Easement
TOTAL	**74.1**		**$128,900**	

Property Taxes

Unlike other public entities and property tax exempt organizations, the DNR pays property taxes on land acquired through REAP or Wildlife Habitat Fee funding. If one dollar of either of these funding sources is used for the purchase of land, the full property taxes are paid annually to the individual counties. For FY10, the DNR paid $690, 362 to counties on 83,092 acres of land eligible for payment. In addition, local governments receive Payments In Lieu of Taxes (PILT) from the federal government for land owned by the federal government, which helps offset losses in property taxes due to nontaxable federal lands within their boundaries.

Public Land Purchases - FY10 Line Item Accounting

The following is a line item accounting of **FY10 land purchases** that used **Trust Fund dollars** and a description of the purpose of the land. Land purchases by Trust Fund bureaus using **non-Trust Fund dollars are also listed.**

FUNDING SOURC KEY:

REAP = State Resource Enhancement And Protection (OS-Open Spaces, LP-License Plate, PW-Protected Waters, P/PM-Public/Private Match)
WHF = State Wildlife Habitat Fee
NAWCA = Federal North American Wetlands Conservation Act
FEMA = Federal Emergency Management Agency
EPA319 = Environmental Protection Agency 319
PR = Federal Pittman-Robertson
SWG = Federal State Wildlife Grant
IJOBS = State Funding

FUNDING SOURCES:

- FISH AND GAME TRUST FUND (LICENSE FEES): IA Constitution, Article 7, Section 9 directs all revenue to be used for the regulation or advancement of hunting , fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, and the for the performance and administration of activities related to those purposes. This funding is used as cost share to acquire federal funding (i.e. US Fish and Wildlife Service (USFWS), State Wildlife Grant (SWG), Clean Vessel Act (CVA), Wildlife Conservation and Restoration Program (WCRP)).

- WILDLIFE HABITAT FEE (WH)**:** IA Code 483A.3 requires proceeds to be designated for the permanent protection and development of habitat. This funding is used as cost share to acquire federal funding (NAWCA, PR, SWG).

FY10 LAND ACQUISITIONS – USING TRUST FUND DOLLARS:							
PROJECT NAME	**ACRES**	**FUND**	**FEDERAL**	**TRUST FUND**	**OTHER**	**TOTAL**	**PURPOSE**
Otter Creek Marsh – IA River Corridor	294	NAWCA	$388,000			$388,000	Timber, wetland, and open grass habitat
Aldo Leopold Wildlife Management Area – Cedar Wapsi Valley Wetland Area	20	NAWCA, REAP-PW	$24,000		$24,000	$48,000	Upland and wetland habitat

Aldo Leopold Wildlife Management Area – Cedar / Wapsi Valley Wetlands	71	NAWCA	$47,100			$47,100	Upland and wetland habitat
Kettleson Hogsback Complex	43	NAWCA	$103,000			$103,000	Manage for upland, migratory bird, and non-game habitat, remnant prairie, water quality
Good Neighbors Marsh	272	NAWCA	$285,000			$285,000	Waterfowl and migratory bird habitat
Rice Lake Complex	30	NAWCA	$63,000			$63,000	Restoration of wetland basins for waterfowl and shorebird habitat
Burt Lake Area	58	NAWCA	$142,600			$142,600	Habitat for waterfowl and shorebird protection
Bays Branch Area	174	PR, WHF	$560,561	$186,854		$747,415	Habitat for upland and waterfowl wildlife and species of greatest concern
Hendrickson Marsh	22	WHF		$36,520		$36,520	Habitat for upland birds and waterfowl
Tuttle Lake Wetland Complex	3	WHF		$14,500		$14,500	Wetland habitat
Chain-O-Lakes Wildlife Management Area	43	WHF		$141,500		$141,500	Upland and waterfowl production and harvest area
Red Rock Wildlife Management Area	126	WHF		$71,500		$71,500	Wildlife habitat and access
Canoe Creek Wildlife Management Area	37	WHF, REAP-PW		$77,750	$77,750	$155,500	Water quality improvement project and wildlife habitat
Muskrat Slough Wildlife Management Area	16	WHF		$58,200		$58,200	Upland habitat, water quality, public recreation
Spring Run Wildlife Management Area	137	WHF		$240,000		$240,000	Uplands and wetlands habitat for waterfowl and upland birds and mammals, prairie
Little Buck Wildlife Management Area	93	WHF		$139,380		$139,380	Timber, oxbow wetlands, Wapsi River protection , wildlife habitat in BCA, public recreation
Wood Duck Marsh	47	WHF		$44,400		$44,400	Grassland and wetland habitat for

							waterfowl and migratory birds
Lansing Wildlife Management Area	23	WHF, REAP-OS		$36,400	$25,000	$61,400	Manage for bluff land wildlife habitat, public recreation1

FY10 LAND ACQUISITIONS – USING NON-TRUST FUND DOLLARS (by a Trust Fund bureau):							
PROJECT NAME	**ACRES**	**FUND**	**FEDERAL**	**TRUST FUND**	**OTHER**	**TOTAL**	**PURPOSE**
Halbright River Access	0.5	REAP PW			$4,000	$4,000	Public access
Littleton Dam Project	0.5	IJOBS			$6,942	$6,942	Angler and reliable dam access
Thomas Mitchell Marsh Area	4	REAP OS			$8,000	$8,000	Wetland habitat
Upper Iowa River Wildlife Area	48	REAP-P/PM			$171,000	$171,000	Wildlife habitat
Waterman Prairie Complex	109	REAP-P/PM			$164,226	$164,226	Upland game and bald eagle habitat
EWP (Emergency Wetland Protection) Project – Clayton County	254.7	IJOBS			$228,380	$228,380	Wetland restoration
EWP (Emergency Wetland Protection) Project – Delaware County	347.6	IJOBS			$350,000	$350,000	Wetland restoration
Boone Forks Wildlife Management Area	200	REAP-P/PM, PW			$375,640	$375,640	Wildlife upland timber habitat, public recreation

Public Land Purchases – Projected for FY11

To meet the DNR's overall mission of conserving and enhancing Iowa's natural resources in cooperation with individuals and organizations, mindful planning needs to occur to ensure natural areas are being protected and access is provided for outdoor recreationists. The responsible and reasoned increase of Iowa's public land base, on behalf of the citizens of Iowa, allows the management and protection of wetlands, forests, scenic areas, prairies, wildlife and fish habitat, rare species habitat, and other resources across Iowa. It is important to secure an investment for current and future Iowans and visitors for economic development, water quality, and recreation. The DNR only negotiates with willing landowners and has a policy of paying appraised value for easements and acquisitions.

There are specific funding sources within the Trust Fund that are designated by law or IA Code for land purchases only. In using these funds, timeframes need to be considered in acquiring land due to normal variables in the acquisition process. Variables include the identification of qualified land, Department of Administrative Services' competitive bid processes for appraisal and contracting, negotiations, Natural Resource Commission review, required surveys, title work with review by the Attorney General's office, and the final closing timeline. Once appropriate land is identified, the process could take 4-12 months, or longer.

Annually, the budget for the Trust Fund capitals, which includes funds for potential land purchases, are reviewed and approved by the Natural Resource Commission (http://www.iowadnr.gov/nrc/index.html). The two lists below of FY11 "projected" purchases indentify: 1**) land acquired after the close of FY10 to the date of this report, and 2) possible purchases that may occur in FY11 (between this report and December 31, 2011).** This listing is not comprehensive, as timeframes for sellers is not concrete, and unforeseen opportunities may arise that may require prioritization.

1) Land acquired after the close of the FY10 fiscal year:

The following is a line item accounting of **FY11 land purchases** that used **Trust Fund dollars** and the purpose of the land. Also, listed are land purchases by Trust Fund bureaus using **non-Trust Fund dollars**.

Funding Source Key:
REAP = State Resource Enhancement And Protection (OS-Open Spaces, LP-License Plate, PW-Protected Waters)
WHF = State Wildlife Habitat Fee
NAWCA = Federal North American Wetlands Conservation Act
PR = Federal Pittman-Robertson
SWG = Federal State Wildlife Grant
IJOBS = State Funding

FY11 LAND ACQUISITIONS: **TRUST FUND** DOLLARS:

PROJECT NAME	ACRES	FUND	FEDERAL	TRUST FUND	OTHER	TOTAL	PURPOSE
EWP (Emergency Wetland Protection) Project – Louisa County	94	NAWCA	$93,942			$93,942	Wetland restoration
Jemmerson Slough Wildlife Management Area	40	NAWCA	$61,784			$61,784	Restore to native prairie plantings and wetlands; watershed protection and habitat
Artesian Lake Wildlife Management Area	55	WHF		$55,000		$55,500	Open grassland, timber, and wetland ponds on bottomland, public access
Lansing Wildlife Management Area	30	SWG, WHF	$32,250	$32.250		$64,500	Wooded area; interior bird habitat, public recreation
Cayler Prairie Wildlife Management Area	302	NAWCA	$349,000			$349,000	Significant remnant prairie; restored wetlands, watershed protection and water quality, enhance proposed BCA

FY11 LAND ACQUISITIONS: **NON-TRUST FUND** DOLLARS BY A TRUST FUND BUREAU:

PROJECT NAME	ACRES	FUND	FEDERAL	TRUST FUND	OTHER	TOTAL	PURPOSE
EWP (Emergency Wetland Protection) Project – Washington County	290	IJOBS			$287,199	$287,199	Wetland restoration
EWP (Emergency Wetland Protection) Project – Lucas County	194	IJOBS			$194,000	$194,000	Wetland restoration
EWP (Emergency Wetland Protection) Project – Iowa County	228	IJOBS			$222,858	$222,858	Wetland restoration
Boone Forks Wildlife Management Area	10	REAP LP, REAP PW			27,250	27,250	Forested area and grassland for habitat, and enhance public recreation

2) Identified possible purchases that may occur between this report and December 31, 2011:

The following is a line item accounting of **FY11 possible land purchases** to be managed by a Trust Fund bureau that uses **Trust Fund and/or non-Trust Fund dollars,** and the purpose of the land. These are funds that are designated by law for land purchases. This list only reflects an array of possible purchases; acquisition of the complete list could never occur in one year due to the length of time land purchases takes and the uncertain nature of negotiations. The DNR 1) only negotiates with willing landowners, 2) does not condemn land, and 3) has a policy of paying appraised value for easements and acquisitions.

Funding Source Key:
REAP = State Resource Enhancement And Protection (Open Spaces, License Plate)
WHF = State Wildlife Habitat Fee
NAWCA = Federal North American Wetlands Conservation Act
PR = Federal Pittman-Robertson
SWG = Federal State Wildlife Grant
IJOBS = State Funding

POSSIBLE LAND PURCHASES (11/15/10-12/31/11): **TRUST FUND and NON-TRUST FUND** DOLLARS:

MANAGING BUREAU	COUNTY	ACRES	FUND 1	FUND 2	PURPOSE
Wildlife	Cherokee	80	Federal - Endangered Species	REAP	A state and federal listed threatened species, Western Prairie Fringed Orchid, has been located and will be converted to native prairie and managed to preserve WPF Orchid habitat
Wildlife	Buena Vista	158	Federal-NAWCA		Restorable wetland basins within the watershed of Pickerel Lake that will contribute to water quality improvement

Wildlife	Dickinson	193	Federal-NAWCA		Several threatened and endangered species have been identified and land management will focus on restoring wetlands and native grasses
Wildlife	Fremont	502	Federal-NAWCA	WHF	Wetland that will provide waterfowl habitat
Wildlife	Hancock	129	Federal-NAWCA		Wetland Reserve Program restorable wetland basin will provide scaup migration habitat
Wildlife	Mills	126	Federal-NAWCA	WHF	Missouri River floodplain that will be managed as wetland for waterfowl and migratory birds
Wildlife	Tama	166	Federal-NAWCA		Will provide public access to over 370 acres
Wildlife	Winnebago	114	Federal-NAWCA		Will be managed for waterfowl and upland birds
Wildlife	Winnebago	58	Federal-NAWCA		Will be managed for waterfowl and upland birds
Wildlife	Woodbury	60	Federal-NAWCA	WHF	Wetland Reserve Protection project that will also provide access
Wildlife	Woodbury	67	Federal-NAWCA	WHF	Waterfowl and upland bird habitat
Wildlife	Worth	37	Federal-NAWCA		Habitat for wetland waterfowl
Wildlife	Allamakee	35	Federal-PR	REAP	Management of forest habitat and area to prairie
Wildlife	Monona	266	Federal-PR	REAP	Habitat for several species including upland birds, waterfowl, and forest game
Wildlife	Plymouth	25	Federal-PR	REAP	Improve management capabilities on the area
Wildlife	Ringgold	90	Federal-SWG	WHF	Grassland habitat for prairie chickens and access
Wildlife	Ringgold	192	Federal-SWG	REAP	Tract within the Kellerton BCA priority area; management of existing native prairie with high conservation value and manage land for native grasses
Wildlife	Butler	15	WHF		Habitat management in connection with Shell Rock Bend Wildlife Management Area
Wildlife	Dickinson	16	WHF		Protect existing wetland and manage land to native grasses
Wildlife	Van Buren	116	WHF	REAP	Management of land to native & cool season grasses and public access
Wildlife	Clinton	20	Donation		River bottom timber that will provide habitat for neo-tropical migrants
Wildlife	Louisa	7	IJOBS		Emergency Wetland Protection project to be managed as part of the Turtle Bend Wetland Complex
Wildlife	Louisa	13	IJOBS		Emergency Wetland Protection project to be managed as part of the Turtle Bend Wetland Complex

Agricultural Land Leases

Maintaining a portion of public land in agricultural production is a cost effective and efficient way of achieving wildlife habitat goals and objectives. Most of Iowa's native wildlife species have adapted to agriculture and are now dependent upon agricultural crops for food and cover at some point during their life cycle (i.e. deer, pheasant, quail, meadowlark, songbirds, and several furbearers).

The Wildlife Bureau manages approximately 40,000 acres of leased agricultural land. About 10% is left unharvested for wildlife management purposes (i.e. food plots). The other acres are managed for habitat. Wildlife habitat management goals for these agricultural lands differ by area, but generally include: 1) the provision of food, winter cover, and nesting cover, 2) the control of natural succession and annual weeds, 3) lure crops to help reduce wildlife depredation on adjacent private lands, 4) soil preparation for permanent seedings, 5) attracting wildlife to public hunting areas for improved hunting opportunities, 6) demonstrating successful wildlife management on farmed lands to private producers, and 7) providing limited farming opportunities for area producers.

1. Provision of Food, Winter Cover, & Nesting Cover

Most of Iowa's native wildlife species have adapted to agriculture and are now dependent upon agricultural crops at some point during their life cycle. Species such as deer, pheasant, quail, dickcissel, meadowlark, goldfinch, and several furbearers extensively utilize agricultural crops, small grains, and introduced grasses and legumes as food and cover.

From a historical perspective, the landscape of Iowa has changed dramatically over the past 30 to 40 years. Smaller farms that utilized crop rotations of corn, small grains, and alfalfa have been replaced by larger farms, which now utilize corn and soybean rotation. Certain areas such as wetlands, fencerows, and groves have been removed and converted to agricultural production. These areas, that once served as winter cover and nesting cover, are no longer available to wildlife. Likewise, crop fields are now fall plowed and tilled providing very little waste grain needed by wildlife during winter months. This loss of landscape diversity has been detrimental to many wildlife species in the state.

DNR management of croplands is designed to provide small grains and grasses and a consistent food source that will be available to wildlife during critical times. DNR croplands are managed on long term rotations which incorporate small grains, grasses, and row crops. Each public wildlife area is evaluated and planned to provide food and cover in relation to available habitat on surrounding private lands.

Depending on the wildlife needs identified, crop lands may have greater amounts of introduced grasses if nesting cover has been identified as a limiting factor. Conversely, croplands on public wildlife areas may have larger amounts of corn and sorghum if food has been identified as a limiting factor. Farming practices on these lands are designed to favor wildlife and include delayed mowing of hay and grasses until late in the nesting, provisions that all or a portion of all grain crops be left standing during winter months, and the elimination of fall tillage to ensure that waste grain exists on harvested cropland. Research has shown that this type of management favors Iowa's native wildlife and is important to their survival.

2. Control of Natural Succession and Annual Weeds

Several public wildlife areas managed by the DNR include marginal lands located in floodplain settings that are subject to flooding. Areas such as these, which are frequented by annual disturbance, will become vegetated by natural succession in the form of annual weeds and early successional species such as willow and cottonwood. Depending on wildlife habitat needs and frequency of disturbance, these areas may be allowed to succeed naturally, planted to permanent woody or herbaceous species, or maintained in agricultural production using crops with short maturation periods. Cropping of floodplain lands is particularly common on areas which experience frequent spring time flooding, making it difficult to establish permanent seedings. Natural succession has limited applicability, other than in remote areas, because of annual weeds that generally dominate the area. An effective alternative is the use of short duration corn or small grains which helps to control annual weeds and succession, and more importantly provides a wildlife food source.

3. Provide Lure Crops to Reduce Crop Depredation

Certain wildlife populations are increasing in numbers as a result of favorable habitat and environmental conditions. Most notably, deer and Canada geese populations have grown rapidly over the past several years. The results are "hotspots" around the state in which producers experience crop depredation from large concentrations of these species. Where possible, DNR biologists will plant row crops, legumes, and small grains with the goal of attracting these wildlife populations to DNR lands and therefore reducing crop losses on adjacent private lands.

4. Prepare Soil for Permanent Seedings

Native grasses and other permanent seedings are an important component of public wildlife areas. As new lands are acquired, portions of former cropland are converted to native grasses. DNR biologists have found that areas planted to soybeans provide an excellent seed bed for establishing native grasses the following spring. The use of soybeans in the rotation creates a mellow planting medium which is more cost effective than conventional seeding methods that require tillage and the use of herbicides.

5. Attract Wildlife to Public Areas

Most of Iowa's hunted game species have adapted to agriculture and utilize row crops such as corn, soybeans, and legumes as food sources. The establishment of these crops attracts wildlife to public areas and improves hunting success. Surveys have shown that both resident and non-resident hunters expect to find agricultural crops on public wildlife areas expressly for the reasons cited above. Wildlife harvest is a primary goal of the DNR. Recent estimates from the 2006 National survey of Fishing, Hunting and Wildlife Associated Recreation indicates that hunting generates over $228 million to the Iowa economy annually. Wildlife viewing contributes an additional $284 million annually.

6. Demonstrate Successful Wildlife Management to Private Producers

DNR lands are managed through long term rotations with the goals of providing habitat while at the same time conserving soil and water. Contour farming, the use of grass strips instead of terraces, and farming practices that favor wildlife serve as demonstration areas for area producers that are interested in producing wildlife on their own lands. DNR biologists hold tours in cooperation with NRCS personnel to help promote these techniques and to encourage this type of land stewardship.

7. Provide Limited Farming Opportunities

The large majority of agricultural lands on DNR areas are farmed through crop leases with neighboring producers. In following the Department of Administrative Services rules, leases are administered through competitive bids allowing equal and fair opportunity for anyone wishing to farm these lands. Leasing of

these lands is necessary and effective in that they allow wise use of staff time and reduce equipment costs. At the same time it provides opportunities for area producers to realize additional income. Cooperators are required to farm according to a DNR management plan which emphasizes wildlife habitat enhancement, but also allows them to harvest a portion of the crop. Income from this effort provides additional revenue for cooperators and helps to offset management costs incurred by the DNR.

Some leases are in areas that have a high risk of flooding and are fields that are ineligible for crop insurance. In those areas, the DNR relies on tenants to carry out management practices, such as the planting of food plots. In order to secure tenants for these areas, tenants are given the lease option, with DNR approval, of relinquishing crops on a field by field basis. This means, if flooding occurs, the crops become the property of the DNR (and the rent payment is no longer due). If flooding does not occur, the tenant retains the crop and pays the department. In areas where this is allowed (i.e. U.S. Army Corps flood control reservoir areas), the leases contain an addendum that includes a relinquishment clause. **Department policy does not allow this exception for lease agreements in non-flood prone areas.** This program benefits the producer, the department, and wildlife resources.

The crop income from the federally owned property the department manages must be reinvested on that land in accordance with the management agreements between the federal agency (i.e.: U.S. Army Corps of Engineers) and the DNR.

Through calendar year 2009, the Wildlife Bureau managed 456 agricultural leases covering approximately 40,000 acres of land. About 40% of these acres were planted to row crops (corn, soybeans) with 10% of the acres left unharvested to serve as food plots. Agricultural lease income is calculated on a calendar year to correspond with farming practices.

Agricultural Land Lease Income - Crop Year 2009	
Land Type	Income to Trust Fund (Wildlife Ag Leased Areas)
State Public Owned (DNR managed)	$1,144,179.51
Federally Owned (DNR managed)	$910,431.01

TRUST FUND – FISCAL RESPONSBILITY

Appropriate Use of Trust Funds – Rules and Legislation

Federal and state laws, and accompanying administrative rules, determine how Trust Fund dollars may be used. The Federal Wildlife Act, Fish Restoration Projects Act, and state laws require that funds accruing to the state of Iowa from license fees paid by hunters and anglers shall be expended solely in carrying out fish and wildlife activities, including an equitable portion to be allotted for administration. The Fish and Game Protection Fund (Trust Fund) amendment to the Iowa Constitution expands on the language and states all revenue from license fees and related sources shall be used exclusively for the regulation or advancement of hunting, fishing, or trapping, or the propagation, restoration, management, or harvest of fish or wildlife.

The appropriate use of the Trust Fund dollars is closely monitored at the agency level within the DNR, at the state level by the Office of the Auditor of State, and at the federal level by the US Fish and Wildlife Service (USFWS). In addition, stakeholders (interested hunters, anglers, and legislators) are engaged and provide input in how these funds should be used.

The department's federal aid coordinator for the Trust Fund works closely with an executive officer from the Fisheries Bureau and an executive officer from the Wildlife Bureau to ensure all federal requirements for expenditure of the funds are met. All three staff members are trained and knowledgeable about the appropriate use of these federal funds and have a close working relationship with the regional USFWS staff who administers the funding programs. An example of this accountability occurred when the department's Help Us Stop Hunger (HUSH) program was instituted. A lengthy consultation was held to make sure all elements of the program and expenditure of the HUSH funds met the federal and state requirements regulating the appropriate use of Trust Fund dollars.

In addition to this focus at the staff level, the DNR Budget and Finance Chief closely reviews and certifies all federal financial status reports as well as the annual budget, which is submitted to the Department of Management by law.

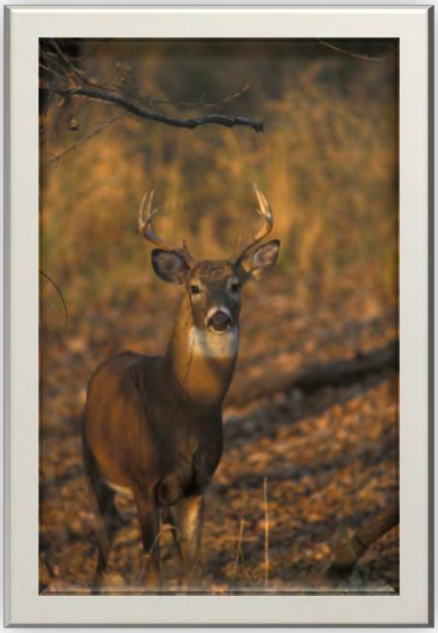
An annual financial audit is conducted by the Office of Auditor of State on all funds within the DNR. Additionally, the U.S. Department of Interior, Office of Inspector General (OIG), performs an audit every 3-5 years on the Sport Fish and Wildlife Restoration Programs which are administered by the USFWS. The objectives of the audit are to determine whether (1), costs claimed under the grant programs were reasonable and allowable under the laws, regulations, policies, and guidelines of the Federal Restoration program and provisions of the grant agreements; and (2), the grant programs were operated in accordance with applicable requirements, including those related to the collection and use of state hunting and fishing license revenues and the reporting of program income. If these audits uncover diversion of funds, which is the inappropriate use of Trust Fund dollars, the federal monies in question must be returned to the USFWS.

The department's diligence in this process has resulted in an exemplary reputation with the federal agencies. In addition to the regulation of hunting and angling license generated fees as described above, there are several other sources of revenue in the Trust Fund that are guided by other regulations. The ATV and snowmobile registration fees must be used for ATV and snowmobile related activities and the boat registration fees must be used for 1) navigation and recreational boating safety related activities, and 2) for the regulation and control of aquatic invasive species.

FISCAL YEAR 2010 (FY10) REVENUE

Trust Fund Revenue Sources

The Trust Fund is complex in the varied sources of revenue and the specialized use of the funds that come into the Trust Fund. Revenue sources include:



- **General Hunting and Fishing License Fees:** This category includes all hunting and fishing licenses, deer and turkey permits, commercial fishing licenses, and several miscellaneous licenses such as private fish hatchery licenses and bait dealer licenses.

- **Wildlife Habitat Fee:** In addition to a license, hunters and trappers also pay a Wildlife Habitat Fee (WHF). Proceeds from the stamps are designated for the permanent protection and development of wildlife habitat. Fifty percent of the Wildlife Habitat Fee revenue is available to county conservation boards through 75%/25% cost-share grants for habitat protection and development at the county level. Iowa Code 483A.3B establishes a special use of part of the WHF; $2 shall be allocated to game bird wetlands and $1 shall be allocated for game bird buffer strip improvements. The funds for these two purposes are allowed to accumulate to maximize the leveraging of federal and other dollars for appropriate projects.

- **Fish Habitat Development Fund:** Three dollars of every Season and 7-Day fishing license is dedicated to fish habitat improvement. Fifty percent of this revenue is made available to county conservation boards through 90%/10% cost share grants.

- **State Migratory Game Bird Fee** (aka Duck Stamp): The revenue from this fee is used for protecting and propagating migratory waterfowl and for the acquisition, development, restoration, maintenance, and preservation of wetlands. Fifteen percent is made available to Ducks Unlimited for Canada projects because that habitat is critical to successful Iowa migratory waterfowl hunting.

- **Trout Stamp:** The revenue from this stamp is used exclusively to stock Iowa's trout streams.

- **Nongame Check Off:** An income tax check off for nongame programs has been established, with a policy of using all funds for the purposes of preserving, protecting, perpetuating and enhancing nongame wildlife in Iowa.

- **Pittman-Robertson Wildlife Restoration Federal Aid (PR):** This revenue is derived from an 11% federal excise tax on hunting arms and ammunition. It is apportioned by the US Fish and Wildlife Service (USFWS) to states using a formula based on land area and number of **paid** hunting licenses issued. PR aid must be matched on a 75% federal/25% state basis. Projects may include wildlife area operations, wildlife research, permanent land protection, and wildlife habitat development. All projects must be approved by the USFWS.

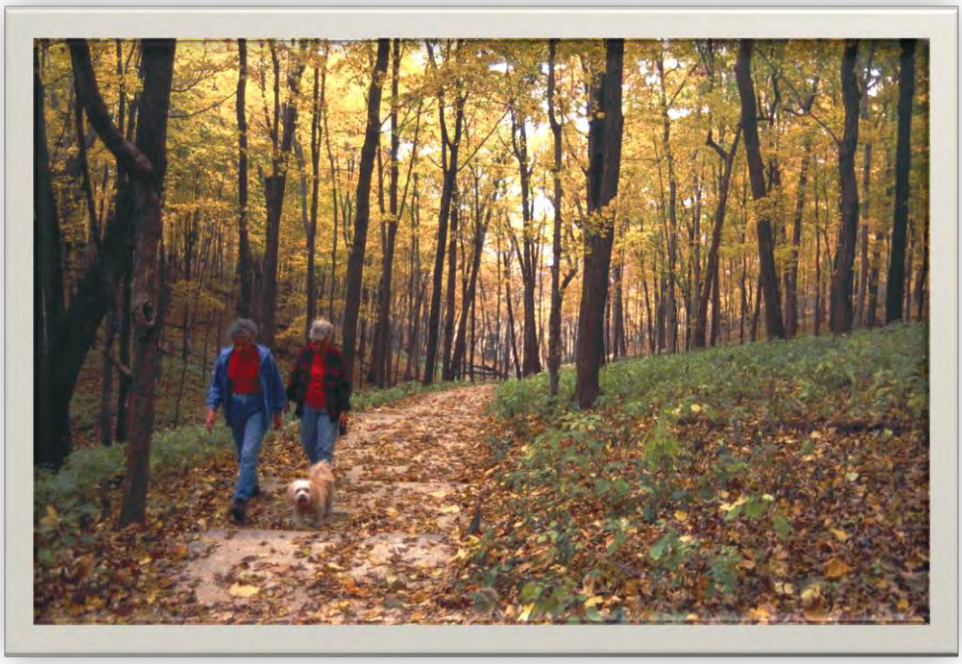
- **Dingell-Johnson Fisheries Federal Aid (DJ):** This revenue is collected through a 10% federal excise tax on fishing equipment and is distributed to states on a formula based on land size and number of **paid** fishing licenses issued. In 1984, the Wallop-Breaux Amendment expanded the Dingell-Johnson program. The original excise tax was expanded to cover imported fishing gear, boats, and motors. The Dingell-Johnson program funds fisheries related research, management of fish culture, habitat acquisition, and development. It can also be used for hatchery construction, aquatic education, boating access, fisheries management, operations, and capitals. A minimum of 15% must be spent on boat access.

- **Agricultural Lease Income:** This revenue results from crop plantings related to wildlife management.

- **Boat Registration Fees:** Registration fees are collected from Iowa boaters according to a formula in Iowa Code. These user fees are deposited into the Trust Fund and are guided by Iowa Code as to how this money can be used. An annual Boat Registration Fees Report is created by the DNR which provides comprehensive information about these fees and their use.

- **Hunter Safety Federal Aid:** The Trust Fund receives federal aid specifically for hunter safety from a federal excise tax on small arms and ammunition at a set rate determined by formula.

- **Miscellaneous Sources of Revenue:** These include sources such as liquidated damages resulting from legal judgments for poaching and other illegal activities; controlled hunting fees from areas where waterfowl hunter numbers are too high for safety and the area has designated hunting spots; Ducks Unlimited Marsh Program match; interest on the Trust Fund; ATV / Snowmobile transfer funds; timber sales on wildlife areas; concession income from shooting ranges; fish restitution from fish kills; sale of used equipment; sale of publications; and commercial fishing contracts.



Revenue Sources - FY10 Line Item Accounting

The following line item accounting details revenue collected for the Trust Fund in FY10. A significant amount of line 1, Balance Forward, represents unspent federal funds, including FEMA.

FISH AND GAME TRUST FUND – REVENUE FY10	
Balance Forward from FY09	$8,297,099
Federal Funds	$17,515,889
Boat Registration Funds (year 1 of three-year cycle)	$6,144,334
Snowmobile Fund Transfer (used to support specific law enforcement and safety programs)	$100,000
ATV Fund Transfer (used to support specific law enforcement and safety programs)	$100,000
Other Transferred Funds (i.e. FEMA, grants, other agency payments for projects)	$1,190,385
Interest Income	$80,095
Deer License Tag Fees	$10,810,111
Turkey License Tag Fees	$1,335,968
Duck Stamp Fees	$242,272
Hunting and Fishing License Fees	$12,400,232
Other License Fees (i.e. fees for commercial fishers, bait dealers, etc.)	$67,436
Controlled Hunting (fees for areas with limited hunting spots for safety reasons)	$21,405
Sale of Various Habitat Stamps in Wallace Building	$6,288
Trout Stamp Fees	$439,493
Fish Habitat Fees	$1,154,042
Nongame Certificates	$515
Wildlife Habitat Stamp Fees	$2,283,875
Non-federal Cost Share Funds for Projects	$250,537
Sale of Used Equipment	$807
Boat Dock Registration Fees	$169,600
Sale of Lumber and Hay	$178,085
Leased Land Income	$1,142,143
Prairie Seed Sales	$281
Sale Of Publications	$974
Cash Contributions for Projects	$265,901
Prairie Habitat Checkoff	$75,962
Chickadee Checkoff	$115,379
Miscellaneous (i.e. concession income from shooting ranges; fish restitution from fish kills)	$155,698
Liquidated Damages from Illegal Activities	$335,914
Total Trust Fund Revenue	**$64,880,720**

Budget Planning

Like any budget, both short term and long term planning must occur for the Trust Fund to remain solvent. It takes approximately $3,000,000 per month to meet the Trust Fund's expenses.

Licenses and related fees are only received at certain times of the year, and sales are weather dependent. Federal funds are received quarterly and, in some instances, must be processed as reimbursements for projects that the Trust Fund "carried" for a period of time.

Boat registration fees are received in a three year cycle. The first year of the cycle is the largest amount (FY10 $6.3 million). The second year will be significantly less (FY11 estimated amount is $1 million), and the third year is estimated to be about half of year two (FY12 estimate is $600,000). The department must average the three years of revenue to meet annual expenses and provide the services as outlined in Iowa Code.

Unlike other bureaus funded with state General Funds, the Trust Fund must absorb expenses for automatic salary increases negotiated by the unions, costs of retirement benefits, and insurance payout programs for Trust Fund staff.

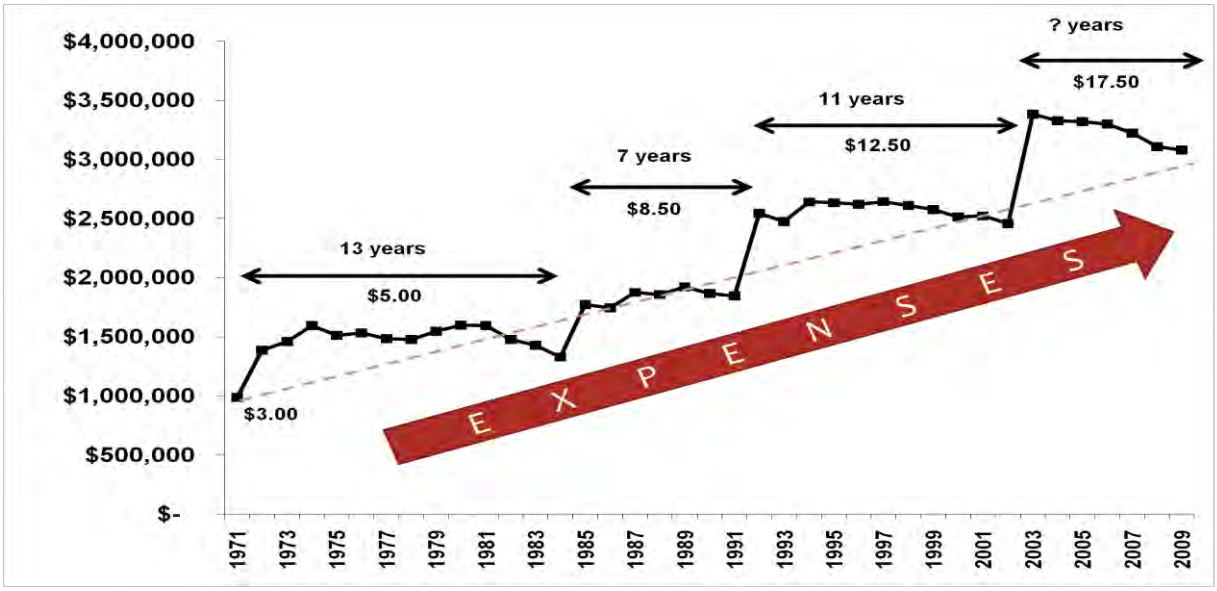
The Trust Fund must be able "cash flow" operations and projects at $3,000,000 per month throughout the entire year, despite the fluctuating revenue into the Trust Fund during that year. A **balance forward** establishes a method to pay ongoing expenses when, throughout the year, each month does not provide a stable income. **Ideally, sound business principles suggest the Trust Fund should have a balance forward amount equaling one month of operation costs, or $3,000,000.**

Another critical factor affecting the need for a balance forward is that, over time, the Trust Fund is subject to the "Law of Diminishing Returns"; certain revenue sources remain the same while the cost of doing business increases with inflation. License fees are set by the Iowa Legislature and, historically, have been increased in spans ranging from 7 to 11 years. When fees have been increased, they do not account for inflation over the previous years or for subsequent years, and the cost of doing business surpasses the revenue source.

The Trust Fund may appear to have a large balance forward in a particular year due to the large influx of year one of the Boat Registration Fees, fewer retirements (which are unpredictable), or an extraordinary year in license sales. However, the future modeling of the fund anticipates the Trust Fund as having a negative balance by the end of FY14 due to the factors mentioned above, even if status quo expenditures are continued.

The chart below illustrates the Law of Diminishing Returns. The interaction of the increasing expense of doing business over time due to inflation is represented by the broken line and revenue is presented by the solid line. Horizontal arrowed lines indicate the milestones where Iowa resident license fees were intermittently raised. With an unpredictable revenue source and inflation, budgets become a challenge to predict and manage. A substantial balance forward is needed to maintain stability and meet the needs of basic operations.

Law of Diminishing Returns – *Effect of Inflation on Hunting License Revenue*



OPERATIONS AND CAPITALS

Trust Fund expenses are broken down into two main categories: operations and capitals.

Operations include all the expenses expected for day-to-day activities such as: salaries and benefits, annual salary cost of living increases, supplies, vehicles, overhead costs (such as department support services, office space, phones, and internet access), equipment (ranging from computers to tractors and heavy-duty mowers), and travel expenses. The FY10 operations expenditure was $35,832,014.

Each year, the legislature authorizes a spending limit (aka "cap") for operation expenditures that cannot be exceeded by the Trust Fund. However, there is a process to receive approval for additional expenditures beyond the authorized cap if additional money comes to the department after the close of the legislative session. An example that occurs frequently is when federal funding for specific new programs is allocated to the Trust Fund after the end of session. Federal funds are often offered with a "use it now or lose it now" caveat, so the department goes through the process to ask that the cap is raised so the state can receive the benefit of new federal dollars.

A part of the operations budget includes the employees supported by the Trust Fund. Detailed staff breakdowns are provided in FTE and Position Descriptions of each Trust Fund operational unit in this report.

Fy10 STAFFING FOR TRUST FUND OPERATIONAL UNITS	
FTE (Full Time Equivalent positions)	330.5
Seasonal (Part Time positions)	61.68

Detailed budget breakdowns are provided in the Line Item Accounting of Revenue and Expenditures of each Trust Fund operational unit in this report.

FY10 TRUST FUND OPERATIONS EXPENDITURES	
Conservation and Recreation Division (management)	$876,108
Fisheries Bureau	$10,179,502
Wildlife Bureau	$13,493,350
Law Enforcement Bureau	$11,283,054
TOTAL EXPENDITURES	**$35,832,014**

Capitals include infrastructure projects such as dikes, levies, roads, buildings; land easements and acquisitions; FEMA repair projects; public use facilities (i.e. shooting ranges); and minor repairs or small projects. The FY10 capitals expenditure was $11,685,823.

The capitals budget also includes unpredictable, one-time expenses for tracking purposes. For instance, Law Enforcement retirements are allowed by Iowa Code to be included in the capitals budget. Conservation Officers are included in the State Police Officer Council (SPOC) union, and each individual retirement payout can be quite large, depending on the years of service. Retirement dates, by law, cannot be required of employees, making it an unpredictable expense. If a large number of unexpected retirements occur and therefore, are partially or wholly unbudgeted, the flexibility of using the capitals budget allows the department to cut back on projects instead of resorting to drastic measures within the operations budgets. The Fisheries and Wildlife Bureaus absorb retirement costs in their bureau operations budgets and must fit those expenses under the legislatively authorized Trust Fund operations budget cap.

There are other types of line items found in the capital budget that provide an accounting for expenditures, such as one time federal research grants for specific projects, and variable costs associated with the Trust Fund, such as pass-through electronic licensing costs.

The Trust Fund bureaus work together very closely to ensure that **the important work of all three bureaus is balanced when building the operations and capitals budgets**. The Conservation and Recreation Division management team, including the bureau chiefs of Wildlife, Fisheries, and Law Enforcement, and the department's Bureau of Budget and Finance, represent years of experience and training in making sure this important, and volatile, fund is appropriately balanced so it remains healthy and sustainable.

Capital Expenditures – FY10 Line Item Accounting

The following is a line item accounting of capital expenditures for the Trust Fund in FY10.

FY10 TRUST FUND CAPITAL EXPENDITURES

FUNDING SOURCE – WILDLIFE HABITAT FEE: IA Code 483A.3 requires hunters and trappers to purchase a Wildlife Habitat Fee. Proceeds from the fees are designated for the permanent protection and development of habitat. Fifty percent of the Wildlife Habitat Stamp revenue is available to counties or public agencies on a cost-share basis, up to 75%/25%, for habitat protection and development at the county level. This funding is used as cost share to acquire federal funding (NAWCA, PR, SWG).

EXPENDITURE DESCRIPTION	PURPOSE	FEDERAL	TRUST FUND	OTHER	TOTAL EXPENSE
Federal: North American Wetlands Conservation Act (NAWCA) Grant	Federal cost share for migratory bird habitat for wetlands and associated uplands	1,707,389	$397,427		$2,104,816
Federal: Pittman-Robertson Wildlife Restoration Federal Aid	Federal cost share for wildlife area to manage for species of greatest concern	$561,472	$187,157		$748,629
Federal: State Wildlife Grant (SWG)	Federal cost share for land protection re woodland species of greatest concern	$600	$600		$1,200
County Cost Share Program	State pass through funds to counties for wildlife management and habitat, and public access		$1,072,002		$1,072,002
Wildlife Habitat Projects	Land for the management of wildlife, habitat, and public access, and related incidentals (closing costs, appraisal fees, property taxes)		$598,569		$598,569
Property Taxes	Property taxes for land purchased with Wildlife Habitat Fee funds is subject to property tax (Iowa Code 483A.3)		$247,325		$247,325

FUNDING SOURCE - STATE MIGRATORY GAME BIRD FEE (aka Duck Stamp): IA Code 484A identifies revenue from the Migratory Game Bird Fee to be used for the purpose of protecting and propagating migratory game birds and for the acquisition, development, restoration, maintenance or preservation of wetlands

EXPENDITURE DESCRIPTION	PURPOSE	FEDERAL	TRUST FUND	OTHER	TOTAL EXPENSE
Ducks Unlimited - Partnership Projects	Waterfowl wetland enhancement projects (i.e. PPJV, EPA319, NAWCA projects)		$169,510		$169,510
Waterfowl Wetland Enhancement	Wetland enhancement / water control structures replacement		$79,753		$79,753

FUNDING SOURCE – FISH HABITAT DEVELOPMENT FUND: IA Code 483A.3A requires three dollars from each resident and nonresident annual and seven-day fishing license sold shall be used for fish habitat development. Not less than fifty percent of this amount is made available to county conservation boards on a 90%-10% cost share basis.

EXPENDITURE DESCRIPTION	PURPOSE	FEDERAL	TRUST FUND	OTHER	TOTAL EXPENSE

Federal Grant: project pass through funds	Federal pass through to Palo Alto county for Lost Island Lake fishing reef and habitat	$70,557		$40,000	$110,557
County Cost Share Program	State pass through funds to counties for fish habitat improvement		$485,753		$485,753
Fish Habitat Development Land Incidentals	Land related incidental costs (closing costs, property taxes)		$713		$713

FUNDING SOURCE – <u>FISH AND GAME TRUST FUND (LICENSE FEES)</u>: IA Constitution, Article 7, Section 9 directs all revenue from state license fees for hunting, fishing, and trapping, and all state funds appropriated for, and federal or private funds received by the state for, the regulation or advancement of hunting , fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, shall be used exclusively for the performance and administration of activities related to those purposes (IA Codes 456A.17, 456A.19, 456A.27). This funding is used as cost share to acquire federal funding (i.e. USFWS, SWG, CVA, WCRP, 319EPA, FEMA).

EXPENDITURE DESCRIPTION	PURPOSE	FEDERAL	TRUST FUND	OTHER	TOTAL EXPENSE
Federal Grant: pass through funds	Federal pass through to City of Guttenberg for a Boating Infrastructure Grant	$177,873			$177,873
Federal Clean Vessel Act (CVA) Grant: pass through funds	Federal pass through to Coralville Scale Point Marina for pump out facility for holding tanks and boats	$8,647			$8,647
Federal: State Wildlife Grant (SWG)	Federal pass through to landowners to create early successional habitat in the Driftless Region; tree planting, timber stand improvement, edge feathering	$20,457			$20,457
Federal: State Wildlife Grants (SWG)	Federal pass through to ISU for research: on patch burn grazing and affect on species of greatest concern; vegetation diversity and affects on bird community; high priority of species of greatest concern in wadeable streams; high priority of species of greatest concern in non-wadeable streams; and to develop survey protocol for secretive marsh birds (i.e. rails, soras, moorhens)	$261,929			$261,929
Reimburseable WCRP Projects Statewide	Federal pass through for wetland restoration	$537,224			$537,224
Federal: 319 EPA Wetlands Restoration	Federal pass through for water quality improvement practices through wetland restoration and reforestation of riparian areas in the Prairie Pothole region and Eastern Iowa	$129,937		$1,000	$130,937
USFWS Federal Grant: pass through for the Landowner Incentive Program (LIP)	Federal pass through to landowners to cost share in creating habitat for species of greatest concern	$418,805	$2,770		$421,575

State pass through to IA Dept of Agriculture for Fish Kill Improvements	Iowa fish restitution funds passed through to the IDALS for mitigation work on or near damaged area		$36,434		$36,434
Habitat Checkoff pass through	State pass through to landowners for habitat creation using seeds or plugs			$110,192	$110,192
George Kunch Estate Development	Donated funds to develop ponds and public access on donated land			$68,121	$68,121
IA Executive Council - insurance payment toward theft	State insurance pass through for reimbursement of equipment stolen at the Wildlife Prairie Resource Center			$18,535	$18,535
IA Executive Council - insurance payment toward damaged building	State insurance pass through for reimbursement of Wildlife unit's headquarters building roof collapse due to snow			$7,799	$7,799
Federal Emergency Management Agency (FEMA)	Federal assistance for 2008 flood damage, 2010 ice damage, and extended FEMA projects		$145,045	$754,722	$899,767
Payment to Turn In Poachers (TIP)	State pass through to TIP board of directors for donations collected		$161,431		$161,431
Harvest Reporting System	State pass through funds providing electronic harvest reporting		$112,929		$112,929
Help Us Stop Hunger (HUSH)	State pass through costs to venison processing lockers, Food Bank of Iowa, and service for printed materials (i.e. invoices, hunter confirmation cards)		$498,266		$498,266
Electronic Licensing Development	State pass through funds providing the public electronic access to Trust Fund licensing		$1,038,324		$1,038,324
Jetties/Piers Projects	Construction and repair of fishing jetties at Clear Lake, Pleasant Creek, and Center Lake	$149,601	$49,867		$199,468
Onawa Storage Building	Storage of fishery related equipment (boats, nets, gear) for work on the Missouri River		$89,551		$89,551
Wildlife and Fisheries Land Related Incidentals	Land related incidental costs (closing costs, appraisal and survey fees, property taxes)		$10,020		$10,020
Maintenance & Emergency Repairs	Minor repairs and regular maintenance for infrastructure		$58,158		$58,158
Black Hawk WMA Building Demolition	Demolition of vacated building on a wildlife management area (WMA) for safety reasons		$6,549		$6,549
Timber Stand Improvements	Timber stand Improvement work on wildlife areas to improve wildlife species		$75,991		$75,991
Wetland Development, partnership with DU	Wetland development (Burr Oak Lake)		$100,000		$100,000
Big Wall Lake	New outlet structure	$1,978	$659		$2,637
Olofson Shooting Range	Update facilities at Olofson shooting range		$798		$798

Law Enforcement Officers Retirements	Annual appropriation legislation permits funding in the capitals plan for Law Enforcement officer retirements		$777,881		$777,881
TRUST FUND EXPENDITURE TOTALS		**$3,483,722**	**$4,894,434**	**$1,000,369**	**$9,378,525**

FUNDING SOURCE – BOAT REGISTRATION FEE: IA Code 462A.52 requires fees collected from Iowa boaters be deposited into the Fish and Game Protection Fund (Trust Fund) and used for the administration and enforcement of navigation laws and water safety. This funding is used as cost share to acquire federal funding (Coast Guard).

EXPENDITURE DESCRIPTION	PURPOSE	FEDERAL	TRUST FUND	OTHER	TOTAL EXPENSE
Federal Cost Share	Federal cost share (50%-50%) for boating related equipment and services (signs, posts, registration data entry)	$59,355	$59,355		$118,710
Federal Cost Share	Federal cost share (50%-50%) for navigational aids and buoys for water safety	$10,739	$10,739		$21,479
Federal Cost Share	Federal cost share (50%-50%): partial cost for Boone Research Station service building in progress for storage of boats and equipment	$423	$423		$845
Green Valley - Boat Ramp	Boat ramp for access		$16,034		$16,034
Ventura Marsh - Boat Ramp	Boat ramp for access		$30,657		$30,657
Statewide Projects	Access management supplies (aggregates, sand, gravel) and service for improvements		$47,778		$47,778
BOAT REGISTRATION EXPENDITURE TOTALS		**$70,517**	**$164,986**	**$0**	**$235,503**

TOTAL FY10 TRUST FUND CAPITALS	**$4,118,291**	**$6,567,163**	**$1,000,369**	**$11,685,823**

Budget Projection Model

Before the Trust Fund bureaus begin building their operations and capitals budgets for the year, a comprehensive analysis of the previous year must be made by the division management team and bureau chiefs, and a five-year model based on reliable projections is developed.

Potential federal funding is researched specifically for the coming year and projections are developed for the four years after that. License sale projections are made based on population studies and license sale trends. Leasing trends are discussed, and easement costs and current land values are considered.

Seemingly small changes to the model in the first year of the five-year model can make a tremendous impact after five years. This means the team members must be vigilant in their awareness of potential changes and predictions for the budget. For instance, weather-related events (flooding, harsh icy winters) may cause a drop in license sales of $250,000 starting in the first year of the budget, which would result in a $1,250,000 total loss to the Trust Fund at the end of the 5-year modeling period.

After the five-year model is developed, decisions are made as a Trust Fund management team about the total operations and capitals budget figure for that year. The management team works together to determine the next year's budget target for each bureau based on maintaining critical programs, as well as department and bureau strategic plan goals.

Budget - Five Year Projection Model

Below is the five-year model developed after the close of FY10. This model is checked bi-monthly against actual expenditures. In late December of each year, a comprehensive mid-year analysis of the budget is made to determine if budget adjustments are necessary. That allows the bureaus six months to make any necessary changes prior to the close of the fiscal year.

Due to the volatility and fluctuation of the Trust Fund budget, following the chart is a **detailed explanation of the modeling.**

FISH AND GAME PROTECTION FUND	FY10	FY11	FY12	FY13	FY14	FY15
TRUST FUND REVENUE PROJECTION	ACTUAL	PROJTN	PROJTN	PROJTN	PROJTN	PROJTN
BALANCE FORWARD	$8,297,099	$17,362,884	$12,408,214	$6,130,236	$4,940,420	-$3,005,137
FEDERAL AID	$17,515,889	$16,116,288	$16,116,288	$16,116,288	$16,116,288	
RECREATIONAL REGISTRATIONS	$6,144,334	$812,672	$399,907	$6,144,334	$812,672	
LICENSES	$28,761,637	$28,811,051	$28,811,051	$28,811,051	$28,811,051	
OTHER	$4,161,761	$3,201,579	$3,201,579	$3,201,579	$3,201,579	
TOTAL TRUST FUND REVENUE	$64,880,720	$66,304,474	$60,937,039	$60,403,488	$53,882,010	

TRUST FUND EXPENDITURES						
OPERATIONS	$35,832,014	$38,793,154	$39,493,154	$40,784,836	$42,141,102	
5% SALARY ADJUSTMENT	$0	$0	$1,291,682	$1,356,266	$1,424,079	
CAPITALS	$11,685,823	$15,103,106	$14,021,966	$13,321,966	$13,321,966	
TOTAL TRUST FUND EXPENDITURE	$47,517,837	$53,896,260	$54,806,802	$55,463,068	$56,887,148	

Revenue:

1. **Balance Forward**: The fluctuation of this line item over time is due to the variable amounts of funding in a given year. Important areas to note are the steady rise of inflation costs (lines 6 and 7) while revenue remains fairly steady. By the end of FY14, there will not be enough funds to cash flow the entire year, as evidenced in the negative balance forward in FY15.
2. **Federal:** Note the reduction of $1,000,000 in line 2 for 2011-2014. Federal excise tax dollars on hunting and angling equipment that are allocated to the states rose sharply after 2008 due to an increase in gun and ammunition sales. These sales are expected to return to former levels in 2010, therefore, reducing allocations to states.
3. **Boat Registrations:** Boat registration revenue is on a three year cycle. The first year of the cycle is the largest amount (FY10 $6.1 million). The second year (FY11) will be significantly less, and the third year (FY12) is estimated to be about half of year two. In budget planning, boat registration expenditures are spread equally over the years. The effects of this three-year cycle of the boat registrations are evidenced in the Balance Forward on line #1.

4. **Licenses:** Projections of license sales are made by the Fisheries and Wildlife bureau chiefs based on past history, research, and trend analysis. License sales can be affected by weather and disasters, as experienced in 2008 (a cold, harsh winter, tornados in the spring, and serious flooding throughout most of the summer).
5. **Other:** this line item remains relatively steady. However, in 2008, over $1,000,000 was lost in agricultural lease revenue due to the flooding of crop land.

The **Total Revenue and Balance Forward** line increases in FY10 and FY11 due to the boat registration fee cycle. The years following that reflect the effects of inflation on the total, ending in a negative balance by the end of FY14.

Expenditures

6. **Operations:** The increase in the operations line item between FY 10 and FY 11, line 6, reflects unfilled budgeted positions due to the many retirements resulting from the 2010 Statewide Early Retirement Incentive Program, and mandatory cost-of-living salary increases. Many positions remained unfilled by the close of FY10 and the budgeted salaries and support costs were unspent due to the statewide slowdown and freeze on rehiring. There were also unspent funds due to the mandated furloughs for all staff during FY10, and Trust Fund dollars were not returned to the state general fund due to federal and state laws governing the allowable use of these funds. The Trust Fund bureaus are now in the process of refilling the allowable number of vacancies as outlined in the government reorganization legislation, which causes the FY11 operations line to increase.
   Line 6 also reflects the effects of inflation, i.e. cost of living and step salary increases. Each salary adjustment in line 7 is added to operations (line 6) the following year, as adjustments are an ongoing cost. The FY12-FY14 operations budget represents status quo spending, meaning no new expenses are added from the previous year. The increases in the operations budget, starting in FY12, represent the increased cost of doing business on a yearly basis due to mandatory salary adjustments.
7. **Required Salary Adjustments:** This line represents the cost of living increases for the Trust Fund employees. These increases are determined in negotiations between the unions and the Governor's office. These adjustments are compounded, meaning the adjustment amount from the previous year is added to the next year's salary total, and that increased salary total becomes the base for the next percentage increase.
8. **Capitals:** Line 8 usually has a basic budget of $13,500,000. The increase in line 8 from FY10 to FY11 represents unspent FEMA funds carried over fromFY09 (due to pending projects and construction delays), and the receipt of FY10 IJOBS funding for statewide projects. The FY12 capital budget projection shows an anticipated carry over amount due to unfinished funded projects, and then returns to a reduced "normal" budget amount starting in FY13. Capital projects can be delayed by weather and disasters, archeological or threatened and endangered species findings, design and engineering timeframes, obtaining permits, or negotiations with partners and landowners. This line also accommodates variable expenditures that are difficult to budget for, such as the Conservation Officer retirements.

The **Total Expenditures** line increase from FY10 to FY11 is due to the carry over amount of FEMA funds for pending projects, FY10 IJOBS funding received for projects, unspent funds in operations (line 6) due to budgeted vacancies from retirements and the mandated hiring delays and freezes associated with those, as well as the mandated FY10 furloughs. Although the capitals (line 8) is reduced starting in FY13, the subsequent increases in Total Expenditures is due to the salary adjustment and inflation increases. Comparing the Total Revenue and Total Expenditures lines illustrates where rising expenses, due to inflation, crosses over the static revenue line.

TRENDS, CHALLENGES, AND NEEDS

Iowa's citizens are passionate about natural resource based recreational opportunities. Pressure is growing on the Trust Fund and the limited public lands for all kinds of recreation, including ATV and snowmobile trails, water trails for kayakers and canoeists, and wildlife watching events. At the same time, Iowa and the nation have been experiencing a decline in hunting and, to a lesser extent, angling license sales over the last 15 years. These license sales are the bread and butter of the Trust Fund revenue. The DNR is working hard to improve education, mentoring, and marketing in an effort to reverse the downward trend and address changing demands.

Trust Fund revenue is also affected by weather and natural disasters. Vulnerable species, such as pheasant, have seen a decline in population due to harsh winters and flooding, which results in a decline in hunting license sales, or flooding events can cause a decrease in angling license sales.

The fact that license fees are not adjusted for cost of living increases makes the management of the Trust Fund difficult. The legislature determines license fees and, historically, they have been raised every 7-11 years only after lengthy and contentious debate. Over those 7-11 years, employee salaries, price of gas and equipment, cost of land -- in short, the cost of doing business -- increases. As workloads increase, the dollars to do this work decreases.

Take all the challenges above and include the variable schedules of when revenue is received (such as the Boat Registration Fees on a three-year cycle or hunting license sales at certain times of the year), it equals a very volatile fund over time. For instance, a $17,000,000 balance forward in one year does not mean there will not be a negative balance forward four years later, even without an increase in spending for basic programs or capitals.

The DNR works closely with its constituent groups to determine Iowans' priorities and interests in how the Trust Fund is spent. For instance, even though hunting participation has declined over the years, it has become apparent that hunting lands access is an issue. The department recently received a grant to develop a pilot private lands public hunting access program in FY11 and FY12.

The department is in the process of conducting public meetings across the state in November 2010, to ask hunters, anglers, trappers, and the general public what they see as needs and opportunities relating to the Trust Fund programs. The input of the constituents will help the DNR and legislators determine what Trust Fund programs will look like in the next several years.

APPENDIX

Appendix	Document Description
A	Iowa Constitution – Fish and Game Protection Fund Article VII, Section 9
B	Legislation – House File 2525
C	Iowa Code 462A, Water Navigation Regulations (Boat Registration Fee Use) 462A.3, Powers and Duties of Commission 462A.52, Fees Remitted to Commission
D	Boat Registration Fee Report 2009
E	Lake Restoration 2009 Report and 2010 Plan
F	Federal Codes and Rules - Use of Funds
G	Iowa Code 456A, Regulation and Funding 456A.17, Funds Restrictions 456A.27, Federal Wildlife Act 456A.28, Fish Restoration Projects
H	Iowa Code 483A, Fishing and Hunting Licenses, Contraband, and Guns 483A.3 Wildlife Habitat Fee 483A.3A Fish Habitat Development Fund 483A.3B Game Bird Habitat Development Programs
I	Iowa DNR Property Taxes Paid – 2010

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1857 CONSTITUTION OF THE STATE OF IOWA – CODIFIED

Preamble. WE THE PEOPLE OF THE STATE OF IOWA, grateful to the Supreme Being for the blessings hitherto enjoyed, and feeling our dependence on Him for a continuation of those blessings, do ordain and establish a free and independent government, by the name of the State of Iowa, the boundaries whereof shall be as follows:

[Full Constitution text can be found at: http://www.legis.state.ia.us/Constitution.html)

ARTICLE VII.

[Full Article VII text can be found at: http://www.legis.state.ia.us/Constitution.html)

Fish and wildlife protection funds. SEC.9. All revenue derived from state license fees for hunting, fishing, and trapping, and all state funds appropriated for, and federal or private funds received by the state for, the regulation or advancement of hunting, fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, shall be used exclusively for the performance and administration of activities related to those purposes.
Added 1996, Amendment [44]

IA FISH AND GAME PROTECTION FUND REPORT
APPENDIX B - House File 2525, Section 7

House File 2525 - Enrolled

AN ACT RELATING TO AND MAKING APPROPRIATIONS INVOLVING STATE GOVERNMENT, BY PROVIDING FOR AGRICULTURE, NATURAL RESOURCES,AND ENVIRONMENTAL PROTECTION, AND INCLUDING EFFECTIVE AND APPLICABILITY DATE PROVISIONS.

[Full Code text can be found at http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=Billbook&menu=false&hbill=HF2525]

Sec. 7. STATE FISH AND GAME PROTECTION FUND == DIVISION OF FISH AND WILDLIFE.

1. a. There is appropriated from the state fish and game protection fund to the department of natural resources for the fiscal year beginning July 1, 2010, and ending June 30, 2011, the following amount, or so much thereof as is necessary, to be used for the purposes designated:

For purposes of supporting the division of fish and wildlife, including for administration, regulation, and programs; and for salaries, support, maintenance, equipment, and miscellaneous purposes:
..... $ 38,793,154

b. Notwithstanding section 455A.10, the department may use the unappropriated balance remaining in the state fish and game protection fund to provide for the funding of health and life insurance premium payments from unused sick leave balances of conservation peace officers employed in a protection occupation who retire, pursuant to section 97B.49B.

2. The department shall not expend more moneys from the state fish and game protection fund than provided in this section, unless the expenditure derives from contributions made by a private entity, or a grant or moneys received from the federal government, and is approved by the natural resource commission. The department of natural resources shall promptly notify the legislative services agency and the chairpersons and ranking members of the joint appropriations subcommittee on agriculture and natural resources concerning the commission's approval.

3. It is the intent of the general assembly that the appropriations bill for the fiscal year beginning July 1, 2011, and ending June 30, 2012, to be originally sponsored by the joint appropriations subcommittee on agriculture and natural resources during the 2011 session of the Eighty=fourth General Assembly include a line item provision for the state fish and game protection fund that accounts for full=time equivalent positions supported by the fund.

4. The department of natural resources shall prepare a report to the governor and the general assembly providing a detailed accounting of revenue and expenditures involving the state fish and game protection fund. Prior to November 15, 2010, the department shall submit the report to the governor and general assembly, including the chairpersons and ranking members of the standing committees of the senate and house of representatives having jurisdiction over natural resources and the joint appropriations subcommittee on agriculture and natural resources. The report shall include all of the following:

a. Information regarding the following four operational units: management, the law enforcement bureau, the fisheries bureau, and the wildlife bureau. The information shall include all of the following:

(1) The allocation of full=time equivalent positions in each operational unit.

(2) The title and description of each position in each operational unit.

(3) A line item accounting of expenditures for each operational unit.

b. A line item accounting of the balance in the fund to be carried forward on June 30, 2010.

c. A line item accounting for sources of income deposited into the fund.

d. A line item accounting of capital projects, including but not limited to land owned by the department, projected land purchases by the department, revenue generated from land owned by the department and its classified use, and income or losses from land leased by the department. The line item shall account for such land regardless of whether the land was acquired in whole or in part from moneys originating from the fund. The report shall also include a justification for each capital project.

e. A description of all programs supported by the fund and a justification for each of the programs as a constitutionally allowable expenditure.

CHAPTER 462A WATER NAVIGATION REGULATIONS

[Full Chapter text can be found at: http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=IowaCode&input=462A]

462A.3 POWERS AND DUTIES OF COMMISSION.

The commission is hereby vested with the power and is charged with the duty of observing, administering and enforcing the provisions of this chapter. The commission may adopt and enforce rules under chapter 17A as necessary to carry out this chapter and to protect private and public property and the health, safety, and welfare of the public. In adopting rules, the commission shall give consideration to the various uses to which they may be put by and for public and private purposes, the preservation of each body of water, its bed, waters, ice, banks, and public and private property attached thereto, and the need for uniformity of rules relating to the use, operation, and equipment of vessels and vehicles.

462A.52 FEES REMITTED TO COMMISSION.

1. Within ten days after the end of each month, a county recorder shall remit to the commission all fees collected by the recorder during the previous month. Before May 10 of the registration period beginning May 1 of that year, a county recorder shall remit to the commission all unused license blanks for the previous registration period. All fees collected for the registration of vessels shall be forwarded by the commission to the treasurer of the state, who shall place the money in the state fish and game protection fund. The money so collected is appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

2. Notwithstanding subsection 1, any increase in revenues received on or after July 1, 2007, but on or before June 30, 2013, pursuant to this section as a result of fee increases pursuant to 2005 Acts, ch. 137, shall be used by the commission only for the administration and enforcement of programs to control aquatic invasive species and for the administration and enforcement of navigation laws and water safety upon the inland waters of this state and shall be used in addition to funds already being expended by the commission each year for these purposes. The commission shall not reduce the amount of other funds being expended on an annual basis for these purposes as of July 1, 2005, during the period of the appropriation provided for in this subsection.

3. The commission shall submit a written report to the general assembly by December 31, 2007, and by December 31 of each year thereafter through December 31, 2013, summarizing the activities of the department in administering and enforcing programs to control aquatic invasive species and administering and enforcing navigation laws and water safety upon the inland waters of the state. The report shall include information concerning the amount of revenues collected pursuant to this section as a result of fee increases pursuant to 2005 Acts, ch. 137, and how the revenues were expended. The report shall also include information concerning the amount and source of all other funds expended by the commission during the year for the purposes of administering and enforcing programs to control aquatic invasive species and administering and enforcing navigation laws and water safety upon the inland waters of the state and how the funds were expended.

Fiscal Year 2009 Boat Fee Revenues and Expenditures Report

Department of Natural Resources
Conservation and Recreation Division
December 31, 2009
(Extended to March 15, 2010)
Richard A. Leopold, Director

EXECUTIVE SUMMARY

In 2005, in order to provide for continued outreach and resources to the citizens of Iowa, the Iowa General Assembly amended Iowa Code Chapter 462A.52 to increase boat registration fees for all types of watercraft, to change the registration cycle, and to begin requiring the Iowa Department of Natural Resources (DNR) to report on increased revenues and how they are expended until December 31, 2013. This is the third such annual report.

The increased fees are required to be used to control the spread of aquatic invasive species, the administration of enforcement of navigation laws and for water safety upon the inland waters of the state. The mandate required the Department to submit a report to the General Assembly by December 31 of each year beginning in 2007. (An extension for completing the 2009 report was requested until March 15, 2010.) It was directed that the report contain, but is not limited to, summarizing the activities of the Department on:

1. Administering and enforcing programs to control aquatic invasive species
2. Administering and enforcing navigation laws and water safety
3. Amount of revenues collected as a result of fee increases
4. Detail of how the revenues were expended
5. Amount and source of all other funds expended
6. Detail of how the funds were expended
7. The amount and source of other funds expended for the above purposes.

Revenues: Comparisons and projections

When boat fees were increased in the 2005 legislative session, the registration period also was changed from two years to three years. For planning purposes, the Iowa Department of Natural Resources must now plan revenues over three years.

Table 1

Previous Revenues Under Two-year Registration Periods				
	FY03	**FY04**	**FY05**	**FY06**
Boat fees	$2,563,493	$372,481	$2,611,295	$387,908
Federal match	$1,298,443	$1,296,070	$1,411,585	$1,533,266
TOTAL REVENUES	$3,861,936	$1,668,551	$4,022,880	$1,921,174

Boat fees generated an average of $1,483,794 per year (see Table 1) during the last four years of the two-year registration cycle. With fee increases and three years of actual record, boat fees average $2,480,729 per year (see Table 2) under the three-year registration cycle.

Table 2

Collected Revenues, FY2007 through FY 2009				
	FY 07 (Collected)	**FY 08 (Collected)**	**FY 09 (Collected)**	**3-Year Collected Revenues**
Boat fees	$6,229,611	$812,672	$399,906	$7,442,189
Federal match	$1,032,055	$1,128,654	$1,458,968	$3,619,677
TOTAL REVENUES	$7,261,666	$1,941,326	$1,858,874	$11,061,866

With three years of record of annual actual increase in boat fees, the average increase of boat fees is $996,935 in additional state revenue per year. A total of $3,687,288 is available to expend per year in state and federal monies on boating related activities eligible to be funded from the boat registration fees. Federal funds include the safety and education portion and motorboat access portion from the Federal Aid in Sport Fish Restoration program, and Aquatic Invasive Species matching funds.

Expenditures: Comparisons and Projections

For the purposes of this report, the final year under the previous fee structure, fiscal year 2006, will be the baseline year to measure future years' expenditures. The state salary adjustment each year will be added to the baseline figure, so current programs remain sustainable. (Please note that past year expenditures have been corrected in FY06, FY07, FY08 and FY09.)

Table 3

General Expenditure Categories				
	Base FY 06	**FY 07**	**FY 08**	**FY 09**
Printing	$60,274	$232,429	$68,658	$26,262
Boat Safety	*$2,036,904	**$2,595,487	*$2,803,457	*$2,911,713
Boat infrastructure maintenance/mgt	$749,406	$777,505	$904,831	$887,303
Aquatic Invasive Species	$164,556	$333,818	$578,522	$525,517
Water Trails and Dam Safety	$10,410	$58,655	$135,621	$179,925
Boater Education	$0	$81,591	103,641	103,536
TOTAL EXPENDITURES	$3,021,550	$4,148,185	$4,594,730	$4,634,256

*Includes the coded boating time of full time officers and the time of seasonal water patrol officers, and associated expenses. See Tables 10, 11 and 12.
**In May of 2006, the Department started 7 seasonal Water Patrol Officers in anticipation of the fee increase. Those 7 seasonal costs are counted as the FY07 increase over base in this table. Because the state fiscal year starts July 1, the 7 WPOs are listed in FY06 in Table 11.

Table 4

Expenditure Comparison to FY06 (baseline) to FY09			
	FY06	**FY09**	**Increase over baseline year**
Aquatic Invasive Species program	$164,556	$525,517	$360,961
Expanded Enforcement & Safety programs			
Water Patrol Officers (temporary/seasonal)	*$0	$126,768	$126,768
Patrol Boats	$65,182	$38,243	($26,939)
Boater Education program		103,536	$103,536
Water Trails & Dam Public Hazard program	$10,410	$179,925	$169,515
Enforcement and safety devoted to boating and navigation	$1,971,722	$2,746,702	$774,980
**Boating recreation and safety infrastructure maintenance and management	$749,405	$887,303	$221,825
Printing expenditures	$60,274	$26,262	($34,012)
TOTAL	**$3,021,550**	**$4,634,256**	**$1,612,706**

*Water patrol officers in FY06 were included in the "baseline enforcement and safety devoted to boating and navigation." This report starts tracking WPO additions starting in FY07. Please see the note for Table 3.

**Neither the Law Enforcement Bureau nor the Fisheries Bureau has land management or maintenance capacity. The Wildlife Bureau manages and maintains state motor boat access areas, boat ramps, and docks in cooperation with the other bureaus. Note that 75% of the total is Federal Aid in Sport Fish Motorboat Access funds.

Table 5

Expenditure Comparison to FY06 (baseline) to FY07-FY09				
FY06	**FY07**	**FY08**	**FY09**	**Totals**
$3,021,550	**$4,148,185**	**$4,594,730**	**$4,634,256**	**Expenditures**
	$1,126,635	**$1,573,180**	**$1,612,706**	**Increase over baseline year**
	+$129,700	**+$576,245**	**+$615,771**	**Comparison to $996,935 average increase required by code**

Over the first three years of the increase authorized by the 2005 legislation, the department has spent over the target increase for boating safety and aquatic invasive species control by +$1,321,716.

More detailed reporting of program-level expenses follow in this report.

Aquatic Invasive Species Expenditures

The Iowa Department of Natural Resources Aquatic Invasive Species Program (DNR-AIS) is responsible for monitoring and managing aquatic invasive species (AIS) in Iowa. Goals of the DNR-AIS as stated in the "Plan for the Management of Aquatic Nuisance Species in Iowa" are:

I. Minimize the risk of further introductions of AIS into the state of Iowa.
II. Limit the spread of established populations of AIS into uninfested waters in Iowa.
III. Eradicate or control to a minimum level of impact the harmful ecological, economic, social, and public health impacts resulting from infestations of AIS in Iowa.

Priority AIS in Iowa include Eurasian watermilfoil (*Myriophyllum spicatum*), zebra mussels (*Dreissena polymorpha*), bighead carp (*Hypophthalmichthys nobilis*), silver carp (*Hypophthalmichthys molitrix*), brittle naiad (*Najas minor*), and purple loosestrife (*Lythrum salicaria*).

This report reflects expenditures for FY09; however, seasonal staff and survey information is from the summer of 2009 (i.e., May through August). Actions utilized to detect, manage, and prevent the introduction and spread of AIS in Iowa in FY09 included employing seasonal staff, developing partnerships to coordinate AIS activities, increasing public awareness of AIS, managing AIS infestations, and monitoring for early detection of AIS. Major accomplishments included the following.

- Employed 15 seasonal Natural Resources Aides and 5 summer Water Patrol Officers
- Conducted 7,015 watercraft inspections reaching almost 20,000 people
- Supported 14 partnerships and cooperative projects
- Distributed brochures, identifications cards, posters, tattoos, maps, and regulations booklets statewide
- Developed posters for display at Clear Lake, the Upper Mississippi River, and Lake Macbride
- Leased 12 billboards with AIS prevention messages on interstate and state highways
- Reached statewide audiences regarding AIS prevention with radio advertisements, local television programming, news releases, radio and television interviews, and presentations
- Supported volunteer watercraft inspection program in Dickinson County
- Chemically treated 9 waterbodies with Eurasian watermilfoil or brittle naiad
- Surveyed vegetation in 79 waterbodies

- Posted signs at accesses of waterbodies infested with AIS
- Surveyed zebra mussels in Clear Lake, Lake Delhi, and Lake Rathbun
- Placed zebra mussel veliger settlement samplers in 21 lakes and reservoirs statewide
- Sampled water for zebra mussel veligers in Clear Lake, Lake Delhi, Lake Rathbun and the Mississippi, Wapsipinicon, Maquoketa, Cedar, Iowa, Winnebago, and Shell Rock Rivers
- Surveyed Asian carp below dams on the Winnebago, Shell Rock, and Cedar Rivers
- Supported Iowa State University study of Clear Lake
- Purchased equipment for DNR Fisheries management stations to prevent the spread of AIS during operations

Aquatic Invasive Species Program Personnel and Activities

A Natural Resources Biologist has coordinated the DNR-AIS since 2000, and a permanent, full-time Natural Resources Technician was added in October 2006. During the summer of 2009, the equivalent of 5 Water Patrol Officers and 13 Natural Resources Aides conducted watercraft inspections and 2 Natural Resources Aides surveyed waterbodies for AIS across the state. Prior to the summer of 2007, the DNR-AIS only hired 2-3 seasonal employees who split their time between watercraft inspections and AIS surveys. Watercraft inspectors discussed inspecting watercraft for AIS with operators from May through September 2009. They collected information on AIS presence and location, watercraft type and state of registration, number of people, last and next waterbody visited, and operator familiarity with Eurasian watermilfoil, zebra mussels, Asian carp, and Iowa's AIS law. Trailer stickers reminding boaters to prevent the spread of AIS were given to each operator after inspection. The table below summarizes the watercraft inspection effort of the DNR-AIS for the past five summers.

Table 6

Watercraft Inspection Efforts					
	2005	2006	2007	2008	2009
Seasonal Employees	2 PT	3 PT	7 FT	7 FT	18 FT
Watercraft Inspected	687	791	2,785	3,145	7,015
Personal Contacts	1,790	2,350	7,400	9,100	19,990
Waterbodies	21	16	35	25	90

DNR-AIS staff supported several partnerships and working groups in FY09:

- Aquatic Nuisance Species (ANS) Task Force

- Mississippi River Basin Panel on ANS
- Missouri River ANS Work Group
- Association of Fish and Wildlife Agencies (AFWA) Invasive Species Committee (Vice Chair)
- Mississippi River Basin Panel Incident Command System Exercise
- AFWA Nonnative Wildlife Invasion Prevention Act Work Group
- AFWA Adaptive Management of Invasive Species Workshop (Planning Committee Member)
- Iowa DNR Fisheries Bureau Aquatic Plant Removal and Introduction Work Group
- Midwest Invasive Plant Network (Education Committee member)
- Mississippi Interstate Cooperative Resource Association
- Mississippi River Mussel Coordination Team and Zebra Mussel Control Subgroup
- Iowa Wildlife Action Plan Wildlife Habitat Work Group
- Diversity Action Taskforce
- Iowa Chapter of the American Fisheries Society

During the summer of 2009, the DNR-AIS again partnered with the Iowa Great Lakes Water Safety Council and the lake protective associations on a volunteer watercraft inspection program. The program was designed to supplement efforts of the DNR seasonal staff who conduct watercraft inspections at boat ramps on Dickinson County lakes. The DNR-AIS provided training, training DVDs, identification vests, clipboards, brochures, trailer stickers, and report forms for the volunteers. Each lake protective association appointed a lake coordinator for volunteers to contact to schedule their times and locations. The number of volunteers declined in 2009, and additional effort will be focused on increasing the number of volunteers in 2010.

Aquatic Invasive Species Outreach Materials

The DNR-AIS has different types of outreach materials targeting boaters and anglers in Iowa. In addition to signs posted at all boat access sites, the following informational materials were distributed statewide during watercraft inspections, to all Iowa DNR Fisheries regional and field offices, during the Iowa State Fair, at state and county parks and nature centers, at businesses (e.g., marinas, bait shops, sporting good stores), and at presentations and field days.

- Help Stop Aquatic Hitchhikers brochure
- Zap the Zebra brochure
- AIS identification cards
- New Invasive Aquatic Plants in the Midwest flyer
- Don't Dump Your Bait posters
- 2009 Iowa Fishing Regulations booklet
- Handbook of Iowa Boating Laws and Responsibilities
- Dickinson County boaters' maps
- Stop Aquatic Hitchhikers tattoos

The DNR-AIS also provided information through the Iowa DNR website and 12 billboards posted along interstate and state highways near high use lakes in Iowa. The 12 billboards leased in 2009 were an increase over 2 that had been leased prior to 2007, 5 leased in 2007, and 9 leased in 2008.

New posters were developed and displayed in the visitor area of the Clear Lake Hatchery and in kiosks at boat accesses along the Upper Mississippi River and at Lake Macbride.

Exhibits at the 2009 Iowa State Fair included an informational display, live Asian carp, and Eurasian watermilfoil, brittle naiad, and zebra mussel specimens.

Statewide audiences were targeted with news releases regarding Asian carp movement in Iowa and the Mississippi River Basin, volunteer opportunities within the Iowa DNR, and before the July 4th holiday. DNR-AIS staff was also interviewed for radio programs, television stories, and newspaper articles regarding AIS identification and prevention. Mediacom Connection Lakes TV in Spirit Lake produced a program on AIS, and the DNR-AIS bought air time to show it during May, June, July, and August 2009.

DNR-AIS staff gave presentations about AIS in a variety of settings in FY09, including:

- Triploid Grass Carp Inspection and Certification Program Workshop
- Iowa Chapters of the American Fisheries Society and the Wildlife Society
- Iowa DNR Fisheries Bureau Annual Statewide Meeting
- Iowa Association of County Conservation Board Employees
- Missouri River AIS Work Group
- Iowa DNR Fisheries Natural Resource Aides Training
- Iowa DNR Law Enforcement Water Patrol Officer Training
- Iowa Great Lakes Water Volunteer Training
- Iowa State University Student Chapter of the American Fisheries Society
- Ding Darling Day at the Mississippi River Museum
- Bowfishing Association of Iowa
- Central Iowa Anglers
- Clinton County Conservation Board Continuing Education for Teachers
- Taking the Road Less Traveled: A Career Conference for Girls
- Outdoor Journey for Girls
- Ankeny Middle School Career Day
- Colfax Mingo Career Day
- Boone High School Career Fair
- Lakeside Lab Talented and Gifted Students Touched by Science Field Day

Data collected during watercraft inspections indicates that awareness of AIS has increased since the DNR-AIS began doing surveys in 2001. Fifty-one percent of boaters interviewed in 2001 said that they were familiar with invasive species. In 2009, that number had increased to 80%. Results of a survey mailed to registered boat owners in 2008 indicated that 71% were very likely to take steps to prevent the spread of AIS, while about 23% said they took some steps every time they went boating. Boaters reported signs at water access points, mailings to home or business, displays at various venues, and regulation books as their most used sources of AIS information. When asked how

they would like to receive information about AIS, boaters overwhelmingly selected to see reminders near waterbodies they use.

Aquatic Invasive Species Management and Monitoring

DNR Fisheries staff cooperated with DNR-AIS staff to chemically treat nine Eurasian watermilfoil (EWM) and brittle naiad (BN) infestations in 2009.

- Airport Lake (Chickasaw County), EWM
- Floyd County Conservation Board Pond (Floyd County), EWM
- Fogle Lake (Ringgold County), EWM
- Dog Creek Lake (O'Brien County), BN
- Little Sioux Park Lake (Woodbury County), BN
- Moorehead Park Pond (Ida County), BN
- Mt Vernon Quarry (Linn County), BN
- Nelson Park Pond (Crawford County), BN
- Yellow Smoke Lake (Crawford County), BN

Natural Resource Aides surveyed aquatic vegetation in 79 Iowa waterbodies in June, July, and August 2009 to monitor for new AIS infestations. Species lists and aquatic vegetation maps were completed for each waterbody surveyed. Fisheries and wildlife biologists and county conservation board staff also monitored aquatic vegetation in their areas during management activities. Two new infestations of Eurasian watermilfoil and two new infestations of brittle naiad were discovered in Iowa in 2009.

- Mill Creek Lake (O'Brien County), EWM
- Pinky's Glen (Fremont County), EWM
- Lake Hendricks (Howard County), BN
- Lake Macbride (Johnson County), BN

The table below summarizes aquatic vegetation monitoring and aquatic invasive plant management for the past five summers.

Table 7

Vegetation Monitoring and Treatment Efforts of the DNR-AIS					
	2005	2006	2007	2008	2009
Seasonal Employees	2 PT	3 PT	2 FT	2 FT	2 FT
Waterbodies Surveyed	62	65	100	78	79
Waterbodies Treated	9	12	7	5	9

Signs are posted at all AIS-infested waterbodies alerting the public about the species present and how to prevent its spread. Eurasian watermilfoil has been identified in 42 waterbodies, including private ponds, in Iowa since 1993, and brittle naiad has been identified in 40 waterbodies since 2003.

Iowa has two interior lakes with known infestations of zebra mussels: Clear Lake (Cerro Gordo County) and Lake Delhi (Delaware County). Zebra mussels were first discovered in Clear Lake in 2005. DNR-AIS and DNR Fisheries staff surveyed zebra mussel

densities in Clear Lake in June and August 2009 by counting individuals attached to rock substrate. Over 90% of the rocks had attached zebra mussels. Zebra mussel densities ranged from 9-38 adults and 5-30 juveniles per square inch in June and 1-6 adults and 11-78 juveniles per square inch in August. In comparison, a total of 12 zebra mussels were found during the same survey in 2006. A water sample collected during the June 2009 survey had 57 zebra mussel veligers per quart of water. Settlement samplers placed in the lake also help determine zebra mussel population size and distribution.

Zebra mussels were first discovered in Lake Delhi in 2006. Their population was well-established by the time they were reported. DNR-AIS and DNR Fisheries staff surveyed zebra mussel densities in Lake Delhi in June and September 2009. All of the rocks near the dam had attached zebra mussels; however, zebra mussel coverage decreased at each subsequent upstream sampling location. Zebra mussel densities ranged from 5-72 adults and 0 juveniles per square inch in June and 1-21 adults and 0-42 juveniles per square inch in September at the three sampling locations nearest the dam. 2009 was the first year that zebra mussels were found above the outlet of Turtle Creek, indicating that zebra mussel distribution is expanding within the lake. A water sample collected during the June 2009 survey had 980 veligers per quart of water.

In October 2007, zebra mussels were discovered on a boat that had been transported from the Mississippi River and moored at a marina on Lake Rathbun (Appanoose County) since late June. DNR-AIS and DNR Fisheries staff found no zebra mussels in the lake at that time. Staff conducted dive surveys in 2008 and 2009 and also found no zebra mussels in the marina or surrounding areas. Additionally, no zebra mussels were observed on veliger settlement samplers placed in Lake Rathbun in 2008 and 2009.

DNR-AIS and DNR Fisheries staff placed a total of 62 zebra mussel veliger settlement samplers in 21 lakes and reservoirs in Iowa in 2009 to monitor for early detection of zebra mussels. Lakes with samplers included Spirit Lake (Dickinson County), East Okoboji Lake (Dickinson County), West Okoboji Lake (Dickinson County), Coralville Lake (Johnson County), Saylorville Lake (Polk County), Lake Macbride (Johnson County), Pleasant Creek Lake (Linn County), Lake Hendricks (Howard County), and lakes in the Cedar River floodplain (Bremer, Blackhawk, Linn Counties). No zebra mussels were attached to any of the samplers.

The U.S. Army Corps of Engineers, Minnesota DNR, Wisconsin DNR, Illinois DNR, Iowa DNR and National Park Service staff collected zebra mussel veliger samples from the Upper Mississippi River and selected tributaries during July and August 2009 to

monitor trends in abundance and peak veliger production. In Iowa, DNR staff collected samples below Lock and Dam 10 through 18 and from the Maquoketa, Wapsipinicon, Iowa, and Cedar Rivers.

DNR-AIS staff collected zebra mussel veliger samples from the Winnebago, Shell Rock, and Cedar Rivers between Clear Lake and the Iowa River in August 2009. During high water, the outlet of Clear Lake flows into Willow Creek and then to the Winnebago River. Low densities of veligers were found in samples from each of the rivers. It is unknown at this time if the veligers came from Clear Lake or if there are adult populations within these rivers.

Bighead carp have been reported throughout southern and central Iowa in tributaries of both the Mississippi and Missouri Rivers. A new location reported in 2009 was the Little Sioux River below the Linn Grove dam (Buena Vista County). Silver carp are found in the Missouri River, Big Sioux River, Mississippi River, Des Moines River as far upstream as the Red Rock dam, and Chariton River below Lake Rathbun. DNR-AIS staff conducted electrofishing surveys for Asian carp below all dams on the Winnebago, Shell Rock, and Cedar Rivers at the same time they collected zebra mussel veliger samples. No Asian carp were observed; however, samples were not conducted during peak times of rising water levels.

Iowa State University began a water quality and fisheries study for Clear Lake in 2007 that includes monitoring zebra mussel veliger and adult densities and distribution. The DNR-AIS Program provides $10,000 annually for this 4-year project that is also supported by DNR lake restoration and water quality monitoring funds.

In FY09, the DNR-AIS purchased and distributed 53 hoop nets, 19 fyke nets, and one trawl net to six fisheries management stations with known AIS infestations within their districts. These nets provided a second set of sampling gear for the stations so one set can be cleaned and dried completely before being used in another waterbody. The DNR-AIS also purchased nine heated power washers for fisheries management stations to aid in cleaning boats and equipment to prevent the spread of AIS during daily operations. Additional equipment purchased included backpack sprayers to apply chemicals for AIS treatments and new sand filters to inhibit zebra mussels at the Fairport Hatchery.

Table 8

Aquatic Invasive Species Expenditures				
	FY06	FY07	FY08	FY09
Personnel (includes Fisheries staff time)	$85,234	$165,672	$205,789	$311,540
Travel Expenses	$4,915	$12,962	$8,992	$12,769
State Vehicle Operation and Depreciation	$3,281	$6,230	$35,268	$23,126
Office Supplies	$399	$4,522	$3,356	$2,621
Facility Maintenance Supplies	$26	$722	$5,890	$3,050
Equipment Maintenance Supplies	$2,936	$9,802	$7,982	$5,351
Ag Supplies (includes herbicides)	$42,751	$40,130	$54,976	$9,152
Other Supplies (includes DVDs, outreach items)	$100	$755	$0	$14,701
Printing (signs, posters, brochures, stickers)	$477	$16,941	$30,457	$1,123
Uniforms (includes volunteer vests)	$455	$1,511	$1,243	$1,379
Postage	$536	$183	$57,934	$28
Communications	$651	$566	$389	$894
Rentals	$0	$0	$0	$224
Professional Services (inc. Clear Lake study)	$0	$0	$9,675	$12,175
Outside Services	$595	$6,463	$107	$1,234
Advertising/Publishing (billboards, TV, radio)	$11,390	$32,302	$38,520	$46,097
Reimbursement	$0	$166	$22	$44
Equipment (includes nets, power washers)	$1,042	$13,331	$90,435	$43,310
Indirects	$9,768	$17, 561	$27,535	$36,799
Total	$164,556	$333,818	$578,522	$525,517

Boating Navigation Enforcement and Water Safety Expenditures

Conservation Officer Activities

During the summer months, Conservation Officers around the state use a variety of enforcement techniques to keep our waterways safe for all ages.

Several group enforcement efforts on Iowa's 19,000 miles of interior rivers are conducted annually and known as river sweeps. This technique allows officers to start at a specific point and continue downstream contacting all recreationalists and educating everyone regarding all aspects of navigation.

BWI Enforcement

Boating While Intoxicated (BWI) enforcement is a continual focus every year for Officers. Iowa participated in "Operation Dry Water" on June 26-27, 2009, a National campaign that saturated the waterways and airwaves with heightened enforcement and information on the effects and dangers of boating and drinking.

More than 63 Officers participated in this two day event, contacting 1,183 boaters, performing safety equipment checks on 302 vessels and issuing 82 citations/warnings. Throughout the summer, a total of 27 BWI arrests were made by various Officers, working on additional coordinated BWI enforcement projects.

Flooding Across Iowa

Conservation Officers spent over 400 hours helping out in North East Iowa after flooding occurred in early June. Officers assisted in towns flooded by the Upper Iowa, the Turkey, the Maquoketa, and the Cedar Rivers, and Spring Creek. Conservation Officers and Seasonal Patrol Officers helped in Decorah, Dorchester, Elkader, Garber, Cedar Falls, Waterloo, Vinton, Manchester and Cedar

Rapids. Officers evacuated and rescued people, did welfare checks, transported medical supplies and personnel, did sandbagging, traffic control, patrol, public relations, and clean-up.

Conservation Officer Jerry Farmer helps at the scene of the ICE train wreck on the Mississippi River near Guttenberg this summer. Three full-time Conservation Officers, including Farmer, Burt Walters, and Mike Ouverson, and five water Patrol Officers, Joel Delaney, Ed Kaufman, Tyson Brown, Matt Grabe, and Kim Strunk, spent approximately 363 hours helping with the clean-up and safety considerations following the train derailment.

Water Safety Contacts

Even though flooding took care of much of the boating season, officers still spent time doing navigation enforcement and attempting to do safety programs and water projects. An exciting safety event is conducted with the University of Iowa Hospital and preschool students to encourage the young students to be safe around electricity, biking, and water. Some of the Conservation Officers and seasonal staff took part to talk about life jackets and how important they are to save lives. Every year over 100 kids meet with conservation officers in Iowa City and learn the importance of life jackets.

Table 9

Law Enforcement Boating Activities	
Calendar Year*	Totals
2006	
Navigation Contacts	40,033
Navigation Citations	1,941
Special Events Patrolled	908
Accident Investigations	60
Boat Iowa Classes Taught	57
Boater Education Hours	3,150
Navigation Enforcement Hours	31,349
2007	
Navigation Contacts	41,819
Navigation Citations	2,030
Special Events Patrolled	412
Accident Investigations	53
Boat Iowa Classes Taught	78
Boater Education Hours	4,101
Navigation Enforcement Hours	31,567
2008**	
Navigation Contacts	14,374
Navigation Citations	559
Special Events Patrolled	528
Accident Investigations	36
Boat Iowa Classes Taught	41
Boater Education Hours	3,838
Navigation Enforcement Hours	31,952

*Statistics tabulated on a calendar year basis; 2009 report not yet compiled
**The boating season in 2008 was curtailed by flooding in terms of actual citations; hours were still spent on flood-related navigation issues

Full-Time Conservation Officers

Full- time conservation officers spend twenty three percent of their time working on navigation related activities. The chart below lists navigation, boating and aquatic invasive species-related coded expenditures of full time officers.

Table 10

Expenditures for Full Time Officers				
	FY06	**FY07**	**FY08**	**FY09**
Personnel	*$1,366,842	$1,659,780	$2,004,207	$1,514,363
Officer Retirements	$73,986	$56,127	$64,314	$177,198
Vehicle Depreciation	$240,916	$213,008	$267,460	$741,468
In State Travel	$54,495	$56,580	$60,149	$55,390
Communications	$30,509	$30,168	$30,258	$27,072
Indirects	$204,974	$185,560	$223,659	$231,211
Totals	$1,971,722	$2,201,223	$2,650,047	$2,746,702

*WPO base costs are included in year FY06. WPO increases are tracked separately in subsequent years in Table 11.

Seasonal Water Patrol Officers (WPO) Program

The Department receives approximately 100 applications each year from potential candidates wanting to work for the Iowa DNR and be a part of the seasonal water patrol officer (WPO) program. The WPO program has been in effect since the 1980s and allows individuals the opportunity to experience working for the Law Enforcement Bureau while performing on-the-water education and navigation enforcement for Iowa's waterways.

The seasonal water patrol officers, serve as a "force multiplier" by assisting full time officers in the enforcement of all fishing and navigation activities across Iowa. The Department is also able to hire quality candidates from the program as full time officers. Currently almost half of our Conservation Officers started their careers as seasonal water patrol officers.

The current average expenditures for an individual WPO is $10,564. This dollar amount includes salaries, equipment, training, meals, lodging, fuel for patrol boats and depreciation for vehicles.

Table 11

Water Patrol Officer Expenditures Over Base Year					
	FY05 Base Year	*FY06 Additional WPOs	FY07 Additional WPOs	FY08 Additional WPOs	FY09 Additional WPO's
WPOs	22	7	10	12	12
Salary		$51,422	$87,103	$97,709	**$10,564
Equipment		$1,844	$3,638	$ 722	
Meals & Lodging		$6,369	$5,899	$5,334	
Training		$2,917	$1,439	$4,157	
Fuel		$31,838	$32,483	$18,748	
TOTAL		$94,390	$130,562	$126,670	$126,768

* In May of 2006, the Department started 7 seasonal Water Patrol Officers in anticipation of the fee increase. Those 7 seasonal costs are counted as the FY07 increase over base in Table 3.

**In FY09, the average cost per WPO was determined. This average includes salary, equipment, training, meals, lodging, depreciation and fuel for patrol boats. Starting July 1, 2009, meal expenses were disallowed for WPOs.

DNR Patrol Boats

The Law Enforcement Bureau divides the state into 6 districts and employs District Supervisors to manage each area. The supervisors determine specific needs when purchasing large patrol boats based on recreational opportunities, Water Patrol Officers and Law Enforcement Officers available in each district. The patrol boat models purchased vary greatly by make, size, functionality, and cost, based on the need of the district, in order to provide quality navigation enforcement and boating education in each area. Officers use several different types of vessels for navigation enforcement and boating education.

The Department currently has approximately 36 large patrol boats used for navigation enforcement and boating education on Iowa's waterways. The additional revenues continue to enable these vessels to be replaced generally on a 3-5 year maximum schedule.

In Fiscal Year 2009 the Department purchased 1 large patrol boat at a cost of $38,243.

Table 12

Patrol Boat Expenditures				
	FY06	FY07	FY08	FY09
228 Edgewater patrol boat		$47,604		
242 Sportfish patrol boat		$62,968		
1800 Pro V patrol boat		$26,836		
1800 Pro V patrol boat		$31,904		
220 Bay	$43,285			
Tundra 21	$21,897			
Stratos 386 XF patrol boat			$26,740	
Ranger Reata				$38,243
TOTAL	$65,182	$169,312	$26,740	$38,243

Boater Education

A Boating Education Coordinator was hired after the registration fee increase. Prior to the increase, the Department was unable to provide the staff and attention needed to advance the education program. The DNR relied heavily on other organizations and a handful of employees with a passion for boater education to deliver the program.

The Iowa DNR is now proactive regarding boater education, instead of playing catch up on important trends and safety issues.

Table 13

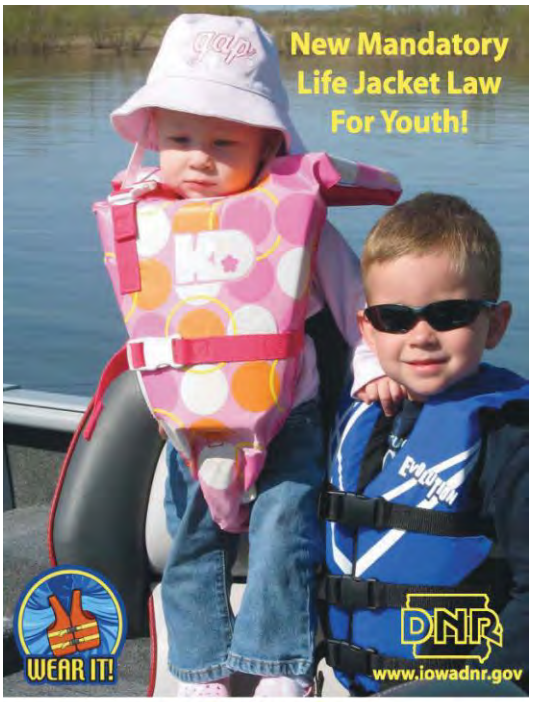
Boater Education Expenditures				
	FY2006	FY2007	FY2008	FY2009
Salary (Boater Education Coordinator)	$0	$48,353	$69,738	$74,690
State Vehicle Operation & Depreciation	$0	$6,134	$6,134	$7,209
Internet Fees	$0	$4,898	$444	$444.
Replacement Computer				$1,181
"Life Jacket Zone" Promotion				$2,261
"Wear It Iowa" Promotion				$3,629
Ice Thickness Cards				$578
Brochures	$0	$640	$8,231	$2.070
Educational DVDs				$683
Clothing Allowance	$0	$350	$350	$350
Travel Expenses	$0	$2,479	$4,239	$2,664
Novelty Items With Boater Education Messages	$0	$11,170	$0	$2,316
Incentive Awards For Volunteer Instructors	$0	$1,610	$0	$0
LCD Projectors	$0	$5,957	$14,505	$3,424
Life Jackets				$2,037
TOTAL	$0	$81,591	103,641	$103,536

Nationally, Boating Law Administrators and Education Coordinators focus on helping boaters understand and realize the importance of wearing life jackets. The Iowa legislature, after 5 years of effort, passed a child safety law in 2008 requiring children under 13 to wear a PFD in a moving vessel.

In FY08 the education program created and distributed 500 "Wear it" signs to be placed at each boat ramp located in Iowa.

The 12 x 12 aluminum signs were given to state park personal and Corp of Engineer facilities who attached the signs on or near the ramps. The conservation officers also worked with cities, towns and wildlife areas to ensure that those signs were placed at the remaining boat ramps throughout Iowa.

The FY09 initiative also focused on the importance of wearing life jackets and declared all boat ramps in Iowa to be "life jacket zones"



Effective May 10, 2008:

A person shall not operate a vessel in Iowa unless every person on board the vessel who is age 12 and under is wearing a U.S. Coast Guard approved life jacket. A life jacket must be worn when the vessel is "underway." "Underway" means when a vessel is not at anchor, tied to a dock or the bank/shore, or aground.

A child age 12 and under in an enclosed cabin, below deck, or aboard a commercial vessel with a capacity of 25 persons or more is exempt.

The boating education program worked with United States Coast Guard Auxiliary volunteers across the state and painted a 4'x 4' bright yellow and black stencil on over 150 boat ramps located in state parks. The "Life Jacket Zone" message reminded boaters about the importance of wearing a life jacket while on the water.

The education program teamed up with Iowa Health Systems for the 'I Got Caught' program, which rewards young people for being safe. The "I Got Caught!" program utilizes law enforcement to "catch" and reward young Iowans practicing good safety habits through helmet and life jacket use. The mission of the program is to prevent traumatic brain injuries on bicycles, scooters, skateboards, and rollerblades, and to promote PFD use. In FY09 the seasonal Water Patrol Officers, full time Conservation Officers and department Park Rangers gave out approximately 18,000 ice cream coupons to young people across the state under this program.

Table 14

Boater Education Certifications		
Year	**Students Certified**	**# of Classes**
1999	681	14
2000	629	31
2001	349	13
2002	462	15
2003	1,711	19
2004	1,468	20
2005	1,088	22
2006	545	17
2007	2,298	29
2008	1,964	38
2009	1,642	34

Water Trails and Low-head Dam Public Hazard Program

Naturalists practice throw rope rescues at a DNR 2-Day Canoe School

The Iowa DNR water trails and low-head dam public hazard program works statewide to ensure improved navigational safety on waterways throughout Iowa. This is achieved through public education and by developing consistently signed water trails, a warning signage system, navigation maps, accesses, and portage trails around dangerous dams. The Iowa DNR provides funds for and encourages local ownership of water trails throughout Iowa.

The program serves a growing segment of boat users – canoeists and kayakers, as well as more traditional recreational segments, including anglers and powerboaters. National statistics show that canoeists and kayakers have a higher rate of death per capita compared to other boaters. Two brochures, "SmartStart for Safe Paddling" and "The Drowning Machine" continue to be disseminated to county recorders, boat rental facilities, paddling clubs, local governments, and field staff. This fiscal year, the water trails program completed its sixth "Expedition and Fishing Guide" for whole river systems. The first two completed were for the Maquoketa and Raccoon river systems. These maps contain angling information, dam, and launch locations. Printing is paid for cooperatively with the fisheries bureau, and the brochure maps are being disseminated in cooperation with Iowa Welcome Centers, county conservation boards, and state parks and fish hatcheries.

Three two-day canoe school trainings were offered for naturalists and other agency staff to "train the trainers." This responds to a need identified by agencies with canoe fleets that take groups on lakes and river. It provides consistent training for leading safe tours, developing risk management plans, and demonstrating appropriate canoeing skills. Two trainings for canoe liveries using the Professional Paddlesports Association training materials were held in the winter in order to promote safe, responsible enjoyment of streams and lakes.

Iowa DNR owns or manages seven major dams on navigable streams. As the DNR began encouraging other entities to develop warning signage and portages, a responsibility emerged to provide adequate warning signage, constructed portages, and to maintain portages.

Related to staffing, the River Programs Director is responsible for overall program direction, which in the current fiscal year involved statewide plan development, collaborating on river survey, assessment, and design work with DNR Engineering, and technical assistance provided to external dam owners. A construction technician continues to plan, develop, and maintain warning signage plans and portage trails, including launches and landings, around these dams. The construction technician also advises other communities on similar projects at their dams and on water trails for budget and conservation oriented access types known as "low impact" accesses. In some cases, Eagle Scouts and other volunteers have led the actual development of these projects. Two seasonal assistants worked to lay out plans, assist with mapping, conduct river assessment field work for dam-related projects, and install signage and construct portages. Half of the time of one other FTE focused on leading river survey and assessment work at low-head dams. The other half of this position focuses on the Protected Water Areas program, a land conservation program along rivers, and is not within the purview of this report.

Portage construction involving hand-placed stones at a launch downstream of a dam.

Table 15

Water trails and dam safety a glance					
		2006	**2007**	**2008**	**2009**
Total number of individual water trails with state designation, to date		0	3	5	8
Miles of water trails designated		0	70	166.5	249
Number of low-head dams with standard warning signage, to date		2	19	27	36
Dam-related deaths, calendar year		2	6	0	2
Number of maintained portage trails around low-head dams completed, to date		2	8	20	26
Number of low-head dams modified or removed for safety purposes, to date		0	1	1	1

The program is currently working on 930 miles of additional water trails under active development in 25 counties, in addition to the 249 miles already designated. Eight water trails with a total of 249 miles of routes have been completed and officially designated by the state.

Other benefits of the water trails program include:

- Dam warning signs benefit all river users, including anglers and powerboaters.
- Volunteers participate in projects including portage construction, dam-safety outreach, and canoe-campsite construction.

Program outlook

The Iowa General Assembly amended Chapter 464A to require the Department to create a low-head dam public hazard program, and to conduct a statewide planning effort for water trails and low-head dams to begin July 1 2008. The planning effort included multiple stakeholder surveys, signage plan development, a dam inventory, and a water trails development manual conducted jointly by Iowa DNR River Programs and the Iowa State University Department of Landscape Architecture. This will result in a focused set of priorities for the water trails and low-head dam public hazard program, an updated inventory of dams on navigable streams statewide, and water trails development manual.

Hazard mitigation via removal or modification at several dams, including the Klondike Dam in Lyon County, the lower dam in Charles City, the Vernon Springs Dam on the Turkey River, a dam/crossing on the Yellow River, and the River Valley Park Dam in Ames, are all expected to either be removed and/or converted to rapids in 2010.

Table 16

Boat Fee Sourced Expenditures for Water Trails & Dam Safety

		FY06	FY07	FY08	FY09
Personnel		$7,572	$45,943	$71,147	$113,282
Travel Expenses		$1,038	$1,980	$4,728	$10,621
State Vehicle Operation & Depreciation				$9,457	$6,292
Office Supplies			$1,330	$1,932	$1,091
Facility Maintenance Supplies				$4,960	$4400
Equipment Maintenance Supplies			$2,568	$3,093	$1687
Other Supply (training programs equipment, safety education & outreach materials)			$1,824	$2,011	$2,771
Print and binding		$1,800	$3,010	$1,124	$3,475
Uniforms				$1,050	$229
Postage				$9	$0
Communications				$803	$1969
Rentals				$349	$598
Outside services			$2,000	$5,695	$4,793
Reimbursement & ITS Reimbursement				$729	$550
Equipment Inventoriable				$17,635	$11,982
Equipment Non Inventoriable				$1,379	$597
Indirects				$9,519	$15,588
TOTAL		$10,410	$58,655	$135,621	$179,925

Table 17

Water Trails Snapshot as of June 30, 2009	
Designated	**Under Development**
1. North Raccoon River WT (Greene)	1. West Fork Des Moines River WT (Emmet)
2. North Raccoon River WT (Dallas)	2. Lizard Creek WT (Webster)
3. Des Moines River WT (Polk)	3. Middle/South River WT (Guthrie)
4. Lower Des Moines River WT (Van Buren)	4. Middle/South River WT (Dallas)
5. Boone River WT (Hamilton)	5. North Skunk River WT (Jasper)
6. Wapsipinicon River WT (Buchanan)	6. Upper Iowa River WT (Howard)
7. Cedar Valley Paddlers Trail (Blackhawk)	7. Upper Iowa River WT (Winneshiek)
8. Odessa WT (Louisa)	8. Upper Iowa River WT (Allamakee)
	9. Yellow River WT (Allamakee)
	10. Maquoketa River WT (Jones)
	11. Maquoketa River WT (Jackson)
	12. Iowa River WT (Hardin)
	13. Iowa River WT (Johnson)
	14. Iowa River WT (Louisa)
	15. Wapsipinicon River WT (Clinton)
	16. Turkey River WT (Fayette)
	17. Turkey River WT (Clayton)
	18. West Nishnabotna River WT (Pottawattamie)
	19. Grand River WT (Decatur)
	20. Cedar River WT (Blackhawk)
	21. Raccoon River WT (Sac)
	22. Raccoon River WT (Calhoun)
	23. Raccoon River WT (Carroll)
	24. Des Moines River WT (Boone)
	25. Des Moines River WT (Webster)

Des Moines Mayor Frank Cownie speaks at the dedication for the Des Moines River Water Trail in Polk County.

Boating Recreation Infrastructure Maintenance and Management

The Iowa DNR owns or manages infrastructure for boating recreation across the state. This infrastructure is integral to safe boating and access to the waters.

The Law Enforcement Bureau and the Fisheries Bureau do not typically manage land and do not have the staff for this type of maintenance and management. The Wildlife Bureau staff manages and maintains state fishing access areas, boat ramps and docks in cooperation with other bureaus. See the attached Addendum A for the listing of the safe boating access areas managed by the Wildlife Bureau staff. Boating populations, including paddlers, have increased over the years and there is an ever-growing demand for safe, convenient and appropriate boating access areas.

These areas are heavily used for access 9 months of the year, or even more depending on the weather. They require frequent maintenance, especially since most are along river corridors in flood plains. Maintenance and management includes re-rocking areas, cleaning silt from the boat ramps, custodial functions such as removing trash and debris and maintaining signage. In addition to the staff time of the actual work, drive time and driving expenses are included, as Wildlife Headquarters cover 4-6 counties and the areas are remote.

The attached listing of areas represents 182 accesses that qualify for federal boat access funds. There is a detailed federal process to obtain the funds through a formula, and rigorous federal audits on those funds to make sure the boat fees and federal funds are used for the purpose of maintaining safe boat access areas. There are between one and four access ramps for each of the sites that require maintenance. The total cost per access averages out to less than $5,000 a year in maintenance. The cost of this program is leveraged 75% federal with 25% boat registration fees.

Table 18

Boat Fee Expenditures for Boating Infrastructure Maintenance and Management
(Salaries for labor, contracted services, equipment, signage, publications, etc.)

	Federal	Boat Fees	Total
FY06	$562,055	$187,351	$749,406
FY07	$583,129	$194,376	$777,505
FY08	$678,623	$226,208	$904,831
FY09	$665,478	$221,826	$887,303

IOWA'S MARINE FUEL TAX (MFT) PROGRAM

The DNR Marine Fuel Tax program is not directly tied to the boat fee revenues and expenditures, but it is a complimentary program. MFT has played a vital role in providing recreational boaters new opportunities as well as maintaining public lakes used by boaters.

- **Revenue from the excise tax on the sale of motor fuel used in watercraft**
  The amount of revenue generated by the marine fuel tax legislation equals nine-tenths of one percent of the state excise tax on gas, minus 3% of the marine fuel tax total for administrative costs and minus the amount refunded to commercial fishers based on the gallons of fuel they used.

- **MFT funds are leveraged with a variety of sources including Federal Coast Guard, Corps of Engineers Section 1135, State of Iowa Parks and Institutional Roads Fund, and local city and county conservation funds.**

- **Annual MFT funding historically ranges from $2.2 to $2.7 million.** Funds are often "carried forward", as they are connected with construction projects that might take multiple years to complete.

- **MFT funds are appropriated to the DNR to support and enhance recreational boating. Funded projects may include but are not limited to:**
  1. Dredging and renovation of lakes of this state.
  2. Acquisition, development, and maintenance of access to public boating waters.
  3. Development and maintenance of boating facilities and navigation aids.
  4. Administration, operation, and maintenance of recreational boating activities.
  5. Acquisition, development, and maintenance of recreational facilities associated with recreational boating.

- **Examples of MFT projects:**
  - Storm Lake (Buena Vista Co.) marina upgrade & expansion
  - Summerset State Park (Warren Co.) boat ramps and bathrooms
  - Lower Gar Lake (Dickinson Co.) outlet repair
  - Village Creek Access (Allamakee Co., Mississippi River) channel dredging

- **DNR Water Recreation Access Cost-Share Program**
  - Around $200,000 of MFT funds are available in the form of grants to local cities and counties for boat access facilities to lakes and streams
  - Projects are funded 75% state to 25% local match
  - DNR receives grant requests for 15 to 30 projects and awards amounts usually between $2,000 and $50,000

Addendum B is the FY 2009 MFT expense report.

Addendum A--Wildlife Bureau Management and Maintenance of Boating Accesses Areas

Badger Creek Recreation Area 1
Badger Creek Recreation Area 2
Badger Lake
Barringer Slough Wildlife Area
Bartlett Access
Bel Aire Access & Outlet
Big Sioux River Complex
Black Hawk Wildlife Area
Blackhawk Bottoms
Blue Lake
Bluebird Access
Brighton Access
Browns Lake
Center Lake Complex
Christopherson Slough Complex
Clear Lake Wildlife Unit
Cliffland Access
Cone Marsh
Dakota City Access
Dan Green Slough
Deer Island Wildlife Area
Des Moines River Access
Dewey's Pasture Complex
Diamond Lake
Edgewater Beach
Elk Creek Marsh
Elk Lake Wetland Complex
English River Access
Eveland Access
Five Island Lake
Fogle Lake 1
Fogle Lake 2
Fogle Lake 3
Gitchie Manitou
Goose Lake
Grand River Wildlife Unit 1
Grand River Wildlife Unit 2
Great Lakes Wildlife Unit

Hales Slough
Hamburg – Mitchell Access
Hardfish Access
Hawthorn Wildlife Area
Ingham-High Wetland Complex
Iowa Lake 1
Iowa Lake 2
Iowa Lake Access 3
Kettleson Hogsback Complex
Klum Lake
Lake Cornelia Access
Lake Icaria
Lake Icaria Wildlife Area 1
Lake Icaria Wildlife Area 2
Lake Sugema 1
Lake Sugema 2
Little Clear Lake
Little River
Little Sioux Wildlife Area
Little Storm Lake
Lizard Lake
Lower Hamburg Bend
MacCoon Access
McKain Access
Meadow Lake 1
Meadow Lake 2
Miami Lake Access
Middle Decatur Bend
Mississippi River Islands
Missouri River Wildlife Unit
Morse Lake
Mount Ayr Wildlife Area 1
Mount Ayr Wildlife Area 2
Nishnabotna Wildlife Unit
Odessa Wildlife Area
Orleans Access
Pickerel Lake
Prairie Lakes Wildlife Unit
Rainbow Bend Access
Rand Access

Rathbun Wildlife Area
Rathbun Wildlife Unit
Red Cedar Access
Redwing Access
Rice Lake Wildlife Area
Riverton Wildlife Area
Rock Creek Island Preserve
Rock-Sioux Access
Round Lake Wildlife Area
Rubio Access
Rush Lake
Selma Access
Shidepoke Access
Silver Lake
Silver Lake Complex
Skunk River Access
Skunk River Wildlife Area
Snyder Bend
South Skunk River Access
South Twin Lake
Spirit Lake Access
Sugema Wildlife Unit
Tama Beach Access
Thayer Pond Recreation
Three Mile Lake
Three Mile Wildlife Area 1
Three Mile Wildlife Area 2
Tieville Bend
Turkey Run Access
Turtle Bend Wildlife Area
Tuttle Lake Wetland Complex
Twelve Mile Lake
Tyson Bend
Union Mills Access
Upper Decatur Bend
Virgin Lake
Washta Access
Weedland Access
West Fork Access
West Swan Lake

White Horse Access
Wiese Slough Wildlife Area
Williamson Pond
Willow Slough
Willows Access
Winnebago Bend 1
Winnebago Bend 2

Addendum B—MFT 2009 Expenditure Report

Project Name	Federal	MFT	Other	Total Expense
Spirit Lake-Anglers Bay Land Purchase		$300,371		$300,371
MFT FEMA-FLOOD OF 08		-$488	$488	$0
Lost Grove Lake non cost shared		$118,387		$118,387
Fisheries MFT Projects		$360		$360
Village Creek-Parking & Channel Cleaning		$24,246		$24,246
Honey Creek-Shoreline Protec and boat ramps		$542,438		$542,438
Construction Services Transfer Operations		$181,411		$181,411
Ramp & Access Renovation General		$19,624		$19,624
Statewide Boat Access Docks-cost share	$250	$250		$500
County Cost Share Projects		$154,341		$154,341
Water Trails Program		$48,822		$48,822
Low Head Dam signage		$5,403	$5,600	$11,003
Admin transfer for Water Trails/Signage		$68,449		$68,449
Casino Bay-Marina Improve. Phase I	$356,225	$356,225		$712,450
Minor Projects-Cost Shared	$36,933	$36,933		$73,866
County Cost Share Projects	$3,844	$3,844		$7,688
Red Rock/Elk Rock Ramp & Stalls	$71,380	$71,380		$142,759
Otter Creek Marsh-Raise Dike		$60,081		$60,081
Total Marine Fuel Tax	$468,632	$1,992,076	$6,088	$2,466,796

Lake Restoration
2009 Report and 2010 Plan

Submitted To

Joint Appropriations Subcommittee on Transportation, Infrastructure, and Capitals
and
Legislative Services Agency

Submitted By

Iowa Department of Natural Resour*ces*
Richard A. Leopold, Director

December 30, 2009

Executive Summary

The Department of Natural Resources (IDNR) Lake Restoration Program (LRP) focuses on restoring impaired lakes to improve the quality of life for Iowans. Communities are rallying around their water resources as they seek population growth and economic success. Communities of the Iowa Great Lakes Region, Storm Lake, Creston and Clear Lake are obvious examples, but other communities including Carter Lake, Lake View and Brighton are identifying the importance of lakes for their futures as well. The distribution and nature of Vision Iowa - "Community Attraction and Tourism" and "River Enhancement" grants, and now, Iowa's Great Places, all further emphasize the importance of water to community, quality of life and economic growth.

Iowans value water quality and desire safe healthy lakes that provide a full complement of aesthetic, ecological and recreational benefits. In the 81st General Assembly, with HF 2782, the legislature responded to our need for improving Iowa's lakes by creating the Lake Restoration Plan and Report, known as the Lake Restoration Program.

Included in Section (26) of The Endowment for Iowa's Health Account is a process and criteria for completing successful lake restoration projects (Appendix A). It directs the IDNR to report annually its plans and recommendations for lake restoration funding, as well as progress and results from projects funded by this legislation. This report has been prepared in accordance with these requirements. In addition, it describes some of the important work done by local, state and federal partners. These partnerships, along with sound scientific information, are the foundation of current and future successful lake restoration projects.

Lake Restoration Program

The Lake Restoration Program is modeled after the Federal Clean Lakes Program established in the 1970's.

- The DNR began by ranking 131 of Iowa's Significant Public Lakes (SPOLs) for lake restoration potential (see definition for SPOL - Appendix B).
- Ranking based on a 5-year Iowa State University (ISU)/IDNR assessment of water quality, technical feasibility of restoration, potential economic benefits, use by Iowans, and local support.

[Note: The following directives to the department regarding Project Goals, Process and Criteria, and Restoration Plan Guidelines are summarized from 2006 State Legislation (HF2782)]

Lake Restoration Program - Project Goals

The department shall recommend funding for lake restoration projects that are designed to achieve the following goals:

- Ensure a cost effective, positive return on investment for the citizens of Iowa.
- Ensure local community commitment to lake and watershed protection.
- Ensure significant improvement in water clarity, safety, and quality of Iowa lakes.
- Provide for a sustainable, healthy, functioning lake system.
- Result in the removal of the lake from the impaired waters list.

Lake Restoration Program - Process and Criteria

The process and criteria to recommend funding and for lake restoration projects shall be as follows:

- The department shall develop an initial list of not more than thirty-five significant publicly-owned lakes (Appendix C) to be considered for funding based on the feasibility of each lake for restoration and the use or potential use of the lake, if restored. The list included lake projects under active development that the department recommended be given priority for

funding so long as progress toward completion of the projects remained consistent with the goals of the program.

- The department shall meet with representatives of communities where lakes on the initial list are located to provide an initial lake restoration assessment and to explain the process and criteria for receiving lake restoration funding.
- Communities with lakes not included on the initial list may petition the director of the department for a preliminary lake restoration assessment and explanation of the funding process and criteria.

Lake Restoration Program - Restoration Plan Guidelines

The department shall work with representatives of each community to develop a joint lake restoration action plan.

- At a minimum, each joint action plan shall document the causes, sources, and magnitude of lake impairment, evaluate the feasibility of the lake and watershed restoration options, establish water quality goals and a schedule for attainment, assess the economic benefits of the project, identify the sources and amounts of any leveraged funds, and describe the community's commitment to the project, including local funding.
- The community's commitment to the project may include moneys to fund a lake diagnostic study and watershed assessment, including development of a TMDL (total maximum daily load).

Each joint lake restoration plan shall comply with the following guidelines:

- Biologic controls will be utilized to the maximum extent, wherever possible.
- If proposed, dredging of the lake will be conducted to a mean depth of at least ten feet to gain water quality benefits unless a combination of biologic and structural controls is sufficient to assure water quality targets will be achieved at a shallower average water depth.
- The costs of lake restoration will include the maintenance costs of improvements to the lake.
- Delivery of phosphorous and sediment from the watershed will be controlled and in place before lake restoration begins.

In-lake, in conjunction with watershed management, will meet or exceed the following water quality targets:

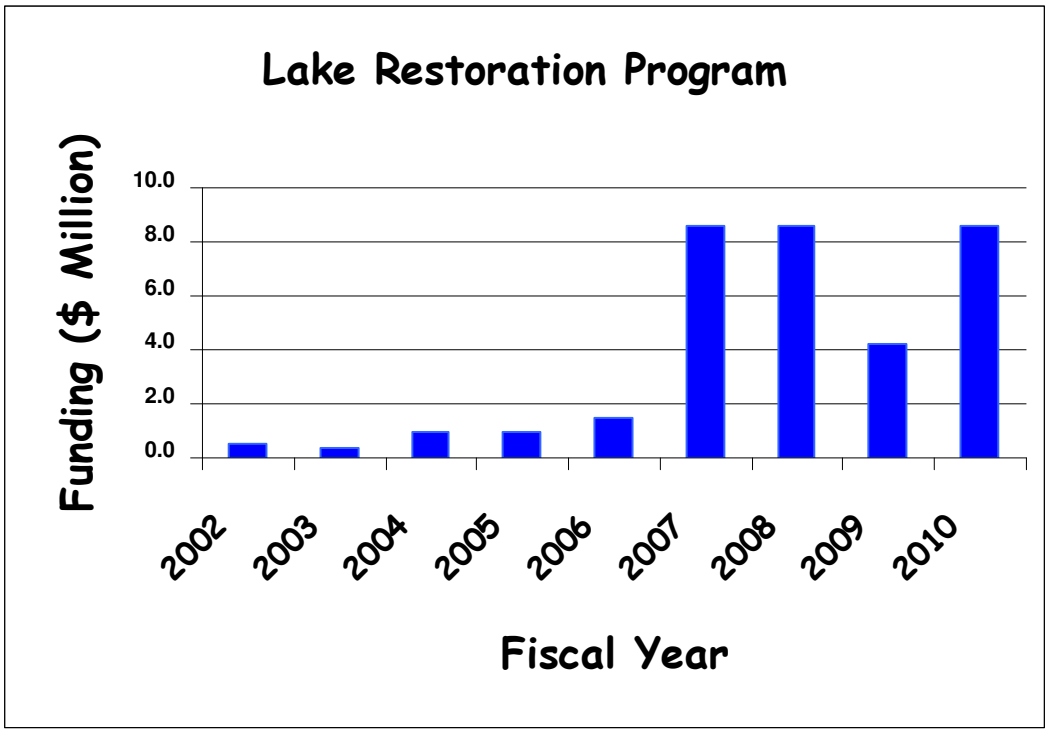
- Clarity. A four and one half foot secchi depth will be achieved fifty percent of the time from April 1 through September 30.
- Safety. Beaches will meet water quality standards for recreational use.
- Biota. A diverse, balanced, and sustainable aquatic community will be maintained.
- Sustainability. The water quality benefits of the restoration efforts will be sustained for at least fifty years.

The department shall evaluate the joint action plans and prioritize the plans based on the criteria required by the program.

Lake Restoration Program - Funding

Annual funding for FY2007 and 2008 of $8.6 million per year enabled the IDNR to improve several Iowa's lakes and proceed with implementing projects at a number of our other priority systems (Figure 1). However, the Lake Restoration Program has matured to the point where a number of multi-step projects are nearing the implementation phase; therefore, we now have more projects ready to start in a given year than we have available dollars.

Project planning involves working with representatives of the local community to develop a joint restoration plan. For planning purposes, it is necessary that a proper assessment of the lake and watershed is available to provide restoration alternatives to meet given water quality goals. In order to achieve lake restoration goals it is critical that the IDNR form effective watershed partnerships. This includes partnerships at the local and administrative levels of government. Local, state and federal programs offer a multitude of programs for financial assistance to landowners for soil conservation and other water quality protection practices. Building community support and development of partnerships is a long-term commitment from the lake restoration program and is the foundation to the program's success.



In addition, the majority of lake restoration projects involve construction phases of watershed or in-lake implementation. A typical construction project might include the following phases: project scoping, engineering design, work bid letting, contract development, construction, and inspection. All processes must adhere to the standards and requirements of doing business as a public agency. Certain projects may require easements or land acquisition before construction can begin and/or require approvals and permits such as an archeological investigation for historic properties, an environmental review for threatened or endangered species, floodplain/404 permit, and sovereign lands permit.

Estimated Restoration Costs for the Thirty-Five Priority Lakes/Watersheds

The 2008 US EPA Watershed Survey supported an initial $197 million dollar need by Iowa to address lake restoration efforts throughout the state. Depicted below is the DNR/ISU estimate for restoring our 35 high priority Iowa Lakes.

In FY2009, the source of funding for the LRP was an appropriation from the bond proceeds of the restricted capital funds account tobacco settlement trust fund. Since these bonds were not sold, FY2009 funds were not made available to the IDNR's Lake Restoration Program until FY2010. In FY2010, the LRP received $12.8 million dollars to meet FY2009 contracted obligations and FY2010 budgeted program activities (a 50% decrease in FY2009 funding levels). The legislature appropriated $10.0 million dollars under the SF376 (IJOBS Bonding Bill) and $2.8 million under the HF822 (Rebuild Iowa Infrastructure Fund Appropriation). Maintaining future funding will be a critical component to moving these multiple year projects forward and plan for new projects.

Lake Restoration Program - Status

The intent of the program is to develop and administer lake restoration projects that achieve the following goals: ensure a cost-effective investment for the State of Iowa; foster a community commitment to lake and watershed protection; and provide significant improvement to the quality of Iowa lakes.

As indicated above, the department initially ranked 131 public lakes to prioritize lake restoration efforts. A group of thirty-five lakes, classified highest in priority for restoration, was established and served as a starting point for identifying potential lake restoration projects. An additional eight lakes have either successfully petitioned or been added into the program. Major water quality improvement initiatives are completed or near completion at seven lakes. Current program activities are in progress at twenty-six lakes throughout the state and either in the planning or initial community outreach stage at an additional eleven lakes (Figure 1).

Timelines for many of these projects usually fall within a two-year period. However, dredging or major construction projects may take even longer. Contractors face substantial costs to mobilize and set up lake dredging operations and this critical work needs multiple year commitments to secure contactors. As such, the most practical and efficient way to complete these undertakings are as continuous projects. The Lake Restoration Program has matured to the point where a number of multi-step projects are nearing the implementation phase. Table 1 highlights major work activities planned for the remainder of FY2010 and FY2011.

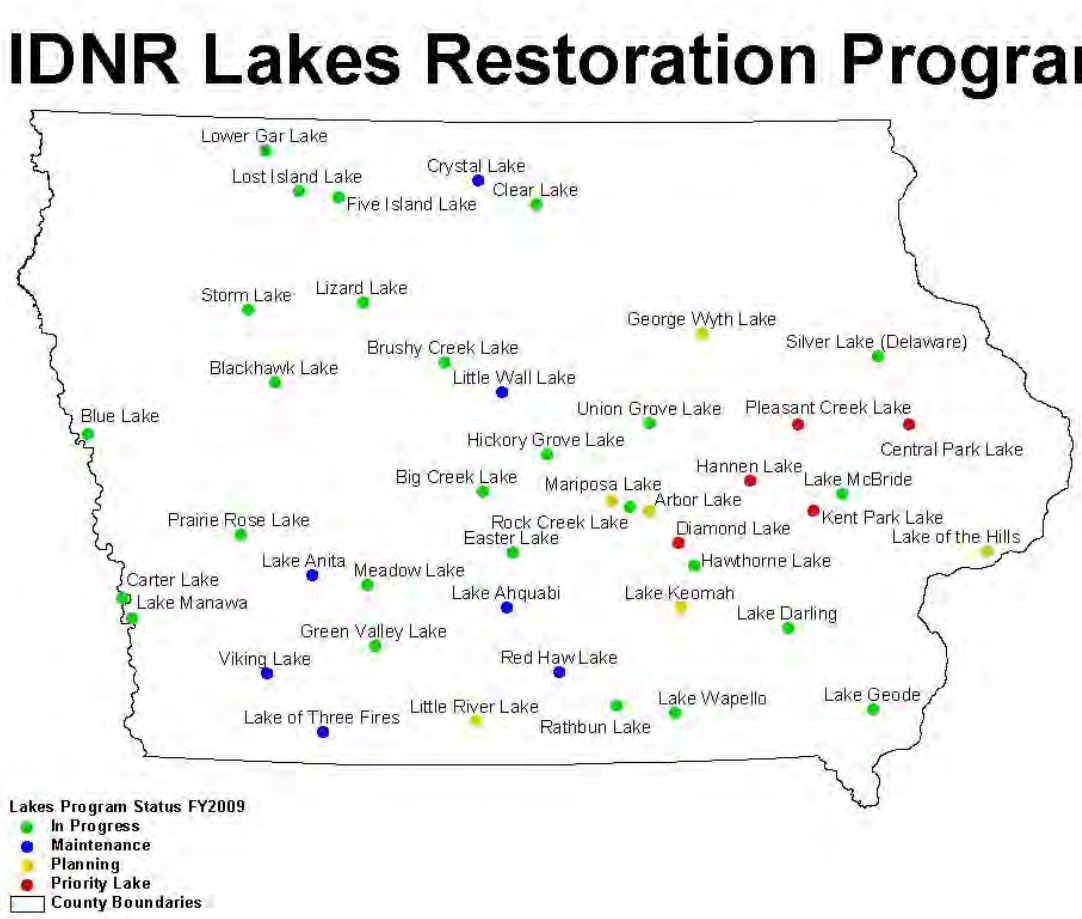


Figure 1. FY2009 Lake Restoration Program Project Status

Clear Lake, Green Valley Lake and Storm Lake are all examples of projects that have required a multiple-year funding commitment from the State in order to achieve lake restoration goals. A significant portion of the FY2009 budget was spent on the three, above mentioned, multi-phase projects (Table 2). Final components to the Green Valley Lake restoration included completion of the spillway modification, in-lake habitat and shoreline stabilization, renovation of the fishery and planned sediment removal. The DNR and local partner City of Storm Lake continued working toward their long-term sediment removal goals and restoration of Little Storm Lake. In addition, dredging efforts at Clear Lake have been completed and final planning is in place for an Aquatic Ecosystem project at the Ventura Marsh region of the Clear Lake system.

Tables 3 and 4 summarize current and planned expenditures for FY2010 and FY2011. A descriptive project summary by lake follows. The program continues to develop new projects and make contact with local communities about the lakes in their area prioritized for restoration. Current efforts are focused on continued work and completion of projects where restoration efforts have already been initiated.

Table 1. Work schedule for select multi-year lake restoration projects

Project Name	County	Projected Timeline	Project FY2010 and FY2011 Work Schedule
Blackhawk Lake	Sac	2010 - 2015	Diagnostic / Feasibility (DF) study and TMDL reports completed spring 2010. Public meeting to develop implementation plan.
Carter Lake	Pottawattamie	2008 - 2012	Engineering and design for implementation plan will be completed; partnership includes the States of Iowa and Nebraska and the cities of Omaha and Carter Lake ; Phase I - watershed improvement projects, lake alum treatment and fish renovation scheduled for 2010.
Clear Lake	Cerro Gordo	2000 - 2010	Dredging completion fall of 2009; targeted 2.4 million cubic yards was removed; continued work in the watershed; Ventura Marsh restoration – partnership with Army COE, construction phase begins Spring 2010
Easter Lake	Polk	2011 - 2014	Diagnostic Study will be completed spring 2010, including NRCS assessment of Yeader Creek. A public meeting will take place in spring of 2010 to inform the public of the results found during the surveys and studies and to develop a restoration plan.
Five Island Lake	Palo Alto	1990 - 2011	Continued support of local dredging project. DNR Lakes Program will work with local stakeholders to evaluate watershed/water quality improvement needs to compliment local dredging efforts
Green Valley Lake	Union	2008 - 2010	Silt removal and silt dike construction underway; construction scheduled for winter/spring 2010.
Lake Darling	Washington	2008 - 2011	Spillway repair/replace investigation completed; design for dam reconstruction completed; lake drained fall 2008; Dam construction, in-lake restoration (shoreline deepening, silt dike construction, fish renovation) and dredging will begin in July 2010 through November 2011; final watershed work on state property completed by fall 2010
Lake Manawa	Pottawattamie	2009 - 2014	DF study is completed; the DNR is exploring the option of utilizing dredge materials for future Iowa DOT highway projects. This will include an archeological survey followed by a pilot dredging project.
Prairie Rose Lake	Shelby	2011 - 2013	DF Study has been completed; the Shelby County Soil and Water Conservation District was awarded a $510,611 Water Quality / Watershed Protection Project Grant and work is underway; actively pursuing acquisition of a containment site.
Rock Creek Lake	Jasper	2008 - 2015	Purchased containment site adjacent to lake; construction of five sediment control structures is scheduled for 2010.
Storm Lake	Buena Vista	2000 - 2014	Continued support of local dredging project; locally sponsored WIRB Grant to improve Little Storm Lake water quality; five-year project completion plan was developed with local sponsors and will be implemented.

Table 2. Actual Budget: Fiscal Year 2009

FY08 Carry Forward Funds ($7,616,930) plus FY09 Appropriation ($10,000,000)	FY2009 Budget	$17,616,930			
Project Name	**Description**	**FY09 DNR Spent**	**Fed Spent**	**Other Spent**	**Total Expense**
Administration	Engineering, Project Management	$517,199			$517,199
Black Hawk	Feasibility Study	$47,210		$37,500	$84,710
Brushy Creek	Shoreline Protection	$8,728			$8,728
Clear Lake	Dredging/Carp study	$4,288,915		$970,000	$5,258,915
Clear Lake	Grit Collection Chamber		$17,922		$17,922
Crystal Lake	Water Quality Improvement	$23,917			$23,917
Dam Safety	Signage	$43,275			$43,275
Feasibility Studies	Restoration action plans	$424,363			$424,363
Five Island	Dredging	$200,000			$200,000
Green Valley	Spillway/Watershed	$903,410			$903,410
Lake Darling	Watershed Improvement - non cs	$92,484			$92,484
Lake Darling	Watershed Improvement		$107,761		$107,761
Lake Macbride	Road Riprap		$16,216		$16,216
Lake Manawa	Feasibility Study	$173,693			$173,693
Lake Rathbun	Shoreline Riprap	$274,000			$274,000
Lake Wapello	Watershed Improvement	$80,050	$240,150		$320,200
Lost Island Lake	Watershed Improvement	$2,928			$2,928
Lower Gar	Feasibility Study		$65,316		$65,316
Minor Projects	Minor Projects	$254,845			$254,845
Prairie Rose	Watershed Improvement - non cs	$1,840			$1,840
Rock Creek	Watershed Improvement - non cs	$476,288			$476,288
Shallow Lakes	Water Quality Improvement	$61,943			$61,943
Storm Lake	Dredging	$902,950			$902,950
Total FY2009		**$8,778,037**	**$447,365**	**$1,007,500**	**$10,232,903**
FY09 Carry forward to FY2010		**$8,838,893**			

Table 3. Budget: Fiscal Year 2010

FY09 Carry Forward Funds ($8,838,893) plus FY10 Appropriation ($2,800,000)	FY2010 Budget	$11,638,893					
Project Name	**Description**	**FY10 DNR Spent / Under Contract**	**FY10 DNR Obligated**	**Total DNR**	**Fed**	**Other**	**Total Expense**
Administration	Engineering, Project Management	$202,959	$297,041	$500,000			$500,000
Black Hawk	Feasibility Study	$121,298		$121,298			$121,298
Blue Lake	Feasibility Study	$203,527		$203,527			$203,527
Carter Lake	Engineering and Design	$100,000		$100,000		$675,000	$775,000
Clear Lake	Dredging / Carp zebra mussel study	$537,596	$723,080	$1,260,676		$250,000	$1,510,676
Clear Lake	Grit collection chamber				$34,790		$34,790
Clear Lake	SEC 206 Ventura Marsh	$620,000		$620,000	$2,618,292	$790,000	$4,028,292
Clear Lake	McIntosh Woods Shoreline stabilization		$100,000	$100,000		$10,000	$110,000
Dam Safety	Signage	$330,246	$26,479	$356,725			$356,725
Feasibility Studies	Restoration action plans	$66,938	$619,556	$686,494		$50,000	$736,494
Five Island Lake	Dredging	$200,000		$200,000		$100,000	$300,000
Green Valley	Containment site / sediment removal	$1,150,950	$200,000	$1,350,950			$1,350,950
Hickory Grove	Shoreline stabilization		$20,000	$20,000			$20,000
Hickory Grove	Feasibility Study	$148,718		$148,718			$148,718
Lake Darling	Watershed improvement - cs	$20,541	$50,972	$71,513	$61,624		$133,137
Lake Darling	Dredging, land acquisition, silt dike, dam repair	$561	$2,199,264	$2,199,825			$2,199,825
Lake Manawa	Feasibility Study / archeological survey		$25,000	$25,000			$25,000
Lake Manawa	Water quality improvement	$1,568	$498,433	$500,000			$500,000
Lake Rathbun	SEC 1135 Rathbun Habitat Restoration Project	$290,000		$290,000	$2,025,000		$2,315,000
Lake Wapello	Control structures and ponds - cs	$2,296	$76,871	$79,167	$6,887		$86,054
Lake Wapello	Repair to gabion silt structure	$65,000		$65,000			$65,000
Lizard Lake	Spillway repair, fish renovation		$50,000	$50,000			$50,000
Lost Island	Fish barrier construction / restoration	$80,000	$380,000	$460,000			$460,000
Minor Projects	Minor projects	$12,177	$237,823	$250,000			$250,000
Prairie Rose Lake	Watershed improvement - cs		$100,000	$100,000			$100,000
Prairie Rose Lake	Land acquisition	$1,560	$298,440	$300,000			$300,000
Rock Creek Lake	Watershed improvement - cs		$100,000	$100,000			$100,000
Shallow Lakes	Water quality improvement	$20,334	$159,666	$180,000			$180,000
Storm Lake	Little Storm Lake control structure	$200,000		$200,000		$200,000	$400,000
Storm Lake	Dredging, watershed improvement	$1,100,000		$1,100,000		$335,000	$1,435,000
Total FY2010		**$5,476,269**	**$6,162,624**	**$11,638,893**	**$4,746,592**	**$2,410,000**	**$18,795,486**

Table 4. Proposed Budget: Fiscal Year 2011

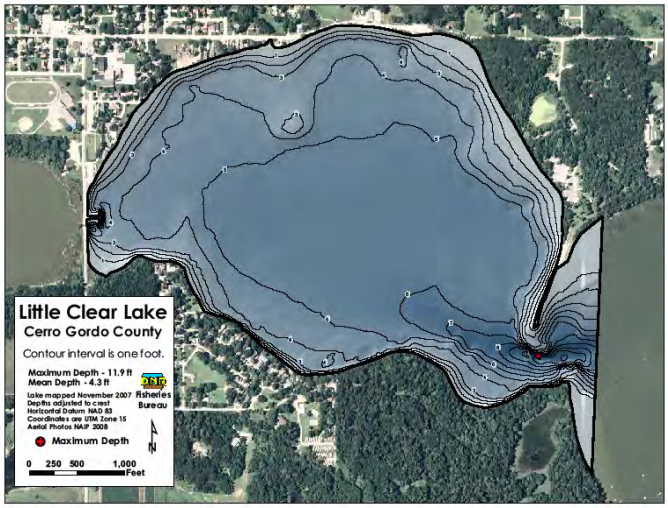
FY2010 Carry Forward Funds ($0) plus FY11 Appropriation ($8,600,000)	FY2011 Budget	$8,600,000			
Project Name	**Description**	**FY10 DNR Budget**	**Fed**	**Other**	**Total Expense**
Administration	Engineering, Project Management	$500,000			$500,000
Black Hawk	Watershed improvement	$75,000			$75,000
Carter Lake	Water quality improvement	$800,000		$2,000,000	$2,800,000
Clear Lake	Water quality improvement	$200,000			$200,000
Dam Safety	Signage	$200,000			$200,000
Easter Lake	Water quality improvement	$100,000			$100,000
Feasibility Studies	Restoration action plans	$300,000			$300,000
Five Island Lake	Dredging	$200,000		$100,000	$300,000
Green Valley	Containment site structure	$50,000			$50,000
Hawthorn Lake	Shoreline and watershed structures	$500,000		$360,090	$860,090
Lake Darling	Lake Restoration Project	$2,492,500			$2,492,500
Lake Manawa	Pilot dredging	$620,000			$620,000
Lake Wapello	Control structures and ponds - cs	$37,500	$112,500		$150,000
Lizard Lake	Water control structure	$200,000			$200,000
Lost Island	Fish barrier construction / restoration	$125,000		$145,000	$270,000
Prairie Rose Lake	Spillway modification	$800,000			$800,000
Shallow Lakes	Water quality improvement	$200,000			$200,000
Storm Lake	Dredging	$1,000,000		$335,000	$1,335,000
Storm Lake	Little Storm Lake control structure	$200,000			$200,000
Total FY2011		**$8,600,000**	**$112,500**	**$2,940,090**	**$11,652,590**

Lake Restoration Program (LRP) Highlights

Clear Lake (Cerro Gordo County)

Clear Lake is a 3,625 acre natural lake in Northwest Iowa. It has a watershed to lake area ratio of 2.3/1. In 2001, ISU completed a lake/watershed diagnostic/feasibility study. They presented a number of lake restoration options; specifically dredging of Little Clear Lake and restoration of Ventura Marsh.

- A 208 acre dredge spoil site was purchased with approximately $660,000 of LRP funds and an additional $660,000 local match.
- Contractors completed the $886,000 containment site in spring of 2008.
- The estimated cost of dredging was $8 million dollars (2.3 million cubic yards at $3.50/cu. yd.).

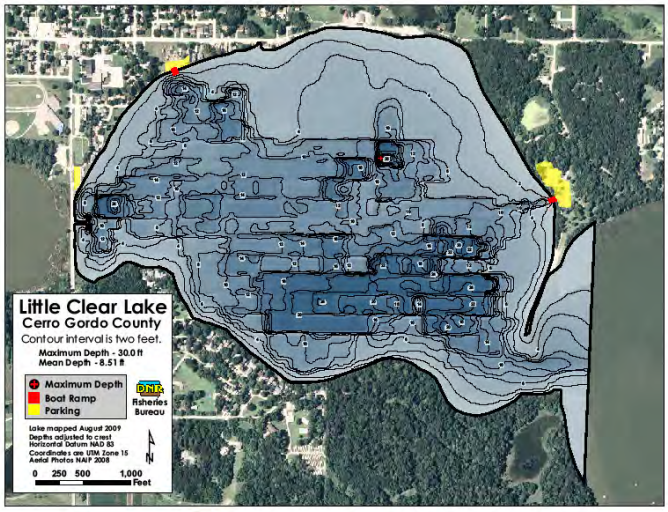


- Bids were let in January 2008 for the hydraulic dredging of the Little Lake portion of Clear Lake; the low bidder, L.W. Mattensen of Burlington, Iowa, was awarded the $6,453,000 contract (75% LRP and 25% local-match funding).
- Dredging commenced in late spring of 2008 and completed by late-summer of 2009. A total of 2.4 million cu. yds. were removed.

Little Clear Lake Pre-dredging *(Maximum Depth: 11.9 ft, Mean Depth 4.3 ft)*

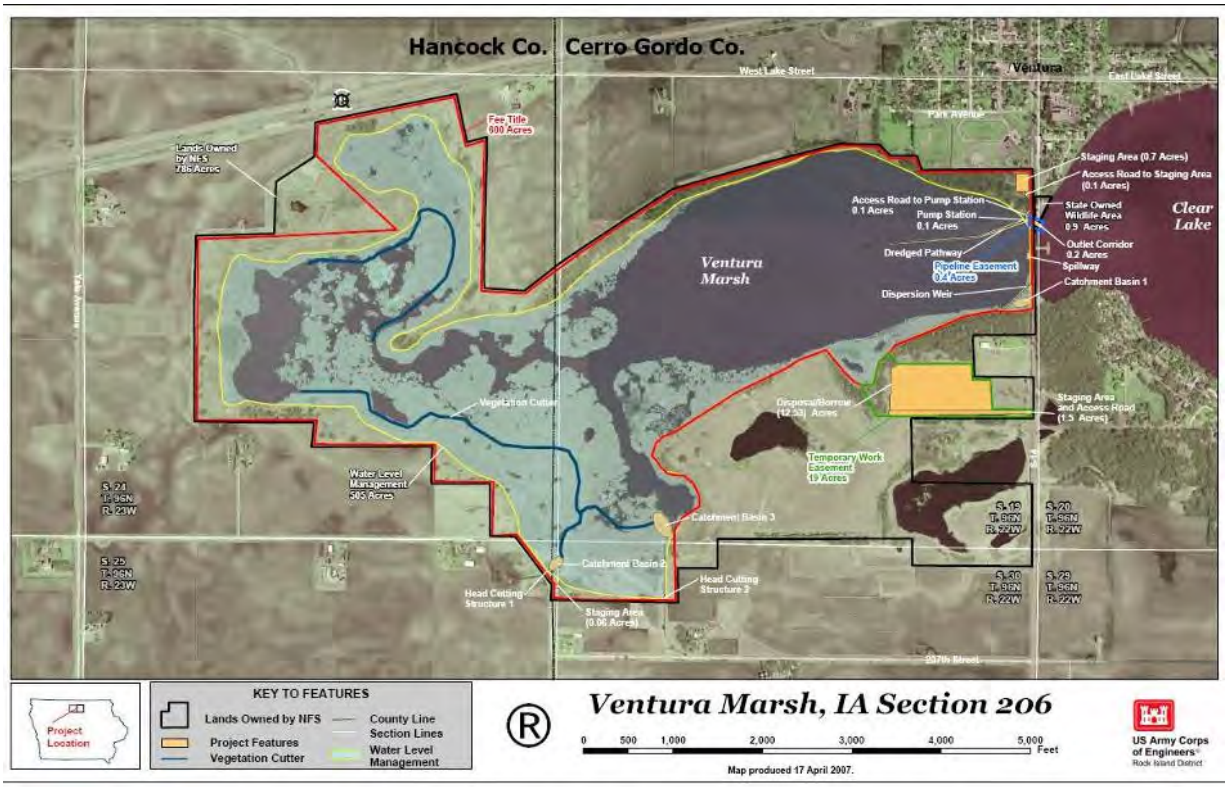
Little Clear Lake post-dredging (*Maximum Depth: 30.0 ft, Mean Depth 8.5 ft)*

Following dredging, the water clarity in the west end of Clear Lake was recorded at 3.1 feet. This was a 72% improvement from conditions observed pre-dredging (2008).



Section 206 U.S. Army Corps of Engineers
Aquatic Ecosystem Restoration Project for Ventura Marsh

- Plans have been developed for a Section 206 U.S. Army Corps of Engineers Aquatic Ecosystem Restoration Project for Ventura Marsh, which flows into the west end of Clear Lake. In its present degraded state, the marsh serves as a major source of nutrients contributing to water quality problems in the lake and is a major reproduction area for common carp.
- The Army Corp of Engineers (COE) has $2.62 million earmarked to the for a Ventura Marsh restoration project. Ventura Marsh state land credits of $790,000 and approximately $619,849 in LRP dollars will fund the IDNR's portion of the marsh restoration project.
- The goal is to work with the COE in FY2010 and FY2011 to restore Ventura Marsh and gain water level management capabilities. This will allow for fish removal and revegetation of the marsh.
- The total cost of all above mentioned activities is approximately $17 million. Of this amount, local and federal match represent 40% of the funds necessary to complete these restoration efforts.



Ventura Marsh Section 206 Project Area

<u>Anticipated Benefits</u>

Restoration efforts and improvements in water quality have the potential to double the annual economic return that Clear Lake generates to the local economy. The Center for Agriculture and Rural Development at ISU has projected a significant benefit to cost ratio from lake and watershed restoration at Clear Lake. Restoration of Ventura Marsh will improve the water quality of Clear Lake and help keep the Carp population under control. Local groups and DNR Section 319 continue to pursue watershed projects that have the potential to decrease sediment delivery to Clear Lake. In addition, in FY2010 the DNR and Hancock SWCD will cost share on stabilization of critical shoreline areas at McIntosh Woods State Park.

Green Valley Lake (Union County)

Green Valley Lake is a 390-acre lake constructed in 1950. It has a watershed to lake ratio of 11.3/1. A limited lake restoration project through the State and U.S. EPA's Clean Lakes Program was undertaken in the mid 1980s, however additional watershed and in-lake work was needed. Current plans to improve water quality and restore Green Valley Lake were initiated in 2006.

The local district soil group and NRCS have completed a watershed assessment and have developed a four-year plan to make needed watershed improvements. Cost share funding is now available for local landowners to accomplish soil and water quality improvement projects on their property. Iowa State University completed a Diagnostic Feasibility study in 2008 and presented a variety of restoration alternatives (i.e. spillway modification, fish restoration and dredging of coves) for consideration. A technical workgroup that includes IDNR staff, the city of Creston, Southern Iowa Rural Water, Green Valley Chemical and CIPCO meet to coordinate activities.

- A four-year watershed improvement plan, with $70,000 available annually, is being utilized, to complete approved soil and water quality improvement projects.
- The local NRCS District Conservationist has indicted that they have an extensive list of willing watershed landowners that plan to participate in this initiative. Design and construction has been initiated on several structures.
- Recent fish population estimates supported the presence of high numbers of yellow bass and common carp. Both species are considered detrimental to sport fish populations, with common carp having the additional negative impact of contributing to poor water quality conditions.
- The current design of the concrete spillway allowed common carp to enter the lake during high outflow periods. A renovation of the fishery and design of potential spillway modifications were conducted fall 2008. Spillway construction, at a cost of $510,435, was completed in May 2009 by Iowa Bridge & Culvert LC.
- A $348,767 contract was awarded to CL Carroll Company Inc. for in-lake fish habitat and protecting of the existing shoreline. This project was funded by Fish Habitat Stamp funds in cooperation with Federal Dingell-Johnson, Marine Fuel Tax and Lake Restoration Program funds.
- The Natural Resource Commission approved the acquisition of a parcel of land from LRP funding. The land is located 2.5 miles north of Creston, and adjacent to the northeast corner of Green Valley State Park. This 67.58-acre parcel was offered by the Betty E. Gater Estate for $338,000. The DNR has determined that over 30% of the phosphorus loading to the lake system comes from this portion of the watershed. In addition, this site can serve as a storage area for sediments that will be removed from the Green Valley Lake during the lake restoration process.

Green Valley Lake (Union Co.) spillway repair and modification project

- The DNR has begun the process of facilitating the removal of silt from above the dike structures in the upper arms of the lake. Approval has been given to negotiate a $1.1 million dollar contract for the removal of 220,000 cu. yds. of sediment from the existing sediment basins within Green Valley Lake. Additional work will include the addition of one more silt retention basin in the north arm of the lake.

Storm Lake (Buena Vista County)

Storm Lake is a shallow natural lake (4th largest natural lake in Iowa) with a surface acreage of 3,150 acres and a watershed to lake ratio of 4.5/1. Prior to the current dredging effort, IDNR last dredged Storm Lake in 1962. Lake depth maps developed in 1992 indicate that the 1962 dredging sites lost 77% and 46% of their volume. Studies indicate that the majority of the sediment filled these areas was from in-lake dynamics with some contribution from the watershed.

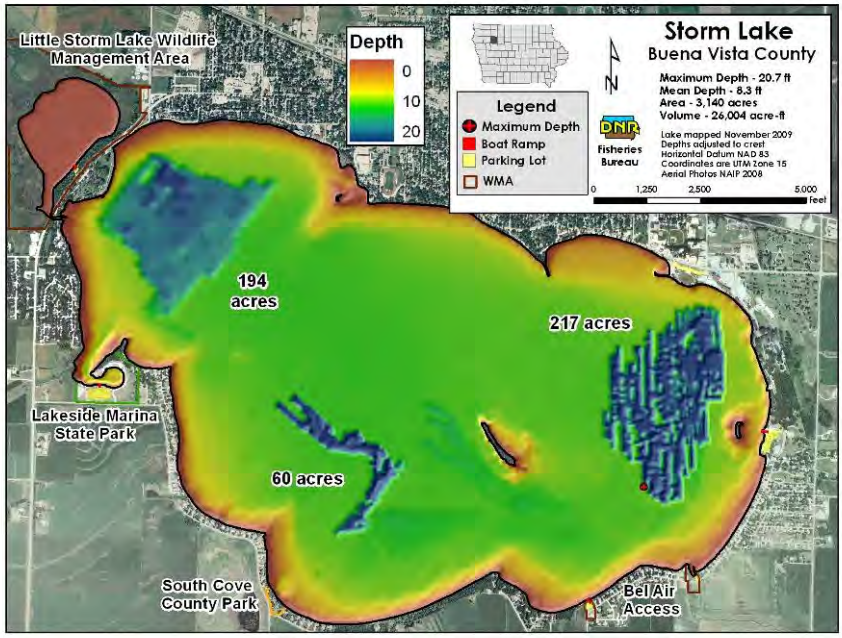
- Storm Lake constructed a dredge spoil site in 2001 and began dredging activities in 2001/2002. IDNR lake dredging removed 1.32 million cu./yds. of sediment at a total project cost of $3.3 million.
- Funding limitations restricted this initial dredging activity to 180-acres of the lake.
- The Lake Preservation Association (LPA) expressed a strong interest to continue dredging to achieve better water quality.
- From 2002 to 2009, a total of $12.75 million has been spent toward the restoration of Storm Lake

DNR Lake Restoration Program	$7.63 million
Local Contribution	$3.35 million
Federal	$1.77 million

- The City of Storm Lake leased the IDNR containment site for an additional 2-years and has since constructed a new containment site east of Storm Lake.
- The City continues to improve stormwater delivery to the lake.
- Current data supports that past restoration efforts have resulted in improvements to the water quality of Storm Lake. Water clarity averaged 22 inches in 2009 opposed to an average clarity of 10 inches in 2004. There has also been a reduction in the average concentration of total phosphorus in the water column.

<u>Joint (DNR/Local) Five-year Project Completion Plan</u>

- From 2002 to 2009, 4.53 million cu./yds. have been removed from over 471 acres of the lake



- The project goal is to dredge an additional 2 million cu./yds. of sediment
- This additional material can be placed within and will fill the current containment site
- To accomplish this goal will require an additional $5 million in lake restoration funds and $1.365 million of local match.

Little Storm Lake Ecosystem Restoration

The Lake Preservation Association (LPA) for Storm Lake applied and received a Watershed Improvement Review Board (WIRB) grant for $200,000 to reduce the sediment and phosphorous transport from Little Storm Lake in to Storm Lake. The Lake Restoration Program will match the grant with an additional $200,000.

- Little Storm Lake is a 190-acre state-owned marsh that is an extension of Storm Lake (marsh and lake elevation is the same).
- Approximately 70% of the water from the watershed flows through Little Storm Lake. Little Storm Lake originally had the ability to remove much of the sediment and nutrients from incoming waters. However, due to degradation, proper wetland function has been compromised. Under normal hydrologic conditions Little Storm Lake as the potential to function as a sediment trap for Storm Lake, but this capacity is overwhelmed during high flows. Little Storm Lake is at or near its sediment trapping capacity, which results in higher sediment transport into Storm Lake. Resuspension of sediments due to wind and other in-lake dynamics, such as rough fish, further exacerbate the total turbidity from suspended sediment and results in movement of sediment from Little Storm Lake into Storm Lake.
- This project includes a fish barrier and water retention structure between Little Storm Lake and Storm Lake and the construction of a pumping station and associated equipment. The project involves periodic dewatering of Little Storm Lake during years of favorable climatological conditions to consolidate the sediments and revegetate the area. Construction of the fish barrier would aid restoration efforts by preventing rough fish from destroying the vegetation and would decrease recruitment of rough fish by limiting their spawning area. In the future, if the diminished trapping capacity of Little Storm Lake still results in sediment moving into Storm Lake, a dredging project would be initiated to deepen the Little Lake.

Anticipated Benefits

- This aggressive dredging goal, coupled with watershed improvements and restoration of Little Storm Lake and wetland will result in significant improvements in water quality. We anticipate an average summer water clarity of 30 inches (a 300% improvement in water clarity since inception of the project) by 2015.
- In addition, lake restoration efforts so far have encouraged a $35 million economic development named “Project AWAYSIS” that has the potential to create 690 new jobs and over $28 million in new spending in Storm Lake and Buena Vista County.
- Completion of the Casino Bay Marina with $3 million dollars of State of Iowa funds which allow better access and a full service boat dealership on the lake.

Lake Restoration Program (LRP) – Projects In Progress

Big Creek Lake (Polk County)

Agency leaders to herald better water quality in Big Creek Lake
Posted: November 20, 2007

NOTE: This is a joint press release from the Iowa Department of Agriculture and Land Stewardship, the Iowa Department of Natural Resources and the U.S. Department of Agriculture – Natural Resources and Conservation Service.

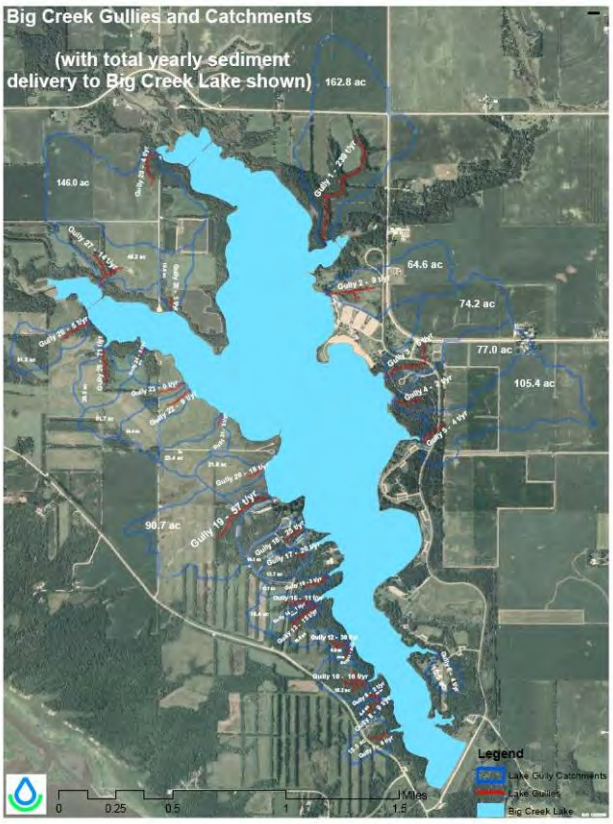
POLK CITY – DNR Director Richard Leopold, Secretary of Agriculture Bill Northey and NRCS State Conservationist Rick Van Klaveren will help the Boone and Polk County Soil and Water Conservation Districts celebrate securing a development grant to improve water quality at Big Creek Lake on Nov. 26. The districts will receive a check for $18,212 from Secretary Northey in a ceremony that begins at 11 a.m. at the Jollyboat Shelter on the west side of the park.

"Improving and protecting water quality is critical and central to what we do," said Northey. "Soil and water conservation districts, like these in Polk and Boone Counties, have a long history of fostering cooperation between landowners, government, and private organizations."
The grant will help the districts evaluate the watershed and develop a plan to address the issues to improve the water quality of the lake. "Big Creek Lake is one of 35 priority lakes the DNR has identified for lake restoration. It has tremendous value as a resource for the state," Leopold said. "This grant will help the districts develop a quality watershed plan that can keep the lake a top destination for area anglers and boaters." He added that more than 335,000 people visit the park each year, bringing more than $18.6 million annually to the area economy.

Site of Gully Erosion at Big Creek Lake

- On November 26, 2007, a development grant was received to improve water quality at Big Creek by implementing several analyses of the watershed.

- A gully analysis was performed in 2008 and a land use analysis was performed in 2009 to gain a better understanding of critical areas in the watershed.
- Several gullies with severe erosion have been identified on State property. Potential locations for catchment basins are being identified to reduce sediment loads going into the lake.



- The Wildlife Specialist, Dusten Paulus, is working with landowners in the Big Creek watershed to implement conservation programs, such as WRP and CRP on their properties to reduce sediment and nutrient input into Big Creek. He led a public meeting and a best management practices tour through the watershed. The meeting went well and it generated some interest in best management practices from multiple watershed landowners.

- The Iowa DNR hopes to finish a TMDL in December and the NRCS will then complete a Watershed Management Plan in order to secure 319 funding.

Blackhawk Lake (Sac County)

Blackhawk Lake is the southern most natural lake in Iowa located in Sac County, Iowa, near the town of Lake View. This 922 acre lake has a watershed of 14,097 acres. Data from the Iowa Department of Natural Resources indicate that the lake currently has an average depth of 5.15 feet with water clarity depth of 1-1 ½ feet. Water clarity is predominantly in the range of 0.5-1 ½ feet and phosphorus levels consistently 100-200 ppb. Very poor lake transparency due to turbidity and frequent algae blooms due to high phosphorus levels are common in the past few years. In addition, the state beach portion of the lake on the 30 Acres Campground shore was closed once in 2004 and 2007, both due to high E. coli.

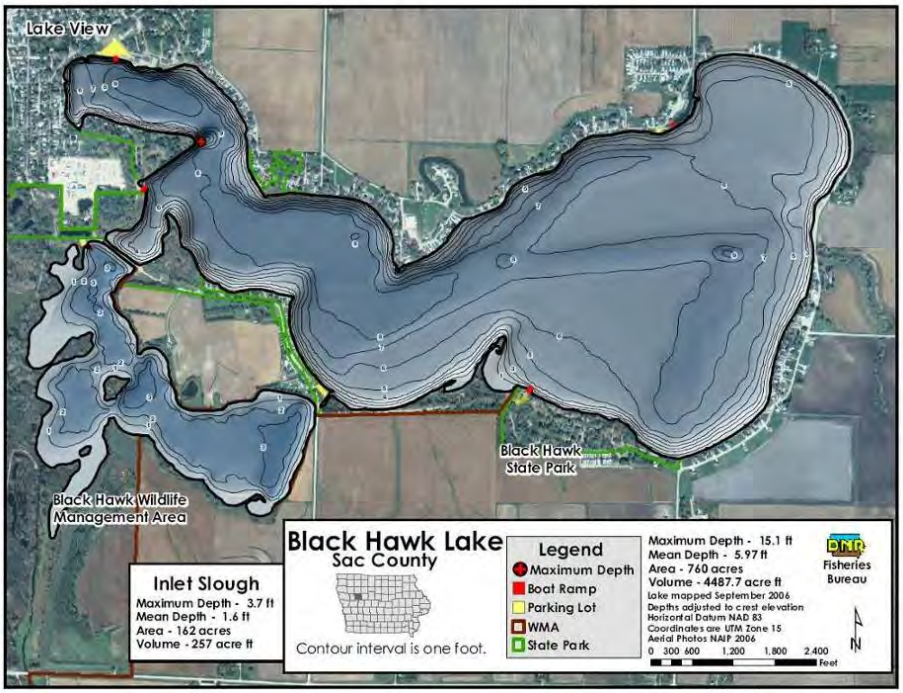
- A Citizens Advisory Committee has been formed and met several times.
- This committee locally raised $40,000 to help fund the Diagnostic / Feasibility Study; the goal of the study is to provide restoration alternatives to the DNR and local community; the report will be completed in January of 2010.
- Iowa State University (ISU) was contracted to do the D/F study;
- A Total Maximum Daily Load report is also in development to address the 303d listed of Blackhawk Lake. Algae and turbidity impairment continue; the bacteria impairment is new for the 2008 cycle. This report is scheduled for completion in the winter of 2010.
- The DNR held an initial public meeting on March 29, 2009 to discuss common goals and concerns as well as a tentative time table of the project
- Lannie Miller, DNR Fisheries Biologist, has given several tours to DNR employees and ISU personnel of the Black Hawk Lake watershed.
- A public meeting is scheduled in January of 2010 to discuss restoration alternatives for the lake and watershed and development of a Watershed Management Plan.

Black Hawk Lake (Sac Co.)
Bathymetric Map

Main Lake Area: 760 acres
Main Lake Mean Depth: 5.97 ft
Main Lake Max Depth: 15.1 ft
Main Lake Volume 4,488 ac-ft

Inlet Lake Area: 162 acres
Inlet Mean Depth: 1.6 ft
Inlet Max Depth: 3.7 ft
Inlet Lake Volume: 257 ac-ft

Total Volume: 4,745 ac-ft
Total Area: 922 acres
Mean Depth: 5.15 ft
Max Depth: 15.1 ft



Blue Lake (Monona County)

Blue Lake is a Missouri River oxbow lake located in western Monona County three miles west of Onawa and three miles east of the Missouri River. The lake was an active channel of the Missouri River in 1804 when the Lewis and Clark expedition went through the area. The lake shoreline is now part of Lewis and Clark State Park. Blue Lake is impaired by excessive growth of algae, a lack of clarity caused by this algal growth, and non-algal turbidity. These problems combine to reduce the recreational use of the lake.

- The TMDL for Blue Lake was completed in 2008. A public meeting was held to discuss the water quality improvement plan.
- A public meeting was held in 2009 to present the lake assessment and restoration process.
- A technical advisory team of conservation agencies and local stakeholders was formed and has met twice to discuss project goals.
- The waterfowl refuge boundary was altered to exclude Blue Lake and address excess nutrient inputs from geese.
- MSA Professional Services has been contracted to conduct a diagnostic-feasibility study on the lake.
- A public roll-out will be scheduled in early 2010 to introduce the project to the community

Carter Lake (Pottawattamie County)

Carter Lake is a natural lake that is uniquely located in both Iowa and Nebraska. Carter Lake is an old oxbow of the Missouri River that was isolated from the river main channel in 1877. The lake is approximately 300 surface acres at conservation surface pool elevation 970.0 feet, with a watershed area of 2,675 acres (watershed area to lake area ratio of 7.6/1). The lake is approximately 75% in Nebraska and 25% in Iowa. Park areas in Nebraska and the City of Carter Lake in Iowa dominate land use adjacent to the lake. Problems at the lake have centered on poor water quality, chronic low water levels and nuisance algae bloom. Impairments include nutrients/algae, indicator bacteria, and fish contaminants (PCBs).

- Carter Lake is a highly productive lake that exhibits poor water clarity, high nutrient concentrations, frequent algal blooms, and periodically high bacteria. Given the nature of the problems at Cater Lake, corrective measures focused on the reduction of phosphorus, which is the driving force behind algal production.
- The goals pertain to protecting aquatic life and public uses of the lake such as recreation, fish consumption, and aesthetics.
- Restoration of Carter Lake involves the cooperation of Iowa, Nebraska and the cities of Omaha and Carter Lake. A local Iowa group, the Carter Lake Preservation Society (CLPS), has been very active in moving this project forward.
- In 2006, the cities of Carter Lake, Iowa and Omaha, Nebraska, requested assistance from environmental agencies in addressing water quality problems at Carter Lake. The Carter Lake Environmental Assessment and Rehabilitation (CLEAR) Council, with assistance from numerous local and state agencies, developed a conceptual plan to address water quality concerns. The Carter Lake Water Quality Management Plan, illustrated below, was finalized in the spring of 2008.

- The IDNR, the City of Carter Lake and the City of Omaha have an agreement to develop a well on City of Omaha property that will connect to an existing infrastructure of pipes that lead to Cater Lake. The well will be used to maintain Carter Lake at a full pool range. The DNR agreed to pay the cost of the Recharge Well System. The City of Carter Lake and City of Omaha have met their match requirements for this Recharge Well System through in-kind contribution and the City of Carter Lake will coordinate the project.
- Up to $1,000,000 of funds were provided by the Iowa Legislature for the well recharge system and water quality improvement projects at Carter Lake.
- Fall 2008, the Metro Area Planning Agency (MAPA), with support of project partners, selected Tetra Tech, Inc. for the purpose of preliminary design and engineering of critical components of the Water Quality Management Plan for Carter Lake. Their work will focus on the restoration alternatives of water-budget/seepage management, dredging, and stormwater/in-lake alum treatment. By winter of 2009 projects partners will have enough information on probable cost, effectiveness and permitting issues to determine how to best move forward with implementation.

Carter Lake Restoration Project Budget	Estimated Cost
IN-LAKE	
Alum Treatment	$1,530,000
Sediment Core Study	$39,000
Fish Renovation	$200,000
Targeted Dredging	$279,300
Watercraft Management	$87,994
SUB-TOTAL	**$2,136,294**
IN-LAKE (watershed interception)	
Wetland Creation / Enhancement / Forebays	$2,019,000
Shoreline Stabilization	$899,000
SUB-TOTAL	**$2,918,000**
WATERSHED	
Bio Swales / Wet Detention Basins / Vegetated Buffers	**$794,300**
ENGINEERING	
Final Alternatives Analysis	$319,000
Final Design / Permitting / Construction Review	$647,104
SUB-TOTAL	**$966,104**
WATER SOURCE	
Well Construction / Supply Line Modification	$425,085
Final Design	$74,915
SUB-TOTAL	**$500,000**
OTHER	
Information / Education Program	$30,700
Information / Education Coordinator	$172,000
Lake Water Quality Monitoring	$120,000
SUB-TOTAL	**$322,700**
GRAND TOTAL	**$7,637,398**

Anticipated project funding partners

Iowa Department of Natural Resources – Lake Restoration Program	$2,494,624
Iowa Department of Natural Resources – Section 319	$381,744
Iowa Water Quality Review Board	$175,000
Nebraska Department of Environmental Quality - Section 319	$1,120,000
Nebraska Game and Parks Commission	$2,105,837
Nebraska Environmental Trust	$400,000
City of Omaha	$500,000
City of Carter Lake (in-kind)	$250,000

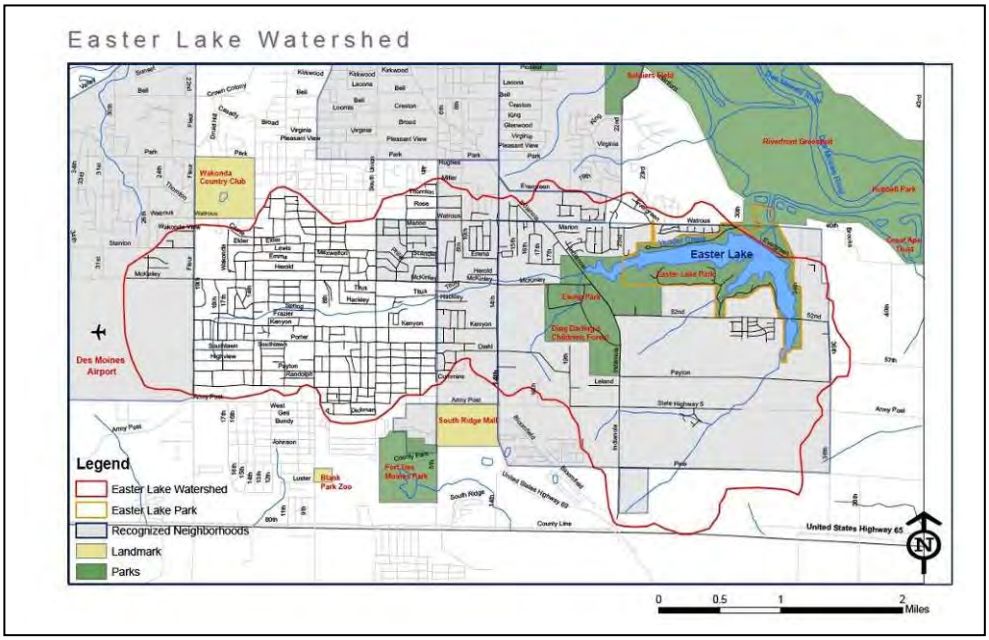
- A project coordinator has been hired to work with both the local Watershed Council and agencies. One of their primary responsibilities will be to finalize plans on a first group of watershed improvement projects and have these projects ready to bid for final design/construction by fall of 2010.

Easter Lake (Polk County)

Easter Lake is a 178-acre constructed lake with a watershed to lake ratio of 36/1. Constructed in 1967, Easter Lake began as a lake in an agriculture/suburban watershed that over the years has shifted to a highly developed urban area. Construction activities and storm water issues have contributed greatly to more than a 20% reduction in lake volume.

The Polk CCB owns and manages this area and they are very interested in developing a partnership to accomplish lake and watershed improvements. As an initial step, Iowa State University will conduct a diagnostic feasibility study with a targeted completion date of spring 2010.

- A Watershed Tactical Team met several times in 2007 and 2008 to discuss plans for Easter Lake and the watershed. Representatives from Iowa State University, NRCS, Iowa DNR, City of Des Moines and Polk County attended these meetings.
- Iowa State University conducted a survey (2008) of residents in the watershed to determine their knowledge and attitudes of the lake and its watershed. The complete diagnostic / feasibility study is due spring of 2010.
- The Natural Resources Conservation Service entered into an agreement with the DNR to provide the DNR with a technical approach to assess the condition of the Yeader Creek Watershed and estimate its sediment delivery to Easter Lake.



- Polk County and the Iowa DNR are working together to design a park and lake user survey to investigate how satisfied the users are and what they would like to see improved. This survey will take place in 2010.
- A public meeting will take place in spring of 2010 to inform the public of the results found during the surveys and studies and to develop a restoration plan.

Five Island Lake (Palo Alto County)

Five Island Lake is a 950-acre natural lake located on the north side of the town of Emmetsburg, Iowa in Palo Alto County. In 1989, following five years of diminished recreational opportunities and poor water quality conditions due to low lake levels, a group of concerned citizens formed the Five Island Lake Board. They established two major goals for the project: Increase the lake water depth; and, improve the lake water quality.

- In 1989, a group of concerned citizens formed the Five Island Lake Board.
- The Lake Board has stabilized almost 10.5 miles of lake shoreline, dredged over 5 million cubic yards of silt, and worked in the watershed to reduce nutrients and sediment from entering the lake.
- Funding for this project has been a combination of state and local matching grants.
- Local monetary contributions to date exceed $1.2 million.
- State funding as of July 2007 is $980,000.
- In addition to the dredging portion of their project, the Lake Board is evaluating the need for additional work in the watershed and in-lake management strategies to achieve the desired water quality goals.
- The DNR and the City of Emmetsburg entered into an agreement for dredging of Five Island Lake that will occur before June 30, 2010. Funding from LRP is $200,000 for both FY2009 and FY2010.
- Summer 2008 tour with the DNR Director Leopold, State Senator Kibbe, local stakeholders and the DNR Lakes Program reviewed progress the need for continued watershed work to compliment local dredging efforts.

Five Island Lake – Areas highlighted in purple indicate potential regions of dredging activity.

Hawthorn Lake (Mahaska County)

The Mahaska County SWCD applied for and received a watershed assessment grant from IDALS. This assessment was completed in the winter of 2007. The Mahaska SWCD applied for and received a WIRB grant of $360,900 toward Lake Restoration activities. In addition, a total of $75,371 in Publicly Owned Lakes (POL) funds will be available through the next four years. This is in addition to $75,247 in POL funds spent in FY 2009 and $58,000 to be spent in FY 2010. A total of $20,000 of the 2010 POL funding has been spent creating approximately 800 feet of terraces and one grade stabilization structure to date. The total lake restoration project cost of Hawthorn Lake is projected to be $977,000. Lake Restoration funds of $450,000 will be utilized for in-lake shoreline stabilization, deepening, and watershed improvement on state lands.

Hickory Grove Lake (Story County)

The Hickory Grove Watershed is located in Story County, Iowa. It has a drainage area of 4,026 acres and landuse distribution of 84.7% row crop, 9.8% grass, 1.6% forest, 2.2% water, 0.9% barren and 0.7% artificial. The Hickory Grove Lake has been identified as an important recreational resource to the citizens of Iowa. Hickory Grove Lake is experiencing event driven water quality problems. In general, the Hickory Grove watershed has few elevation changes and much of the agricultural land is under tile drainage management. Storm related surface runoff has led to gully erosion, debris and nitrogen spikes immediately after these events. The eastern end of the lake is now sediment filled, limiting boat access. The fishery is healthy; however, carp have destroyed most vegetation and IDNR is considering a lake drawdown after the fish population estimate in the fall of 2010. The lake has a designated use of primary contact recreation and is listed on the 2008 303(d) Impaired Waters Listing for elevated bacteria concentrations. TMDL development is a high priority and is scheduled for 2012.

- Watershed Tactical Team met in the summer of 2008 to discuss future direction of the lake
- Development grant was received in 2008 to determine critical areas in the watershed where significant quantities of sediment and nutrients are delivered to the lake. In 2009, a land use assessment was completed by the NRCS.
- The Watershed Tactical Team plans to meet with Iowa State University professors (engineering) to discuss potential options for improving water quality of the lake.
- Iowa DNR Lakes Restoration contracted with the Agricultural and Biosystems Technology Department at Iowa State University to complete a diagnostic / feasibility study. ISU will collect data and develop specific models that will assist Story County and Iowa DNR in protecting and improving water quality and fishery at Hickory Grove. ISU will also take part in public meetings and work closely with watershed landowners.
- The Watershed Tactical Team met in November and has developed a tentative public meeting agenda for February 2010. This meeting will incorporate experts who can discuss practical use of conservation tillage and cover crops, which are applicable to Hickory Grove's flat watershed.

Debris below headwall east of Hickory Grove Park

Lake Darling (Washington County)

Lake Darling is a 267-acre man-make lake, constructed within a 1,400 acre state park, with a watershed to lake ratio of 46.5/1. Initially impounded in 1950, it has historically been a fair fishery plagued by severe in-lake siltation and poor water quality. Sedimentation has reduced the lakes original 305 surface acres

to 267 acres. During the last five years, extensive watershed soil conservation work has reduced sediment delivery to the lake by 40%. Additional soil conservation work took place on state/private land in 2008 and 2009.

- Acting on the recommendations of the completed engineering report, the IDNR will repair the dam and address spillway leakage.
- IDNR has begun negotiations with several landowners for acquisition of a dredge spoil containment site.
- The Iowa Department of Natural Resources (DNR) relaxed the fishing regulations at Lake Darling on September 12, 2008. This allowed anglers to more freely harvest fish before the lake is completely drained to repair a spillway leak, extend the dam, and to perform a lake restoration project.
- With the lake drained, in-lake restoration and spillway construction is planned for late spring of 2010 with a tentative completion late summer of 2011.
- Sediment ponds, road culvert risers, boat ramp designs, watershed work and archaeological surveys are all part of Lake Darlings continuing restoration activities.

- The Management Plan includes all in-lake improvements to be done while the lake is drained and sustaining those improvements over the next 50 years. The Plan and its affects will benefit not only Lake Darling State Park but also the local community and economy.
- The lake was first drained in November 2008, and subsequently, has refilled and drained numerous times since its initial draw down.
- Weather has allowed the completed construction of five ponds and one terrace as well as six road culvert risers and one road culvert extension within park boundaries. In the watershed, final plans have been completed for an erosion control pond involving four landowners.


Lake Darling Road Riser

- Reduced sediment and nutrient inputs into Lake Darling will result in increased water clarity and decreased algal blooms. The growth and condition of fish such as largemouth bass inhabiting the lake may also improve, as they will be able to see and capture prey more successfully. The ponds themselves provide fishing opportunities and are already stocked with bluegills. In spring 2010, the ponds will be stocked with channel catfish and largemouth bass. All of the ponds and riser structures are visible from the park roads and are easily accessible.

Pond Created by Road Riser

- The DNR Fisheries Bureau and Engineering Bureau, has also been working on plans for the construction of a new boat ramp and parking area. The ramp and parking lot will be constructed on the shoreline before the entrance of the existing campground and will replace the current campground boat ramp Dolan said.
- Archaeological surveys are being conducted in areas anticipated to be impacted by project construction activities. All archaeological work has been completed with the exception of a single site, which has valuable historical significance.

- Archaeologists will be exploring this site further to insure they collect as much information as possible regarding past civilizations before restoration work moves forward. The last phase of archaeological work will be completed in spring of 2010.

Lake Darling Estimated Restoration Project Costs

Sediment removal (300,000 yd3)	$1,800,000
Dam reconstruction & water level increase	$1,700,000
In-lake silt dam construction	$500,000
Ponds, terraces, risers, wetland	$286,000
Shoreline stabilization & jetty repair	$215,000
Spoil retention dams	$105,000
Handicap accessible jetty (REAP Land Management)	$75,000
	Total = $4.7 million dollars

Lake Macbride (Johnson County)

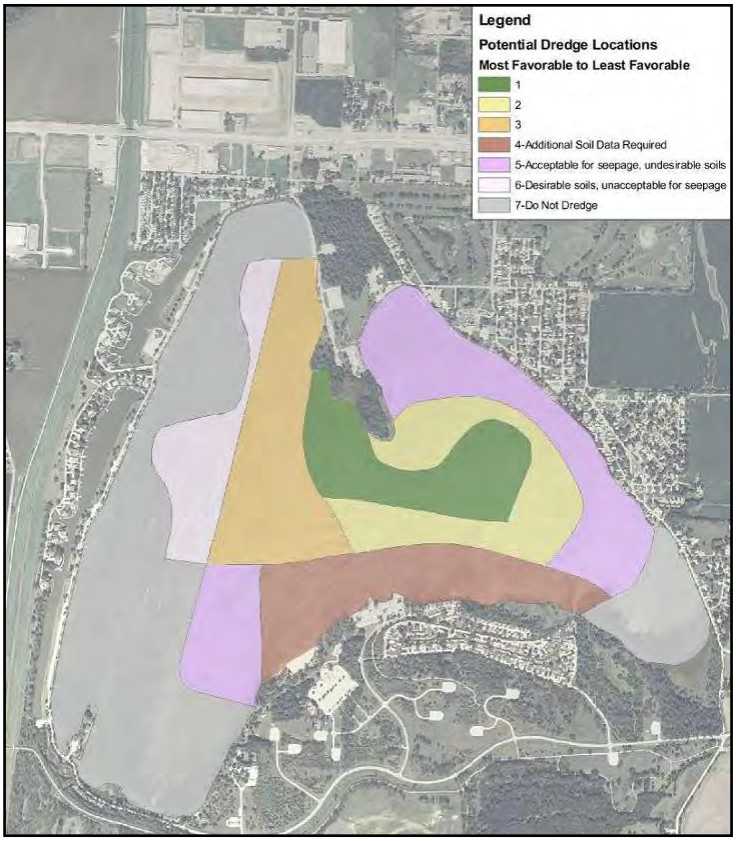
Lake Macbride (Johnson County) is a 940 acre lake owned by the State of Iowa. It has a 17,029 acre watershed that is mainly on private property. The watershed ratio is 18:1. A TMDL study has been completed in 2005 and another scheduled for 2010. The Lake Macbride Watershed Advisory Committee was formed in 2001 and since that time around $725,000 has been spent on conservation practices and

education in the watershed. Amy Bouska is the watershed coordinator located at the Johnson County NRCS office.

- In 2007, 900 feet of eroding shoreline was protected with rock riprap in the upper south arm of the lake.
- 2008 – Proposed construction of five erosion control structures, one sediment control basin and two bioretention gardens within the State Park boundaries. The archeological survey and DNR Environmental Review have been completed, but the project still needs to receive clearance from SHPO before we can proceed with final design and bid letting. Construction is planned for 2010.
- A timber management plan has been developed above the gully control structures to reduce the erosion problems. Invasive and undesirable trees will be removed and seasonal burning has be used to open up the canopy and promote under story growth.
- The DNR and Johnson County entered into an agreement for protection of approximately 1,200 feet of shoreline along the Cottage Reserve Road with riprap. Project was completed fall 2008.
- The flood of 2008 did some extensive damage to shorelines, islands and fishing jetties. Most of this damage with be repaired in the winter of 2009-2010 and paid for by a combination of lake restoration and FEMA funds.

Lake Manawa (Pottawattamie County)

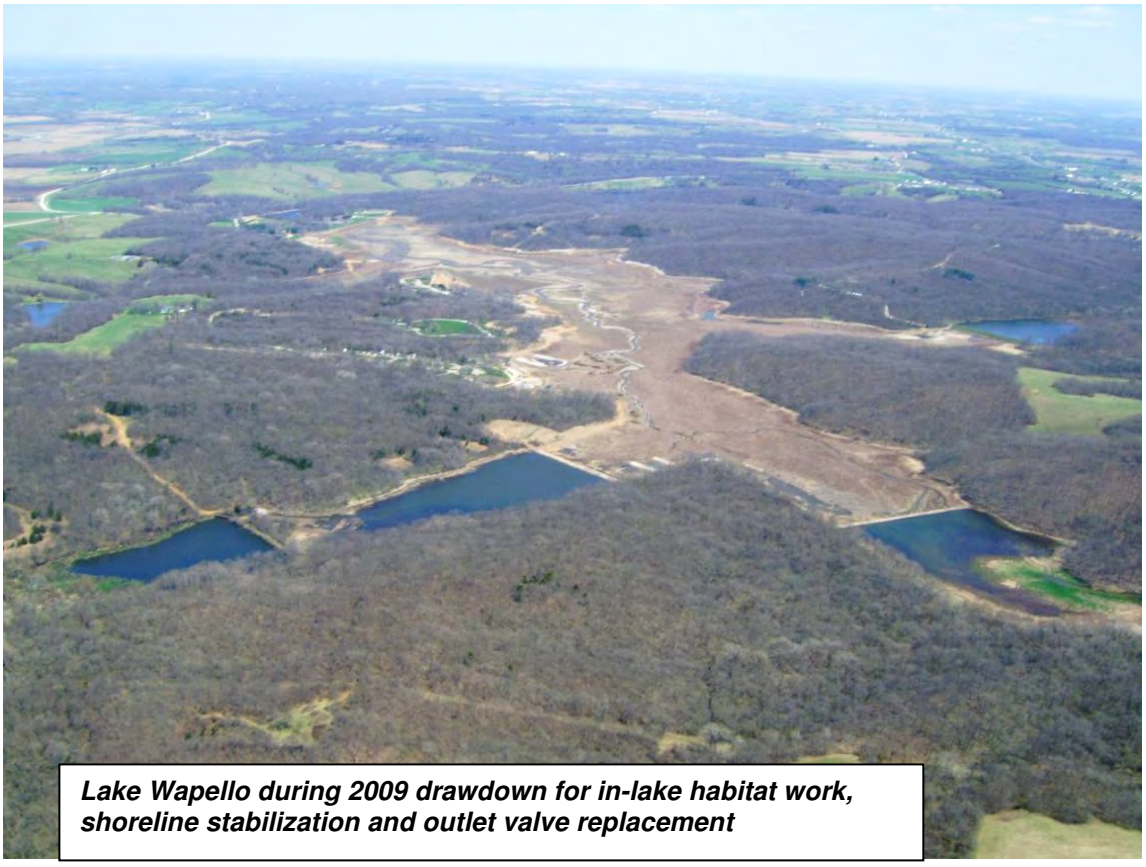
Lake Manawa is a 715-acre natural lake with a watershed to lake ratio of 3.5/1. Mosquito Creek supplies additional water to the lake. Past lake dredging work in the 1960s deepened significant portions of the lake. However, maximum lake depth does not exceed 13 feet with large expanses of 6 to 7 feet deep water. The Iowa Department of Transportation approached the IDNR to explore the possibility of dredging the lake for sand to use for highway construction. However, there is concern about whether they can remove sand materials from Lake Manawa while still maintaining the hydraulic seal between the lake and the fluctuating Missouri River.



- The Iowa DOT and IDNR met during spring of 2007 and fall of 2008 to discuss opportunities to obtain highway building materials from Lake Manawa sediments.
- The IDNR hired Tetra Tech to conduct a diagnostic and feasibility study and review the option of dredging as a potential lake restoration activity.
- Tetra Tech also completed a Jurisdictional Wetland Delineation for Lake Manawa Pilot Dredge Spoil Site.
- The next phase will be to develop a pilot dredging project. This proposed “Pilot Dredging Project” phase would provide data that would reduce the risk involved both in providing the materials to the specifications required and in the ability to control additional seepage from areas along the lake bottom, where underlying sands would become exposed. If all assumptions in this study can be proven true, the project remains a viable opportunity for both IDNR and the Iowa Department of Transportation (IDOT).
- The IDNR continues to meet with groups such as the “Friends of Lake Manawa” to solicit support and to assist in moving the lake/watershed restoration project along.

Lake Wapello (Davis County)

- The Lake Wapello restoration project is in the implementation phase of constructing 31 structures within the watershed, 11 of which are on state property. Total cost is estimated at approximately $800,000. Structures on private land are being funded through IDALS Watershed Protection Funds (50% of total), 25% EQUIP, and 25% landowner cost share. Structures on state ground are being constructed at a cost of $320,000; and are funded by the 319 (75%) and Lake Restoration (25%) programs.
- In-lake restoration activities were completed in April 2009. Projects included in-lake fish habitat improvement (placement of approximately 1000 cedar trees and placement of approximately 440 ton of rip rap and 1600 ton of gravel. All existing fishing jetties were improved and three new jetties were constructed. One existing boat ramp was improved. All of these efforts were funded through fish and wildlife trust fund and federal aide to sport fish restoration funds. Lake Restoration funds were utilized for shoreline armament and shoreline deepening (movement of approximately 15,000 cubic yards of material), approximately 4,000 ton of rock was used to armor approximately 2,500 linear feet of shoreline, and one new silt dam was constructed. In addition, the aging and unreliable outlet valve was replaced. Total in-lake construction cost was $394,142.74, of which $267,649.50 were Lake Restoration funds.
- The Lake Wapello fish population was renovated in 2008; however, this process was repeated again in 2009 due to the illegal introduction of gizzard shad into the system once again. Chemical cost of this renovation was approximately $30,000 each time, funded through fish and wildlife trust fund dollars.



Lake Wapello during 2009 drawdown for in-lake habitat work, shoreline stabilization and outlet valve replacement

Lost Island Lake (Dickinson County)

Lost Island Lake /Barringer Slough / Blue-wing Marsh Complex

An aggressive and comprehensive plan to improve water quality in the > 2,200-acre complex by reducing existing carp numbers, preventing remaining rough fish from entering most spawning areas, and conducting beneficial draw downs on associated wetland areas (780-acre Barringer Slough, 150-ace Blue-wing Marsh, others) to eliminate rough fish and allow for the germination of aquatic plants and the consolidation of bottom sediments.

- The project will require an innovative plan to allow for the removal of up to 75% of the exiting carp biomass, the aggressive stocking of predatory fish, and the new construction or rehabilitation of up to 4 water control structures and 5 fish barriers throughout the complex.
- During summer 2008, DNR-Fisheries used mark – recapture techniques to estimate in-lake carp numbers and biomass.
- Recently, Ducks Unlimited, Inc. was awarded a contract to design effective water control and fish barrier structures.
- The survey and design work began during summer/fall 2009 and infrastructure construction is scheduled to begin in 2010. Carp removal and targeted drawdowns of various parts of the complex may begin in 2010 or 2011.
- During winter 2008-09 Ducks Unlimited completed the topographical survey of the entire Lost Island Lake complex and recently completed the conceptual design work for the 4 water control and 5 fish barrier structures.
- Nearly 70 local stakeholders attended a December 2009 public meeting and voiced strong approval for the design work. Presently, DU is working on engineering plans for the structures and DNR, DU, and their local partners plan to construct most, if not all, the structures during fall 2010 and winter 2010-11. Also at present, rough fish are being aggressively removed from Lost Island Lake, large numbers of predatory fish continue to be stocked in Lost Island Lake, and various basins within the complex are being dewatered to eliminate rough fish, create favorable conditions for re-vegetation, and to prepare areas for fall construction.

Lower Gar Lake (Dickinson County)

- Local concerned citizens and business owners that live on or recreate on the Iowa Great Lakes system, specifically Lower Gar, Minnewashta and Upper Gar, formed The Three Lakes Improvement Association.
- IDNR Lakes Restoration staff met with this group several times in the past years to discuss lake water quality and water depth issues.
- Iowa State University has been contracted to conduct a diagnostic/feasibility proposal to examine lake issues.
- This study, funded locally for 25% of the cost, will examine historic soft sediment deposition, potential removal of a portion of these sediments and the resulting impact on lake water quality. The study is scheduled for completion winter 2010. A spring meeting is planned to plan for a public role-out of the project.

Meadow Lake (Adair County)

Meadow Lake is a 34 acre public owned lake located six miles north of Greenfield in Adair County. Constructed in 1963, the lake sits within a larger 320 acre fish and wildlife area owned and managed by the Iowa Department of Natural Resources to provide fishing, hunting, and other outdoor recreation activities for the public. Overall, Meadow Lake has provided good fishing for largemouth bass, bluegill, crappie, and channel catfish for over 40 years. Meadow Lake was added to the impaired waters list (303d) in 2004 for algae. In 2008 turbidity was added as an impairment in addition to the algae. The presence of aesthetically objectionable blooms of algae and poor water transparency impair the primary contact recreational uses at the lake.

The IDNR lowered the water level in Meadow Lake starting late summer of 2008 to facilitate a significant fish habitat and shoreline stabilization project. This project was completed in March 2008 and included 740 feet of shoreline stabilization, rock reefs (2), pea gravel spawning beds (3) and a rock field. This project will enhance the fish habitat in Meadow and have water quality benefits. The shoreline stabilization work addressed all the actively eroding shoreline in the lake. The total cost of this project was $65,000 including $22,200 for stabilizing eroding shoreline. There were three sources that contributed to this project the state of Iowa Fish and Wildlife Trust Fund ($15,250), Sportfish Restoration ($45,750), and the Jensen-Butler Conservation Foundation ($4,000).

- An in-lake structure is planned at Meadow Lake to achieve sediment and phosphorous reduction from 236 acres of the watershed. The project is planned for winter 2009 construction.

Prairie Rose Lake (Shelby County)

Prairie Rose Lake is a 173-acre constructed lake with a watershed to lake ratio of 23.5/1. Problems at the lake center on low fish populations, historic lake siltation and poor water quality. Lake improvements in recent years include; jetties and fish structure (1998), sediment basin and shoreline riprap (2001) and sediment basins (2004). Local efforts have accomplished significant work in the watershed and identified additional work for completion.

- IDNR Fisheries and Parks staffs have been meeting with NRCS, IDALS, and others about remaining watershed work and initial lake restoration plans.
- A diagnostic/feasibility study was completed during 2008.
- A watershed assessment was conducted followed by a grant to accomplish targeted soil conservation work in the watershed.
- The Shelby County Soil and Water Conservation District was awarded a $510,611 Water Quality /Watershed Protection Project Grant

Prairie Rose Soil Conservation Practice

- IDNR is actively looking for a dredge spoil containment site, an important component to the in-lake restoration work, and have begun negotiations with several landowners for acquisition of a dredge spoil containment site.
- The Prairie Rose Watershed Council was formed at a public meeting in May of 2008 and continues to meets regularly assisting in the restoration process.
- Design work has been completed on two rock-chute wetlands and two road risers and plans are being made for construction in 2010.
- An archeological survey has been completed on state lands that will be disturbed by construction

Rathbun Reservoir (Appanoose County)

- Rathbun Land and Water has been successful in assisting 400 farmers with BMP application for priority land in 24 targeted sub-watersheds; they helped apply BMP on 16,500 acres (goal: 60,000 acres); these practices will reduce sediment delivery to Rathbun Lake by 25,600 tons per year (goal: 84,000 tons). In addition' these BMPs will reduce phosphorus delivery to Rathbun Lake by 110,400 pounds per year (goal: 360,000 pounds).
- In-lake work is planned to protect vital habitats and improve water quality in several bays on the lake by protecting the channel-side points. By stabilizing these areas' shoreline loss will be reduced and water quality will be improved.
- Lake Restoration funds will be matched with U.S. Army Corps of Engineers for a COE 1135 Habitat Rehabilitation project. The project was awarded on September 22, 2009 at a total cost of $1,770,845.14 with one additional site still pending. Lake Restoration contributed $274,000 in FY2009 funds and will provide $290,000 in FY2010 as a state match toward this project. Construction is scheduled for spring of 2010. A total of eight sites will be addressed and total rock placement will exceed 45,000 tons of rip rap. Lake Rathbun is currently being lowered to four feet below normal pool to complete this project. In addition to water quality improvements, fish habitat will be improved for a number of important game fish species.

Rock Creek Lake (Jasper County)

Rock Creek Lake is a 491-acre lake constructed in 1952. The lake has a watershed to lake ratio of 54/1. Over the last 50 years, it has lost almost 40% of its lake water volume and 102 lake surface acres. ISU completed a D/F study in 2000. Local efforts have accomplished significant work in the watershed; however, local and state partners need a renewed effort to move this project forward. Continued watershed improvement projects have been a difficult "sell" to area landowners.

A fall 2008 technical work group meeting resulted in an outlined approach to meet the necessary reductions in sediment and nutrient delivery to Rock Creek Lake. It focused on dividing the total watershed into larger subwatershed segments, and then designing larger watershed structures that will require a higher government percentage contribution to put these water quality improvement practices in place. Several landowners had expressed interest in this concept; however, due to the inability to

implement projects on private ground the requested 1 year watershed project extension was not granted and the project contract will expire December 31, 2009.

- During fiscal year 2009 many small practices such as waterways and small basins were completed in the Rock Creek Watershed. A sediment reduction of 1,439 tons/year and 750 acres protected was achieved from June 2008 to September 30, 2009.
- Work on the Rock Creek Watershed Project at this time is limited to five grade stabilization structures in the state park (see image). These sites have been selected for the placement of 3 ponds and 2 large basins. Construction will most likely begin spring/summer 2010.
- The Natural Resource Commission approved the purchase a parcel of land located in northeastern Jasper County for the appraised price of $475,409. The 138.5-acre property is located 7 miles northeast of Kellogg.

- The tract is adjacent north and east of Rock Creek Wildlife Management Area (WMA), and just north of Rock Creek State Park. This tract will increase the Rock Creek WMA to 835 acres. In addition, the acquisition will provide wildlife habitat, improve water quality, and enhance public recreation to this area and serve as a possible future dredge spoil containment site.
- This challenging watershed will require this and other innovative concepts to significantly reduce sediments and nutrients from reaching Rock Creek Lake and to eventually allow us to move forward with the D/F studies lake restoration measures.

Silver Lake (Delaware County)

Silver Lake is a small, natural lake enlarged by the construction of a dam. It has a 34-acre surface area lake and a lake ratio of 6.4/1. UNI completed a diagnostic feasibility study in 2001 and the IDNR completed a TMDL analysis in 2001. Lake depth maps and sediment borings indicated excessive lake sedimentation depths ranging from 0.5 to 4 feet. A lake watershed assessment conducted in 2001, documented areas of high phosphorus input in the watershed. The assessment also identified excessive manure application levels as a problem. NRCS continues to work with landowners in the watershed to reduce nutrient and sediment lake inputs.

- In 2001, an engineering firm evaluated dam integrity and leakage issues. The construction firm hired to repair the dam and eliminate dam safety issues completed the work fall of 2007 at a cost of $314,950.
- Lake water overflowed the Silver Lake spillway in April of 2008 following dam repair and wet weather conditions. According to local reports, this marks the first spillway overflow since 1993. Silver Lake reached full pool in April of 2008 and that full pool level was maintained until approximately August of 2008. The lake now contains about double the volume of water it did in the period immediately prior to the dam repair during the fall of 2007. The current lake level in Silver Lake is approximately 6 inches below crest following a period of dry weather.
- Silver Lake suffered a moderate winterkill during the severe winter of 2007-2008 that effectively eliminated largemouth bass and channel catfish from the system and reduced the bluegill population. Largemouth bass were restocked in June 2008 and bluegill have recovered favorably following a 2008 growing season. A winterkill also occured in the winter of 2008-2009, but it was very minor.

Silver supported moderate recreational fishing during the open-water season of 2009 with good harvest of 6-7.5 inch bluegill and additional catches of 10-12 inch largemouth bass and 18-26 inch northern pike. Almost no fishing occurred on Silver during the 2007 and 2008 fishing seasons, so we are pleased with the increased recreational use.

- The vegetation and clarity in the lake seem to be responding favorably to increased water volume. that included abundant vegetation in Silver Lake and secchi depth transparencies that commonly exceeded 30 inches. Vegetation was largely absent from Silver Lake during the 2006 and 2007 growing seasons and secchi transparency commonly fell below 24 inches. Aquatic macrophytes (primarily coontail and narrow-leaved pondweed) were abundant during the summer of 2009. Increased vegetation can pose a nuisance to recreational fishing, boating, and lake aesthetics; however, the dense vegetation coverage promotes improved water clarity and reduces the abundance of free-floating algae.
- Secchi measurements from the summer of 2009 indicated transparencies from 46-61 inches.
- A TMDL was completed for Silver Lake in the fall of 2008 and brought focus to watershed areas responsible for primary phosphorus delivery. The goal is to form local action committees to address watershed inputs. Following watershed improvements that reduce sediment delivery and phosphorus inputs, the community and biologists are hopeful that phosphorus-rich sediments can be removed from Silver Lake to help reduce problems associated with internal phosphorus loading.

Union Grove Lake (Tama County)

Union Grove is a 105 acre shallow constructed lake owned by the State of Iowa, with a watershed to lake area ratio of 63/1. It has 6,640 acres in the watershed with the vast majority is in private ownership. In the late 1980's the lake was dredged and an in-lake silt and nutrient dike was installed on the north end of the lake. An additional 60 acres was purchased on the south west side of the park and a 10 acre pond was constructed. Union Grove Lake, last dredged in 1990.

- The IDNR is working with local sponsors to develop a plan to improve the lake and water quality conditions. Melody Bro was selected as the Watershed Coordinator; a TMDL is completed, and a watershed assessment is planned for 2009. Union Grove Lake was placed on Iowa's 2004 impaired waters list because of four limitations: pH, bacteria, algae, and turbidity.
- A RASCAL (Rapid Assessment of Stream Conditions Along Length) was completed in 2008. In 2008 the Union Grove watershed received a $37,000 grant for approved soil conservation practices. Another $6,900 was approved for stream back protection and fencing of livestock..
- The Union Grove Lake Watershed Project has been underway since April of 2008. The project aims to reduce the soil and phosphorus reaching the lake by 57%, as well as reduce the effects of livestock on streams in the watershed.
- Spillway water seepage had been an on-going problem at Union Grove Lake. Past attempts to repair the problem were met with limited success.
- IDNR hired a geo-tech firm in 2005 to evaluate the problem and contracted a firm in 2006 to repair the structure.
- They completed the project in July of 2007 and successfully addressed the water seepage issue. Total project cost for the spillway repair was $178,572, with the lake restoration program as the funding source.
- The construction firm also made several recommendations for additional future spillway modifications that will preserve the integrity of the system at an estimated cost of $40,000.

Lake Restoration Program (LRP) – Completed Projects

Crystal Lake (Hancock County)

Crystal Lake is a small 269-acre natural lake in Northwest Iowa with a watershed to lake area ratio of 8.8/1. IDNR completed construction of the dredge spoil site in July 2006 at a cost of $838,000. This

project involved the IDNR acquiring approximately 100 acres of land to mitigate the use of the wildlife area as a containment site. IDNR awarded a contract to dredge and work commenced in October 2006.

- The contractor completed dredging operations in the fall of 2007.
- They removed 1.3 million cu./yds. of sediment at a cost of $3.1 million.
- The DNR modified the spillway structure to prevent carp from re-entering the system.
- In the fall of 2008, the DNR renovated of the fish community of Crystal Lake; they anticipate additional improvements to water quality due to the removal of common carp from the system.
- An aggressive DNR fish stocking program was initiated during the spring 2009 and work was completed to improve boat ramp access.
- The local "Save Iowa's Crystal Lake Group" was nominated and received one of the State of Iowa's 2008 Governor's Volunteer Award for their 10 years of dedicated service and work that they contributed to bring this project to successful completion.
- Eight years of water quality sampling at Crystal Lake prior to the completion of restoration indicated an average Secchi Disk depth of 1.3 feet and an average Total P level of 337 parts per billion. One year of water quality sampling following restoration indicates an average Secchi Disk depth of 6.25 feet and an average Total P level of 104 ppb.

Anticipated Benefits

This small community and the surrounding rural area is an excellent example of a locally driven project that will benefit from lake improvement. Following restoration, improved fishing opportunities alone could add nearly $400,000 annually to the local economy. In addition improved water quality will benefit other water-based recreation. The combination of the watershed and lake improvement work will remove Crystal Lake from the Impaired Waters List and add to the estimated $2.5 million spent annually by lake visitors.

Lake of Three Fires (Taylor County)

Lake of Three Fires Lake is a 96-acre constructed lake with a watershed to lake ratio of 38/1. ISU completed a diagnostic/feasibility study in 2000 and identified a number of restoration alternatives. Watershed work and lake dredging was completed in 2005. The final recommended component of the restoration project was a wetland on the IDNR Simmons Wildlife Area immediately above the lake. This wetland will provide water quality protection and diversify the wildlife area. The wetland project is a cooperative venture in which NRCS will design the project, and IDNR will acquire the additional land necessary for the project, manage project construction and inspection. IDNR utilized lake restoration funding to acquire 80 acres of land at a cost of $185,000 and following the land purchase constructed a wetland at a cost of $95,000. The wetland project utilized 75% Federal 319 funds and 25% State Lake Restoration funds.

Lake of Three Fires (Taylor Co.)

- Lake of Three Fires maintained excellent water quality despite excessive rainfall events, 30% above normal in 2007.
- The fishery and water quality improvements following lake restoration have far exceeded expectations. Fish growth and abundance is high, water clarity exceeds any previous level and park use continues to exceed previous levels.
- Activities at Lake of Three Fires since the 2006 refilling and restocking have centered on completing the fish stocking plan, monitoring water quality parameters, completion of a sediment retention structure, and introducing various desirable aquatic plant species. The current existing fish population is growing fast offering many angling opportunities to the public.
- A sediment-nutrient retention / wetland area was completed on the main arm of the lake in the fall of 2007. The wetland has filled with water and is functioning as designed. Water clarity of water leaving the retention area appears to be as good as or better than that flowing into the lake from unprotected areas.
- Desirable rooted plants have been shown to improve water clarity in other southern Iowa water systems. An effort was begun in 2007 to introduce various plant species to help consume nitrogen and phosphorus. An existing lotus population is expanding and crowding some of the newly introduced species. Progress can be seen in small areas of the lake but extensive new growth in limited. A sampling and monitoring project is underway.
- Plans for the lake are to monitor the water quality, integrity of the silt retention structures, and the growth and or expansion of the plant community. All of these issues will affect the water quality, fish growth, and or public use of the area.

Red Haw Lake (Lucas County)

- In 2001, an additional wetland and three sediment retention ponds were constructed within this watershed to improve and protect water quality.
- Recently IDALS performed a watershed assessment and identified priority gully areas. The District and NRCS require additional assistance in funding for the design and construction of six to eight structures within the State park.
- IJOBS funding for Best Management Practices on Public Land will be used to fund these structures.

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Viking Lake (Montgomery County)

Viking Lake is a 137-acre man-make lake, located within a 1,000-acre state park. Initially impounded in 1957 it has historically been an above-average fishery, however with the introduction of yellow bass approximately 10 years ago, the fishery has dramatically declined. Water quality at the lake has always been average, however following periods of heavy rainfall turbid water conditions could persist for up to two weeks, persistent algal have also been an issue at the lake. A watershed coordinator through the 319 program has implemented corrective measures within the watershed.

Current water clarity condition at Viking Lake have improved to 4 ¾ feet during the summer post major restoration efforts.

- IDNR staff identified twenty-two (22) areas near the lake, on or including portions of state property, as needing grade stabilization structures to control soil erosion and improve water quality. Construction of twenty sediment structures is complete.
- IDNR did drain the lake after Labor Day (2006) and renovated the fishery to eliminate the problem yellow bass population.
- In addition, after lowering the lake, they repaired the dam gate, protected the shoreline, constructed jetties, deepened shoreline, and improved angler access and fish habitat.
- Viking Lake returned to full pool during the spring of 2007 and has been restocked with largemouth bass, bluegill, channel catfish, and crappie. The development of the fish population has been rapid and some angling began in 2008.

Lake Restoration Program (LRP) – Projects In Planning / Outreach Stage

Arbor Lake (Poweshiek County)

Arbor Lake (Poweshiek County) is a 13 acre lake owned by the City of Grinnell. It has 979 acres in the watershed in which 75% is urban runoff. The watershed to lake ratio is 75:1. A TMDL study was completed in 2002.

- In 2005 the NRCS received a $150,000 grant to improve the watershed.
  Three wetland complexes were installed and targeted 298 acres of the watershed
  Storm sewer interceptors were installed and controlled another 18 acres.
  Riffle pools were installed on Hazel Creek to reduce erosion and down cutting of the stream. Two acres of native vegetation filter strips were planted along the riffle/pool structures.
  One three acre rain garden was established at the Windsor Assisted Living Complex east of the lake.
- In October of 2009, representatives from the DNR and City of Grinnell along with IOWATER members held a successful and informative meeting regarding Arbor Lake Restoration.
- The group plans to hold a February community meeting to gain interest in Arbor Lake restoration and to explain the community-based process needed to obtain Lake Restoration Program funding.
- The goal is top establish an Arbor Lake Restoration Advisory Council to develop a Management Plan for Arbor Lake. These meetings will be smaller invite-only meetings.

George Wyth Lake (Black Hawk County)

George Wyth is a sand borrow-lake with relatively low overall fertility when compared to other Iowa Lakes due to predominately sand substrates and a “new” lake basin. George Wyth’s fishery is moderate to poor, due to relatively low productivity and a lack of aquatic vegetation. Water quality parameters in George Wyth Lake compare favorably to other Iowa lakes, which can be attributed to a low watershed to lake ratio and relatively small portions of watershed in agricultural production.

- A TMDL was completed for George Wyth Lake in 2008 to address impairment due to high bacteria levels on the beach, with the primary cause for impairment identified as resident geese.
- George Wyth Lake was affected by flooding from the Cedar River in 2008 and the State Park was closed during the period from June 5 to July 25.
- Biologists introduced aquatic macrophytes into George Wyth Lake this year on an experimental basis. Wild Celery and Narrow-Leaved Pondweed were introduced into 2 enclosures and the DNR will monitor the success of these introductions during the next year. If the experimental introductions prove successful, we will expand the plantings during the upcoming years.

Lake Keomah (Mahaska County)

- A public meeting was held to gauge local support for restoration activities at Lake Keomah. The Mahaska County Soil and Water Conservation District applied for a watershed assessment grant to evaluate the status of sheet and rill and gully erosion within the watershed in 2008. However, this grant proposal was not supported. A sheet and rill assessment was completed in 1991; however, it did not include any assessment in the State Park or in Keomah Village, nor did it assess areas within Keomah Village.
- Current activities center on the creation of a "Friends" group for the State Park, laying the groundwork for local support and participation in future restoration activities.

Little River Lake (Decatur County)

Little River Lake is an 800 acre PL-566 multipurpose lake located in Decatur County. The lake was constructed in 1986 and for its first 15 years produced tremendous quantities of quality fish. Common carp, an inadequately protected watershed, and unprotected shoreline problems have reduced water clarity, suppressed sport-fish abundance and growth, recreation opportunities, and increased water treatment costs. Fish quality and angling activity have steadily declined since 2000 to a point where the lake offers few sport-fish or angling opportunities today.

- A coalition of local interested entities formed a restoration committee in 2008. Since that time, the group has met to plan and implement water quality improvement practices for the watershed.
- The Decatur County Soil & Water Conservation District and NRCS personnel assessed the watershed's problems, quantified soil erosion, and identified best management practices, (BMPs). The Decatur SWCD applied for and was awarded a $423,900 Watershed Improvement Review Board (WIRB) grant to cost-share improvement costs with landowners. The group also asked the DNR Lake Restoration Program to consider Little River Lake a priority lake to allow possible funding for in-lake improvement projects.
- Pending adequate implementation of watershed soil conservation practices, Lake Restoration funding may be used to address in-lake improvements such as shoreline stabilization, rough fish management and silt basin improvements.
- The NRCS staff is currently formalizing agreements with landowners and designing BMPs to address sight specific remedies. This portion of the project is expected to continue throughout the winter with construction to begin during the spring of 2010.
- The restoration process from the spring 2010 onward will involve implementation of watershed practices until available WIRB funding is utilized. Continuous re-assessment will then guide planners to remaining areas of the watershed in greatest need. Additional funding will be needed to address remaining areas as well as any in-lake issues.

Mariposa Lake (Jasper County)

- The Mariposa watershed project is set to run through June 2010. One waterway project was completed spring 2009. Work is being completed to install a wetland immediately above the lake on the main feeder stream. Construction of the wetland will likely begin spring 2010.
- The Jasper County Conservation Board has completed bank stabilization practices along approximately 900 ft of shoreline using rock rip rap and coconut fiber logs. Another 500 ft is planned for spring 2010.
- The Jasper County Conservation Board is also working on a 3 acre timberstand improvement project. An area that is overgrown over a gully has been cleared to approximately 25% canopy cover to allow grasses to grow. The area will be seeded to native grasses and wildflowers.

Pleasant Creek Lake (Linn County)

Pleasant Creek (Linn County) is a 401 acre lake owned by the State of Iowa. It has a 2,035 acre watershed in which the State owns 90%. The other 10% is mainly in timber. The watershed to lake ratio is 5:1. One specific concern with this lake is shoreline erosion. DNR staff has documented approximately five miles of shoreline that needs stabilized along with many shallow areas that need to be deepened. Their may be some opportunity to do some gully control structures on park property and review and update land management approaches on state ground. DNR Fisheries and Parks are working cooperatively with IDALS to developing a plan to address these problems.

Lake Restoration Program (LRP) – Other Program Activities

Meetings with Local Leaders and Stakeholders

In accordance with Section 26 of House File 2782: "The department shall meet with representatives of communities where lakes on the initial list are located to provide an initial lake restoration assessment and to explain the process and criteria for receiving lake restoration funding".

The IDNR has established local stakeholder groups or held initial technical field staffs planning. We have had these discussions with a number of active or planned lake/watershed improvement projects. Including; Big Creek Lake, Blackhawk Lake, Carter Lake, Clear Lake, Easter Lake, Green Valley, Lake Darling, Lake Geode, Lake Manawa, Lake Wapello, Lizard Lake, Lost Island Lake, Lower Gar Lake, Prairie Rose Lake, Rathbun Lake, Rock Creek Lake, and Storm Lake.

<u>Potential Future Projects that need Meetings with Local Leaders and Stakeholders:</u>
Central Park Lake (Jones Co.), Diamond Lake (Poweshiek Co.), Hannen Lake (Benton Co.), Kent Park Lake (Johnson Co.).

Lake Restoration Prioritization Process

The Lake Restoration Program initially ranked 131 public lakes for lake restoration priorities in 2006. A group of thirty-five lakes, considered highest priority for restoration, was established and serves as a starting point for identifying potential lake restoration projects. Ranking indices used lake water quality data and watershed characteristics to create groups of good, fair, or poor lakes and watersheds. The department used these descriptions to categorize lakes into management action groups.

IDNR will periodically review the list of thirty-five lakes annually to determine which lakes should proceed with lake restoration. Until watershed best management practices protect the lake, restoration work cannot move forward, therefore lakes with well-documented watershed protections are the best candidates for restoration.

The other necessary ingredient to begin lake restoration is local commitment. In order to better document how lake restoration will benefit Iowa we will use cost benefit analysis, as well as identifying non-economic benefits to people and our natural resources. Computing and documenting the economic benefits, recreation benefits, health benefits, and natural resource/environmental benefits of lake improvements will be a great asset to the lake restoration process. This information will also go a long way in communicating the need of lake restoration projects to local communities and the legislature.

Inquiries from Stakeholders of Lakes not on the Priority List

Also in accordance with HF2782, "Communities with lakes not included on the initial list may petition the director of the department for a preliminary lake restoration assessment and explanation of the funding process and criteria".

During the first half of FY08, local stakeholders of Lake Rathbun (Appanoose Co.), Lost Island Lake (Palo Alto Co.) and Summit Lake (Union Co.) contacted the IDNR to consider their respective lakes for a restoration project. Rathbun Reservoir (Appanoose Co.) is a 11,000 acre lake in south-central Iowa that is one our most significant state recreational destinations. It is distinct from several of our other large reservoirs, Saylorville, Coralville and Red Rock in that its watershed to lake ratio is only 37:1 and has great potential to maintain and improve lake water quality with a combination of watershed and lake restoration alternatives. Lost Island Lake (Palo Alto Co.) is a 1,000 ac. natural lake in northwest Iowa that is not meeting its water quality and recreational potential. The Iowa IDNR currently owns 23 percent of the watershed and proposes a watershed assessment of the entire system.

Several additional restoration projects have been included in the program: Meadow Lake (Adair Co.), Hawthorn Lake (Mahaska Co.) and Little River Lake (Decatur Co.). Meadow Lake will require less than $100K from the LR Program and Section 319 Program to achieve success; Hawthorn Lake will utilize WIRB and LRP funding to complete the project; Little River Lake will also be included into the program; however, in-lake work is several years off and will require significant watershed improvements before the in-lake work can begin.

Three lake restorations projects were denied entry into the LR Program: Sands Timber (Taylor Co.), South Twin Lake (Calhoun Co.), and Summit Lake (Union Co.). For South Twin Lake the DNR recommends shallow lakes management with no dredging. The DNR is working cooperatively with local groups at Summit Lake to assist in a technical capacity and to help fund efforts associated with the ability to drain Summit Lake, future elimination of rough fish from the system and modification of the spillway to prevent migration of these fish back into Summit Lake. The City of Creston recently applied and was successful in obtaining a WIRB Grant top fund $493,117 of a $678,590 project. The WIRB project will focus on watershed improvements, streambank and lake shoreline stabilization and stormwater improvements.

Local, State and Federal Partnerships

In order to achieve lake restoration goals it is critical that the IDNR form effective watershed partnerships. This includes partnerships at the local level, but also at administrative levels of government. Local, state and federal programs offer a multitude of programs for financial assistance to landowners for soil conservation and other water quality protection practices. The strategy pursued in the lake restoration program will be to seek out key individuals with expertise at the local level and the program administration level. This expertise will maximize access to financial incentives for landowner participation in watershed improvement and lake restoration projects. Listed below are several examples of potential partners in watershed improvement and lake restoration.

<u>Local:</u>

- Chamber of Commerce
- City/Town Mayors and Councils
- Conservation and Recreation Clubs and Organizations
- County Board of Supervisors
- County Conservation Board
- IDNR Field Offices (Environmental Services, Fisheries, Forestry, Parks, Wildlife)
- IDALS/ Division of Soil Conservation – Project Coordinators
- IOWATER Volunteers / Educators / Interested Citizens
- Lake Associations / Groups
- NRCS Soil and Water Conservation Districts (SWCD)
- Private Landowners
- USDA Resource Conservation and Development (RC&D)
- Watershed Organizations

State:

- Agribusiness and Community Organizations
- IDALS/ Division of Soil Conservation
- Iowa Department of Transportation
- Iowa Environmental Council
- Iowa Farm Bureau
- Iowa Natural Heritage Foundation

Federal:

- U. S. Environmental Protection Agency
- U.S. Fish and Wildlife Service
- Natural Resources Conservation Service
- U.S. Army Corps of Engineers
- U.S. Geological Survey

Communication Tools and Strategies

The IDNR, in cooperation with Iowa Department of Agriculture Land Stewardship (IDALS), has worked to develop a holistic approach to locally led watershed projects. The Watershed Improvement Review Board has adopted it as the basic planning requirement for successful proposals.
The IDNR website includes the current 9-step planning protocol:
http://www.iowaIDNR.gov/water/watershed/files/protocolguide.pdf

The group is developing a brochure (small enough to fit in your shirt pocket) that outlines how the protocol works and identifies where the public fits into the process. People will find these brochures useful as handouts at meetings. In addition to brochure type handouts, a number of communication and outreach tools for the public and lake stakeholders will be considered as deemed appropriate, including: display/kiosk, lake restoration tool kit and workshop, newsletters, opinion surveys, web site. For example, the Lakes Program developed a one-page handout that summarizes the Lake Restoration Process. This has proved to be a useful tool in communicate the important aspects of the program to the public (Appendix D).

Several brochures are available on-line that offer more information about lake restoration and watershed improvement.

- Lake Darling
  http://www.iowadnr.gov/water/nonpoint/files/darling.pdf
- Lake of Three Fires
  http://www.iowadnr.gov/water/watershed/3fires_success.html

Shallow Lakes Management Initiative

Ducks Unlimited and the Iowa DNR's Wildlife and Fisheries Bureaus established a prioritized list of at least 50 shallow lakes to be renovated over the next ten years. The first lake to be renovated was Diamond Lake in Dickinson County. Renovation work began during summer 2006. Shallow lakes prioritized for restoration include; Dan Green Slough in Clay Co., Four-Mile Lake in Emmet Co., Pickerel Lake in Buena Vista Co., South Twin Lake in Calhoun Co., Virgin Lake in Palo Alto Co., and Lizard Lake in Pocahontas County.

The following excerpt, provided by Joe Larscheid, DNR Fisheries, describes the basis and objectives for the DNR's Shallow Lakes Management Initiative.

"Shallow lake management has always been a challenge in Iowa and around the world. Shallow lakes are scattered throughout Northwest Iowa and, in most of these lakes water quality lakes is less than

desired. In fact, most of these lakes are turbid, algae-dominated systems with little to no vegetation, and poor sport fisheries comprised mostly of common carp (Cyprinus carpio), and black bullheads (*Ameiurus melas*). Successful restorations of deeper lakes have historically focused on reducing nutrient inputs by repairing the watershed and/or removing phosphorus-laden sediments from the lake. Successful shallow lake management strategies require intensive in-lake management strategies that can immediately flip the basin from the turbid-water state to the clean-water state, and long-term watershed protection efforts that help maintain clean water over time."

Shallow lakes differ substantially from deeper lakes in many respects (Scheffer 1998). Shallow lakes usually exist in either of two alternative stable trophic states with or without any change in the nutrient budget of the lake (Scheffer et al., 1993, Moss et al., 1996). These lakes can exist as very turbid, algae-dominated systems with little to no vegetation, or as clear water, macrophyte dominated systems. In shallow lakes, the benthivorous and planktivorous fishes along with wind and wave action and in some cases heavy boating traffic can perpetuate the algae dominated system.

By controlling or removing the factors perpetuating the algae dominated turbid system, it is possible to "flip" the system into a clear water macrophyte dominated system (Scheffer, 1993). The positive impacts of emergent and submergent vegetation on water quality are due to several factors. Rooted vegetation prevents resuspension of sediments into the water column by solidifying bottom sediments and suppressing wind and wave action. Rooted plants provide habitat for periphyton and zooplankton and fish species commonly found in clear water lakes. Rooted vegetation also ties up nutrients making them unavailable for algae. Some plants also release allelopathic substances into the water suppressing algae growth. Many of these mechanisms are difficult to assess and vary among water bodies; however, their combined effect stabilizes the clear water trophic state (Scheffer et al., 1993). Both the clear water macrophyte state and the algae dominated state are stable, and it takes a major perturbation to move from one state to another (Scheffer et al., 1993). Three methods that show great promise to cause the shift from the turbid to the clear water state are benthivorous fish control, heavy piscivore stockings (to control both benthivorous and planktivorous fishes), and water level draw downs (Scheffer et al., 1993). The goal of this project is to develop tools that managers can use to shift and maintain shallow lakes in a clear water state.

Shallow Lakes Management Project Components:

- Shallow lake renovation based on alternative stable trophic states: Management guidelines that cause shallow lakes to shift from the turbid, algae -dominated systems to the clear, macrophyte-dominated systems.
- Physical characteristics of shallow lakes before and after restoration: Characteristics include information about the watershed, bathymetry, sediment profile, and water chemistry of the lakes.
- Biological characteristics of shallow lakes before and after restoration: Characteristics include the plankton, macrophyte, fish community and waterfowl use of the assessed lakes and the related changes to benthivorous fishes from biomanipulation of these biological components.

Update on Shallow Lake Projects using Lake Restoration Funds, December 2008

Introduction: Natural Lakes in Northwest Iowa are mainly characterized as shallow, wind swept systems that exhibit poor water quality. Significant watershed changes and the introduction of common carp in the late 1800's have forever made management of these water bodies a challenge. Through work accomplished on the projects listed below, great strides have been made in our understanding of these systems. These ground breaking projects in Iowa will undoubtedly lead to others as the health to these unique water bodies is restored. Success is also being measured in public education and outreach, communities and user groups are coming together to make these projects truly successful demonstration models for improving not only water quality, but fostering partnerships for the long-term active management required to maintain the health of these lakes.

The current focus of the Lake Restoration Program is on shallow lakes that support both fishing and wildlife benefits. In addition, there is an emphasis on shallow systems above important natural lakes.

Center Lake, Dickinson County – Due to strong local support, the damaged and ineffective Center Lake outlet culverts were replaced at a lower elevation with a variable-crest concrete water control structure during fall 2008. Improvements to in-lake and downstream outlet channels were also completed. Collectively, these improvements will reduce flooding impacts on the 264-acre Center Lake and will allow for beneficial partial drawdowns on Center Lake and two associated Type III wetlands. Establishment of aquatic vegetation in the lake and wetlands will improve fish and wildlife habitat and will enhance water quality in Center Lake and its downstream neighbor, West Lake Okoboji.

This work on the lake outlet is only a small part of a comprehensive plan being developed for this lake. Storm water modeling and prioritization of other watershed inputs are underway. The Center Lake Improvement and Protection Association has collaborated with local agencies to develop a lake restoration plan to reverse recent declines in water quality and received a $15,000 local grant to cost-share improvements to the outlet.

Dan Green Slough, Clay County – The donation of a key tract of land in 2008 facilitated the installation of a pump system and fish barrier on the 311-acre Dan Green Slough during fall 2008 and winter 2008-09. A subsequent temporary draw down of the basin during spring and summer 2009 resulted in the eradication of rough fish, the consolidation of bottom sediments, and the re-establishment of over 250 acres of soft stem bulrush and other beneficial emergent aquatic plants. The basin will be kept partially dry during the 2010 growing season to allow for the continued growth of emergent vegetation and the establishment of submergent plants. Weather pending, the basin will be brought to full pool during fall 2010 or spring 2011.

Diamond Lake, Dickinson County - During winter 2006-07, the initial efforts to enhance this 166-acre basin were completed with the installation of a drawdown tile designed to allow the lake to be periodically dewatered to eliminate rough fish and to allow for the germination of aquatic plants and consolidation of bottom sediments. Excessive rain in late summer 2007 prevented a successful drawdown. A winter rotenone project in January 2008 eliminated the few remaining rough fish in the lake. A successful drawdown was realized in summer 2008 through the continuous use of the drawdown tile and the temporary use of an auxiliary diesel pump, which was purchased with Lake Restoration funds. The outlet of the lake was also lowered about 0.5' to a more natural elevation, which will prevent excessive shoreline erosion, tree toppling and should provide for water levels more conducive to aquatic plant growth. Despite a cool spring, regrowth of vegetation did well over the summer.

Aerial photo with Diamond Lake at approximately half pool.

Diamond Lake water clarity post renovation

A “reef” fish barrier was installed during winter 2008-09 to prevent the reinfestation of rough fish into Diamond Lake. The barrier is best described as a flow-through rock weir. At present, the lake contains exceptionally clear water and has diversified stands of emergent vegetation on the lake’s perimeter and submergent vegetation within the lake. Migratory bird use has been excellent with several thousand shore birds and waterfowl observed on the lake during early fall 2009. Fingerling yellow perch were stocked spring 2009 and northern pike will be stocked in 2010. Weather permitting, the basin will be brought to full pool during spring 2010.

Four Mile Lake, Emmett County – A partial drawdown initiated during summer 2008 allowed for the successful addition of a fish barrier and in-lake drawdown channels in Four Mile Lake during fall 2008. Continuation of the drawdown summer 2009 allowed for the eradication of rough fish, the consolidation of bottom sediments, and the establishment of beneficial submergent and emergent vegetation in the 200-acre basin. Presently, the basin is at full pool, contains very clear water, supports robust populations of submerged plants and associated invertebrate populations, and provided excellent migratory bird habitat. It is expected that during spring 2010, the restored Four Mile Lake will fulfill its intended function of becoming a “stepping stone” lake by providing exceptional migratory habitat for diving ducks and other migratory waterbirds that rely on healthy aquatic environments to complete their life cycles.

Jemmerson Slough, Dickinson County - Located at the top end of an important West Lake Okoboji watershed, the 932-acre Jemmerson Slough complex is an important water quality, wildlife habitat, and public recreation/education area. In 2006, Phase I of the Jemmerson Slough Enhancement Project was completed with the installation of two water control structures and two outlet improvements. During fall 2008, the second and final phase was completed with the installation of a pump station, new gravity-flow water control structure, and fish barrier. Intensive efforts were made during construction to prevent water quality problems in West Lake Okoboji and other downstream basins. Jemmerson Slough was temporarily dewatered during summer 2009 to rid the basin of rough fish and to allow for the re-establishment of aquatic emergent vegetation like soft stem bulrush, cattails, and other important plants. In 2010 water levels will be brought up slowly to promote the continued growth of existing emergent plants and to

provide a favorable environment for the growth of beneficial submergent plants like sago pondweed. Once re-hydrated, over 200 wetland acres will send cleaner water to West Lake Okoboji and other downstream basins, and will provide excellent production and migratory wildlife habitat.

Lizard Lake (Pocahontas County) - Lizard Lake is a 285-acre shallow natural lake. Rough fish (buffalo, bullhead and carp) dominate the lake population. The lake contains very little area of aquatic vegetation and exhibits poor water quality. A local lake group has promoted lake restoration and they continue to meet with IDNR staff to discuss their concerns. In June 2006, IDALS and the local Soil and Water Conservation District awarded a Development Grant to evaluate the watershed of Lizard Lake.

Iowa State University Limnology Laboratory conducted a Diagnostic Feasibility study for Lizard Lake. As part of potential restoration alternatives, ISU presented "shallow lakes management" as an option for improving the lake's water quality, fish population structure and wildlife potential. During 2008 and 2009, IADNR staff has met several times with local partners and stakeholders to discuss shallow lake management options for Lizard Lake. Many stakeholders recognize the benefits of shallow lake management and expressed a preference for that type of management. Other stakeholders, while preferring dredging, realize that high dredging costs make that option unattainable and therefore support shallow lake management. Other stakeholders preferred to continue supporting dredging as the only alternative. Due to relatively strong support from most local constituents, the DNR has hired Ducks Unlimited to conduct survey work during winter 2009 and plans to construct a water control structure and fish barrier during fall and winter 2010 – 11.

Related Activities and Studies

Economic Impact and Value of Preserving and Restoring Water Quality in Iowa's Lakes

Project Summary and Update: Iowa State University
Joseph A. Herriges, Catherine L. Kling, Daniel M. Otto, and Subhra Bhattacharjee,

The purpose of this project work is to provide the Iowa Department of Natural Resources with information on the economic impact generated by Iowa lakes for local communities and to provide ongoing visitation information to assess the changes in usage that Iowans have made to Iowa lakes in response to changes in water quality and the cost of accessing the lakes. This information will contribute to the cost-effective management of lake restoration projects.

Two primary sources of data are being collected to provide the needed information. First, on-site expenditure data has been collected for three lakes in Iowa: Clear Lake, Pleasant Creek Lake, and Lake Manawa. These intercept surveys were undertaken in the summer of 2009 and summaries of the information collected are provided in Tables 1-7. A total of 141 completed intercepts were collected from Clear Lake, 132 from Pleasant Creek, and 72 from Lake Manawa. Additional intercept surveys will be undertaken in the spring and summer of 2010 to increase representativeness of the samples, to extend the time period covered and to collect additional data concerning whether the intercepted households resides within or out of the state of Iowa.

We gathered information from the intercept surveys on the different activities intercepted households engaged in while on site. Table 1 summarizes the reasons reported for visiting each of the target lakes. Note that the total percentages do not sum to 100 because respondents were asked to indicate all activities undertaken. Table s reports the percentage indicating that they were single vs. multiple day visitors. Since the intercepts at Clear Lake were done largely at the campground, the majority of intercepted households indicated a multiple day visit. Multiple day visitors were also heavily sampled at Peasant Creek Lake and Lake Manawa. Table 3 reports the average number of trips made by the intercepted households and Table 4 reports group sizes.

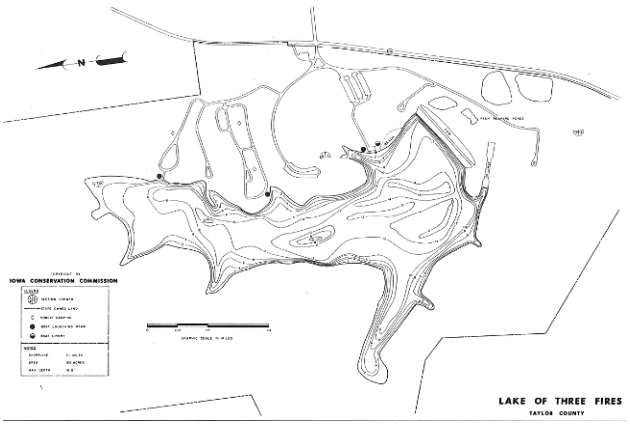
To understand how expenditure patterns may vary across different types of lakes, we collected spending data for each of the three lakes across several major categories: supplies, food and beverage, gas and care expenses, lodging, shopping, and entertainment. Tables 5, 6, and 7 report the average expenditures in these categories from the intercepted households as well as the standard deviation, maximum and minimum reported values. The last set of expenditure data in each table summarizes the total spending patterns. As expected, there are notable differences in spending patterns across the different lakes, both in total and by expenditure category. The average single day trip from Clear Lake is associated with a $93 expenditure, while multiple day trips result in expenditures of nearly $350/trip. In contrast, the comparable numbers for Pleasant Creek are much lower --- $64/trip for single day visits and about $180/trip for multiple night visits. The reported expenditures for Lake Manawa are more similar to Clear Lake for single day trips at $85/trip, but the multiple day trips exhibit expenditure magnitudes more similar to those seen at Pleasant Creek.

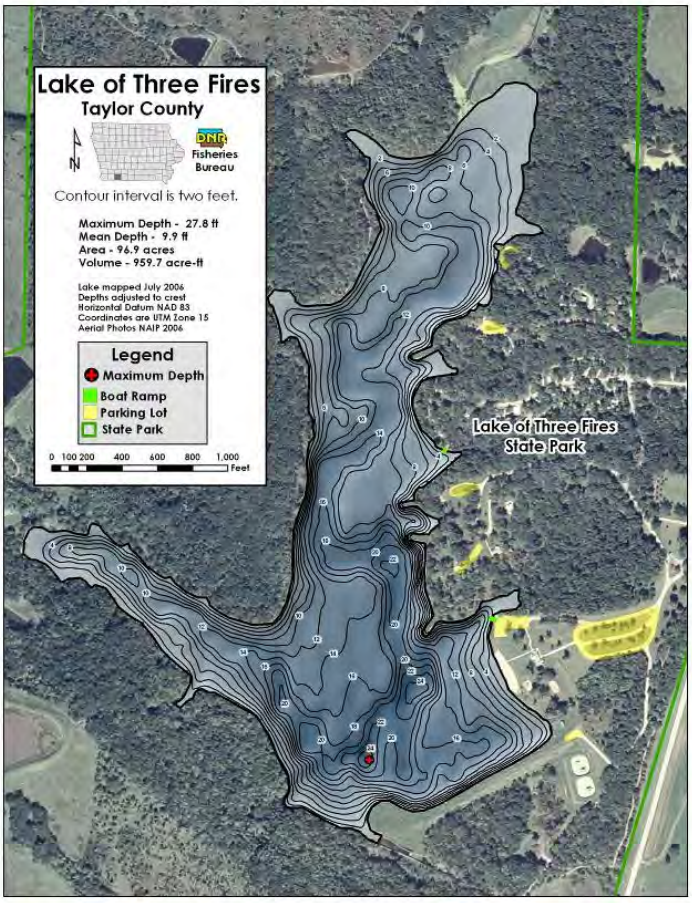
As noted, 7500 total surveys were sent out, of those, about 2500 have now been returned (after a post card reminder was sent about 2-3 weeks after the initial mailing). Given the over 500 nondeliverables, this has resulted in a response rate of about 35%. As soon as the holidays are over, the nonrespondents will be sent another copy of the survey with a letter requesting that they complete it. This final mailing typically results in another 10-15 percent return rate.
The survey work is largely on schedule and data entry and analysis should begin in midspring as described in the original work plan.

Statewide Bathymetric Lake Mapping

The last major effort to map Iowa's lakes began in the early 1970's. Managers relied upon these early contour (bathymetric) maps to guide restoration efforts, calculate water volumes and basin characteristics, and assist recreational users. Lakes go through many changes during their lifespan, and over the past 30 years silt deposition has profoundly changed many lakes in Iowa. Older maps, in many cases, have simply become obsolete. Additionally, many of Iowa's new lakes are not mapped. Since the 1970's, there have been significant technological advances leading to improvements in map accuracy and utility. Our current mapping efforts are utilizing state-of-the-art electronics and map generating software. This effort, including maps and the underlying data, provides a fundamental tool needed by communities and resource professionals to make important lake management decisions.

The Iowa Statewide Lake Mapping Project designs maps around a standard set of methods developed over the past three years. Data acquisition began in 2006, since the first season, 92 lakes having been mapped. Currently there are 76 maps available to the public with additions becoming available every couple months. This year data was collected from all four districts in Iowa in order to support planned restoration projects. Groundwork was also laid down to support mapping efforts in the future by establishing elevation benchmarks near those lakes with no known outlet or ordinary high water elevation.





This technology can be used to provide a very clear and accurate view of a lake before, during and after a sediment removal project. This allows managers to guide renovation efforts along the way, giving them far more control and satisfaction with the end product. By having a clear baseline before a dredging project begins, managers can be certain that the terms of their contract with sediment removal companies have been honored and payment can be made accordingly.

A combination of shaded models, aerial photography, and contour lines creates one final product, the contour map. Public amenities, such as boat ramps, parking areas, and park and public land boundaries are added and labeled. The lake mapping specialist adds a legend before sending the map to lake managers for edits and comments. Finally, the map is ready for public use and distribution to field offices and our website. The combination of new data with aerial photography provides the public with a much improved product. This year each of the 76 published maps were updated to provide a consistent design and a much improved compression method that will improve access to online users. Working with ITB, many new web pages are being developed in order to showcase and make available all maps currently completed.

In addition to a better visual product, this data will have uses in research that will benefit the Lake Restoration Program and its many partners. The new lake data and maps will become a very accurate and useful historical record for future lake management. In many cases, comparison of as-built contours to present day bathymetry can provide information of historical sedimentation rates and identify the areas of a lake most affected by sedimentation. By returning to lakes in subsequent years, we can monitor sedimentation rates and evaluate the effectiveness of sediment control practices and structures. In the end, the statewide lake mapping program has far reaching effects; it supports not only lake restoration, but fisheries managers, wildlife units, floodplain managers, NRCS staff, pollution control specialists and, of course, the Iowa angler.

Determining Historic Water Quality Conditions in Iowa Natural Lakes

Principal Investigator: John Downing
Student Investigator: Adam Heathcote (Ph. D.)

Introduction
This project aims to provide the Iowa Department of Natural Resources with baseline values of total phosphorus nutrient concentrations in Iowa's 34 natural lakes of recreational importance. This will yield a clear understanding of the amount of disturbance that has taken place since human settlement and assist in the setting of realistic standards for lake restoration, remediation and nutrient impaired reference conditions. This will be an improvement on current reference conditions, which are determined indirectly

and do not consider historical information. In addition to providing information on these lakes, this work will set the stage for hind-casting water quality conditions for other lentic ecosystems in the state.

Goals and Objectives:

- Determine total phosphorous levels and sedimentation rates that existed prior to European settlement in Iowa (ca. 1850) along with their level of precision.
- Use determined total phosphorus levels and sedimentation rates to: (A) aid in the setting of benchmarks for lake restoration; (B) provide quantitative historical information on pre-European status of natural lakes included in the Project; and (C) provide the DNR with clear reference conditions for the minimally disturbed condition of lacustrine ecosystems within the state.
- Determine eutrophication rates in Iowa's natural lakes via fluxes in sedimentation and nutrient levels, prior to and since European settlement, to evaluate the impact of land-use changes within the lakes' watersheds.
- Develop the necessary technology (a diatom transfer function) from current environmental conditions and species assemblages unique to Iowa and inclusive of conditions and assemblages hypothesized to have historically existed in the state.

Benchmarks of Biological Integrity for Lake Restoration Success: Fish Assemblage and Population Dynamics in Iowa Lakes

Submitted by: Jesse Fischer and Michael Quist
Period: July 1 – September 31, 2009

During this quarter, fall sampling began on 13 lakes and impoundments (i.e., Ahquabi, Easter, Rock Creek, Union Grove, Hickory Grove, Diamond, Big Creek, Carter, Manawa, Blue, East Okoboji, Spirit, and Lower Gar) throughout the state. Fall sampling consisted of night electrofishing and fyke netting. In addition to fall sampling, trawling was conducted on all 13 lakes during the summer (i.e., late June – mid July). All fish sampled were measured to the nearest millimeter and fish greater than 100 mm were weighed. Hard structures (e.g., scales, spines) are being collected from several fish species (i.e., common carp, black bullhead, black crappie, bluegill, largemouth bass, and walleye) for aging. Ten of the 13 lakes have been sampled this fall and over 3,000 structures have been collected. Sampling of the remaining three lakes will be concluded by the end of October. Additionally, the fishes from summer trawling were too numerous to count and identify in the field. Therefore, they are being processed in the laboratory. During the next quarter, data will be entered and summarized for all sampling conducted during 2009. Additionally, aging structures will processed, aged, and aging data will be entered into databases for continued data analysis. After analysis, preparations for sampling in 2010 will begin.

Related Monitoring and Assessment

Ambient Monitoring

The Iowa Lakes Survey project (2000-2009) conducted by both Iowa State University (ISU) Limnology Laboratory and the University Hygienic Laboratory (UHL) has provided invaluable water quality data and other information from the 131 Significant Publicly-Owned Lakes (SPOL) in Iowa. Sampling data and other summarized information about survey lakes are available on the internet at http://limnology.eeob.iastate.edu/lakereport/. Funding support for ambient lake monitoring comes from the IDNR Water Monitoring Program through annual appropriations of the State's Infrastructure Environment First Fund and the Lakes Restoration Program.

Ambient lake monitoring data provide the basis for evaluating status and trends in lake water quality and assessing compliance with water quality standards protecting designated beneficial uses. For example, development of a lake classification system used the 2000-2005 lake survey as the basis to prioritize lakes for restoration. Looking ahead, the data will be invaluable as an historical record of water quality to measure progress in water quality improvement.

Field crews monitor the lakes for basic water chemistry, nutrients, chlorophyll, phytoplankton and zooplankton at least three times during the spring and summer. Additionally, researchers construct a temperature profile for each lake to determine the thermocline and the oxygen content along the temperature profile. Past lake monitoring also includes testing for common herbicides, insecticides and metals in both the water and lake sediments. Sampling of lake water quality was coordinated with and augmented by the collection of fish data.

Appendix A. House File 2782 - Enrolled

PAG LIN
1 1 HOUSE FILE 2782
1 2
1 3 AN ACT
1 4 RELATING TO AND MAKING APPROPRIATIONS TO STATE DEPARTMENTS
1 5 AND AGENCIES FROM THE REBUILD IOWA INFRASTRUCTURE FUND,
1 6 ENVIRONMENT FIRST FUND, TOBACCO SETTLEMENT TRUST FUND,
1 7 VERTICAL INFRASTRUCTURE FUND, THE ENDOWMENT FOR IOWA'S
1 8 HEALTH RESTRICTED CAPITALS FUND, THE TECHNOLOGY REINVEST-
1 9 MENT FUND, THE ENDOWMENT FOR IOWA'S HEALTH ACCOUNT, THE
1 10 PUBLIC TRANSIT INFRASTRUCTURE GRANT FUND, THE IOWA GREAT
1 11 PLACES PROGRAM FUND, AND RELATED MATTERS AND PROVIDING
1 12 IMMEDIATE, RETROACTIVE, AND FUTURE EFFECTIVE DATES.
1 13
1 14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

31 13 Sec. 26. NEW SECTION. 456A.33B LAKE RESTORATION PLAN AND
31 14 REPORT.
31 15 1. It is the intent of the general assembly that the
31 16 department of natural resources shall develop annually a lake
31 17 restoration plan and report that shall be submitted to the
31 18 joint appropriations subcommittee on transportation,
31 19 infrastructure, and capitals and the legislative services
31 20 agency by no later than January 1 of each year. The plan and
31 21 report shall include the department's plans and
31 22 recommendations for lake restoration projects to receive
31 23 funding consistent with the process and criteria provided in
31 24 this section, and shall include the department's assessment of
31 25 the progress and results of projects funded with moneys
31 26 appropriated under this section.
31 27 The department shall recommend funding for lake restoration
31 28 projects that are designed to achieve the following goals:
31 29 a. Ensure a cost=effective, positive return on investment
31 30 for the citizens of Iowa.
31 31 b. Ensure local community commitment to lake and watershed
31 32 protection.
31 33 c. Ensure significant improvement in water clarity,
31 34 safety, and quality of Iowa lakes.
31 35 d. Provide for a sustainable, healthy, functioning lake
32 1 system.
32 2 e. Result in the removal of the lake from the impaired
32 3 waters list.
32 4 2. The process and criteria the department shall utilize
32 5 to recommend funding for lake restoration projects shall be as
32 6 follows:
32 7 a. The department shall develop an initial list of not
32 8 more than thirty=five significant public lakes to be
32 9 considered for funding based on the feasibility of each lake
32 10 for restoration and the use or potential use of the lake, if
32 11 restored. The list shall include lake projects under active
32 12 development that the department shall recommend be given
32 13 priority for funding so long as progress toward completion of
32 14 the projects remains consistent with the goals of this
32 15 section.
32 16 b. The department shall meet with representatives of
32 17 communities where lakes on the initial list are located to
32 18 provide an initial lake restoration assessment and to explain
32 19 the process and criteria for receiving lake restoration
32 20 funding. Communities with lakes not included on the initial
32 21 list may petition the director of the department for a
32 22 preliminary lake restoration assessment and explanation of the
32 23 funding process and criteria. The department shall work with
32 24 representatives of each community to develop a joint lake
32 25 restoration action plan. At a minimum, each joint action plan
32 26 shall document the causes, sources, and magnitude of lake

impairment, evaluate the feasibility of the lake and watershed restoration options, establish water quality goals and a schedule for attainment, assess the economic benefits of the project, identify the sources and amounts of any leveraged funds, and describe the community's commitment to the project, including local funding. The community's commitment to the project may include moneys to fund a lake diagnostic study and watershed assessment, including development of a TMDL (total maximum daily load).

c. Each joint lake restoration plan shall comply with the following guidelines:

(1) Biologic controls will be utilized to the maximum extent, wherever possible.

(2) If proposed, dredging of the lake will be conducted to a mean depth of at least ten feet to gain water quality benefits unless a combination of biologic and structural controls is sufficient to assure water quality targets will be achieved at a shallower average water depth.

(3) The costs of lake restoration will include the maintenance costs of improvements to the lake.

(4) Delivery of phosphorous and sediment from the watershed will be controlled and in place before lake restoration begins. Loads of phosphorous and sediment, in conjunction with in=lake management, will meet or exceed the following water quality targets:

(a) Clarity. A four=and=one=half=foot secchi depth will be achieved fifty percent of the time from April 1 through September 30.

(b) Safety. Beaches will meet water quality standards for recreational use.

(c) Biota. A diverse, balanced, and sustainable aquatic community will be maintained.

(d) Sustainability. The water quality benefits of the restoration efforts will be sustained for at least fifty years.

d. The department shall evaluate the joint action plans and prioritize the plans based on the criteria required in this section. The department's annual lake restoration plan and report shall include the prioritized list and the amounts of state and other funding the department recommends for each lake restoration project. The department may seek public comment on its recommendations prior to submitting the plan and report to the general assembly.

Appendix B. Significant, Publicly-owned Lakes - Defined

Bachmann (1980). "Clean Lakes Classification Study of Iowa's Lakes for Restoration".
Authors: Roger W. Bachmann, Mark R. Johnson, Marianne V. Moore, Terry A. Noonan

Iowa Cooperative Fisheries Research Unit
Iowa State University, Department of Animal Ecology

Introduction
Approximately 175 lakes and reservoirs were considered by the Iowa Conservation Commission (ICC) staff for inclusion into the list of lakes to be surveyed and classified. Many of these 175 lakes are contained in "Iowa Fishing Guide", a publication of the ICC. Time and money precluded survey and classification of all the lakes; therefore, the list was reduced to include only significant lakes in public ownership.

Significant Lakes – Defined and Explained
Significant publicly-owned lakes were defined as those lakes which are principally maintained for public use containing a minimum surface area of 10 acres and capable of supporting fish stocks of at least 200 pounds per acre. Species diversity in water bodies containing less than 10 acres is habitually low resulting in a fish density with minimal potential for maximum sustained yields via sport or foodfish fisheries. Shallow lakes, which are most characteristic of wetlands and marsh-like habitat that are subject to chronic and extensive fish winterkills, were excluded from the survey. Establishment of productive fish populations is hopeless where massive mortality results from the lowering of life supporting oxygen concentrations under ice cover each winter. Federal-owned onstream impoundment constructed for floodwater supplies were excluded because of Clean Water Act regulations. Multi-purpose lakes providing domestic water supply as only one of several major management objectives were included in the study. Impoundments containing a watershed to surface area ration greater than 200:1 acres were omitted from the list since they are mainly onstream impoundments formed by lowhead dams and emulate riverine habitat rather than lake environment.

Section 305 (b) report (2000)

Section 314 (a) (2) of the federal Clean Water Act of 1987 requires each state to include in it's biennial Section 305 (b) report specific information on the water quality conditions and trends of the state's "significant, publicly-owned lakes," as well as a description of the state's lake protection and restoration programs. In Iowa, "significant, publicly-owned lakes" are defined as those publicly-owned lakes that meet all of the following criteria:

- are maintained principally for public use;
- are capable of supporting fish stocks of at least 200 pounds per acre;
- have a surface water area of at least 10 acres;
- have a watershed to lake surface area ratio of less than 200:1;
- are not shallow marsh-like lakes, federal flood control impoundments, or used solely as water supply reservoirs.

As such, the 115 significant, publicly-owned lakes (SPOLs) represent a subset of the Iowa's approximately 5,400 lakes, ponds, and reservoirs.

Appendix C. Significant, Publicly-owned Lakes

Initial list of thirty-five significant publicly-owned lakes prioritized for funding based on the feasibility of each lake for restoration and the use or potential use of the lake, if restored. The list included lake projects under active development that the department recommended be given priority for funding so long as progress toward completion of the projects remained consistent with the goals of the program.

LAKE NAME	COUNTY
Arbor Lake	POWESHIEK
Big Creek Lake	POLK
Black Hawk Lake	SAC
Blue Lake	MONONA
Brushy Creek Lake	WEBSTER
Carter Lake	POTTAWATTAMIE
Central Park Lake	JONES
Clear Lake	CERRO GORDO
Crystal Lake	HANCOCK
Diamond Lake	POWESHIEK
Easter Lake	POLK
Five Island Lake	PALO ALTO
George Wyth Lake	BLACK HAWK
Green Valley Lake	UNION
Hannen Lake	BENTON
Hickory Grove Lake	STORY
Kent Park Lake	JOHNSON
Lake Ahquabi	WARREN
Lake Anita	CASS
Lake Darling	WASHINGTON
Lake Geode	HENRY
Lake Keomah	MAHASKA
Lake Macbride	JOHNSON
Lake Manawa	POTTAWATTAMIE
Lake of the Hills	SCOTT
Little Wall Lake	HAMILTON
Lower Gar Lake	DICKINSON
Pleasant Creek Lake	LINN
Prairie Rose Lake	SHELBY
Red Haw Lake	LUCAS
Rock Creek Lake	JASPER
Silver Lake	DELAWARE
Storm Lake	BUENA VISTA
Union Grove Lake	TAMA
Viking Lake	MONTGOMERY

Appendix C. Significant, Publicly-owned Lakes

The following lakes were not included on the initial list of thirty-five significant publicly-owned lakes prioritized for funding. They have since been added to the priority list after communities have successfully petitioned the director of the department or were prioritized by the department based on the feasibility of the lake for restoration and the use or potential use of the lake, if restored.

LAKE NAME	COUNTY
Hawthorn Lake	MAHASKA
Lake of Three Fires	TAYLOR
Lake Wapello	DAVIS
Little River Lake	DECATUR
Lost Island Lake	PALO ALTO
Mariposa Lake	JASPER
Meadow Lake	ADAIR
Rathbun Reservoir	APPANOOSE

The following lakes are the additional eighty-eight of the one-hundred and thirty-one identified by the Iowa Department of Natural Resources as Significant Publicly-Owned Lakes.

LAKE NAME	COUNTY
Arrowhead Lake	SAC
Arrowhead Pond	POTTAWATTAMIE
Avenue of the Saints Pond	BREMER
Badger Creek Lake	MADISON
Badger Lake	WEBSTER
Beaver Lake	DALLAS
Beeds Lake	FRANKLIN
Big Spirit Lake	DICKINSON
Bob White Lake	WAYNE
Briggs Woods Lake	HAMILTON
Browns Lake	WOODBURY
Casey Lake (aka Hickory Hills Lake)	TAMA
Center Lake	DICKINSON
Cold Springs Lake	CASS
Coralville Reservoir	JOHNSON
Crawford Creek Impoundment	IDA
Dale Maffitt Reservoir	POLK
DeSoto Bend	HARRISON
Dog Creek (Lake)	OBRIEN
Don Williams Lake	BOONE
East Lake (Osceola)	CLARKE
East Okoboji Lake	DICKINSON
Eldred Sherwood Lake	HANCOCK
Fogle Lake S.W.A.	RINGGOLD
Green Belt Lake	BLACK HAWK
Green Castle Lake	MARSHALL
Greenfield Lake	ADAIR
Hooper Area Pond	WARREN
Indian Lake	VAN BUREN
Ingham Lake	EMMET
Iowa Lake	IOWA
Lacey Keosauqua Park Lake	VAN BUREN

LAKE NAME	COUNTY
Lake Cornelia	WRIGHT
Lake Hendricks	HOWARD
Lake Icaria	ADAMS
Lake Meyer	WINNESHIEK
Lake Miami	MONROE
Lake Pahoja	LYON
Lake Smith	KOSSUTH
Lake Sugema	VAN BUREN
Little Sioux Park Lake	WOODBURY
Little Spirit Lake	DICKINSON
Littlefield Lake	AUDUBON
Lower Pine Lake	HARDIN
Manteno Park Pond	SHELBY
Meyer Lake	BLACK HAWK
Mill Creek (Lake)	OBRIEN
Minnewashta Lake	DICKINSON
Mitchell	BLACK HAWK
Moorhead Park Pond	IDA
Mormon Trail Lake	ADAIR
Nelson Park Lake	CRAWFORD
Nine Eagles Lake	DECATUR
North Twin Lake	CALHOUN
Oldham Lake	MONONA
Orient Lake	ADAIR
Otter Creek Lake	TAMA
Ottumwa Lagoon	WAPELLO
Pierce Creek Pond	PAGE
Poll Miller Park Lake	LEE
Red Rock Reservoir	MARION
Roberts Creek Lake	MARION
Rodgers Park Lake	BENTON
Saylorville Reservoir	POLK
Silver Lake	DICKINSON
Silver Lake	WORTH
Silver Lake	PALO ALTO
Slip Bluff Lake	DECATUR
South Prairie Lake	BLACK HAWK
Spring Lake	GREENE
Springbrook Lake	GUTHRIE
Swan Lake	CARROLL
Thayer Lake	UNION
Three Mile Lake	UNION
Trumbull Lake	CLAY
Tuttle Lake	EMMET
Twelve Mile Creek Lake	UNION
Upper Gar Lake	DICKINSON
Upper Pine Lake	HARDIN
Volga Lake	FAYETTE
West Lake (Osceola)	CLARKE
West Okoboji Lake	DICKINSON
White Oak Conservation Area Lake	MAHASKA
Williamson Pond	LUCAS
Willow Lake	HARRISON
Wilson Park Lake	TAYLOR
Windmill Lake	TAYLOR
Yellow Smoke Park Lake	CRAWFORD

Appendix D. Lake Restoration Prioritization Process and Program

Key Concepts and Facts

- Six of ten Iowans visit lakes each year; they will visit these lakes eight times during the year
- Iowans prefer lakes with better water quality
- Statewide our lakes generate $1.6 billion in annual spending by Iowans
- A lake is a reflection of both watershed and lake management
- Lake restoration starts in the watershed; it relies on strong local involvement and voluntary participation of landowners

Current Prioritization and Program

- Modeled after the Federal Clean Lakes Program established in the 1970s
- DNR provided the 2006 legislature with a priority list of 35 lake candidates
  - Priorities based on a 5-year ISU/DNR assessment of water quality
  - Technical feasibility of restoration
  - Potential economic benefits
  - Use by Iowans, and local interest/involvement
- Projects require a lake and watershed restoration assessment and plan
- Projects require local resources in combination with state and federal funds
- Local groups can petition to have their lake added to the priority list
- Project Status
  - 7 Near completion
  - 26 In progress
  - 6 Planning stage
- DNR provides an annual progress report to the legislature that includes a work plan and budget

Water Quality Goals

Stipulated in 2006 State Legislation (HF2782):

- Delivery of phosphorous and sediment from the watershed will be controlled before lake restoration begins
- Shallow lakes management will be considered among options for restoration
- Water quality targets
  - Clarity. 4 ½ foot secchi disc transparency 50% of the time from April – September
  - Biota. A diverse, balanced, and sustainable aquatic community must be maintained
  - Impairment. Water quality impairments must be eliminated
  - Sustainability. The water quality and public use benefits must be sustained for 50 years

Budget

- 2007 funding $8.6 Million
- 2008 funding $8.6 Million
- 2009 / 2010 funding $12.8 Million
- 2011 $8.6 Million requested

DNR Contacts

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Web Page: http://www.iowadnr.gov/water/lakerestoration/

Federal Codes and Rules

1. Federal Wildlife Act and Fish Restoration Act Rule guiding USC 16

Authority: 16 U.S.C. 777–777n; 16 U.S.C. 669–669k; 18 U.S.C. 701.

Source: 47 FR 22539, May 25, 1982, unless otherwise noted.

Note: The information collection requirements in this part have been approved by the Office of Management and Budget under control number 1018–0048.

§ 80.1 Definitions.

As used in this part, the following terms have these meanings:

Common horsepower. Any size motor that can be reasonably accommodated on the body of water slated for development.

Comprehensive fish and wildlife management plan. A document describing the State's plan for meeting the long-range needs of the public for fish and wildlife resources, and the system for managing the plan.

Director. The Director of the Service, or his or her designated representative. The Director serves as the Secretary's representative in matters relating to the administration and execution of the Wildlife and Sport Fish Restoration Acts.

Project. One or more related undertakings necessary to fulfill a need or needs, as defined by the State, and consistent with the purposes of the appropriate Act.

Regional Director. The regional director of any region of the Service, or his or her designated representative.

Resident angler. One who fishes within the same State where legal residence is maintained.

Secretary. The Secretary of the Interior or his or her designated representative.

Service. The U.S. Fish and Wildlife Service.

State. Any State of the United States and the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa. References to ―the 50 States" pertain only to the 50 States of the United States and do not include these other six areas.

State fish and wildlife agency. The agency or official of a State designated under State law or regulation to carry out the laws of the State in relation to the management of fish and wildlife resources of the State. Such an agency or official also designated to exercise collateral responsibilities, e.g., a State Department of Natural Resources, will be considered the State fish and wildlife agency only when exercising the responsibilities specific to the management of the fish and wildlife resources of the State.

Wildlife and Sport Fish Restoration Acts or *the Acts.* Pittman-Robertson Wildlife Restoration Act of September 2, 1937, as amended (50 Stat. 917; 16 U.S.C. 669–669k), and the Dingell-Johnson Sport Fish Restoration Act of August 9, 1950, as amended (64 Stat. 430; 16 U.S.C. 777–777n).

Wildlife and Sport Fish Restoration Program Funds. Funds provided under the Acts.

[73 FR 43127, July 24, 2008]

§ 80.2 Eligibility.

Participation in the benefits of the Acts is limited to State fish and wildlife agencies as specified below:

(a) Dingell-Johnson Sport Fish Restoration—Any of the States as defined in §80.1.

(b) Pittman-Robertson Wildlife Restoration—Any of the States as defined in §80.1, except the District of Columbia.

[47 FR 22539, May 25, 1982, as amended at 50 FR 21448, May 24, 1985; 73 FR 43128, July 24, 2008]

§ 80.3 Assent legislation.

A State may participate in the benefits of the Act(s) only after it has passed legislation which assents to the provisions of the Acts and has passed laws for the conservation of fish and wildlife including a prohibition against the diversion of license fees paid by hunters and sport fishermen to purposes other than administration of the fish and wildlife agency. Subsequent legislation which amends these state laws shall be subject to review by the Secretary. If the legislation is found contrary to the assent provisions, the State shall become ineligible.

§ 80.4 Diversion of license fees.

Revenues from license fees paid by hunters and fishermen shall not be diverted to purposes other than administration of the State fish and wildlife agency.

(a) Revenues from license fees paid by hunters and fishermen are any revenues the State receives from the sale of licenses issued by the State conveying to a person the privilege to pursue or take wildlife or fish. For the purpose of this rule, revenue with respect to license sales by vendors, is considered to be the net income to the State after deducting reasonable vendor fees or similar amounts retained by sales agents. License revenues include income from:

(1) General or special licenses, permits, stamps, tags, access and recreation fees or other charges imposed by the State to hunt or fish for sport or recreation.

(2) Sale, lease, rental, or other granting of rights of real or personal property acquired or produced with license revenues. Real property includes, but is not limited to, lands, building, minerals, energy resources, timber, grazing, and animal products. Personal property includes, but is not limited to, equipment, vehicles, machine, tools, and annual crops.

(3) Interest, dividends, or other income earned on license revenues.

(4) Project reimbursements to the States to the extent that license revenues originally funded the project for which the reimbursement is being made.

(b) For purposes of this rule, administration of the State fish and wildlife agency include only those functions required to manage the fish and wildlife-oriented resources of the State for which the agency has authority under State law.

(c) A diversion of license fee revenues occurs when any portion of license revenues is used for any purpose other than the administration of the State fish and wildlife agency.

(d) If a diversion of license revenues occurs, the State becomes ineligible to participate under the pertinent Act from the date the diversion is declared by the Director until:

(1) Adequate legislative prohibitions are in place to prevent diversion of license revenue, and

(2) All license revenues or assets acquired with license revenues are restored, or an amount equal to license revenue diverted or current market value of assets diverted (whichever is greater) is returned and properly available for use for the administration of the State fish and wildlife agency.

(e) Federal funds obligated for projects approved prior to the date a diversion is declared remain available for expenditure on such projects without regard to the intervening period of the State's ineligibility.

[54 FR 15209, Apr. 17, 1989, as amended at 73 FR 43128, July 24, 2008]

§ 80.5 Eligible undertakings.

The following are eligible for funding under the Acts:

(a) *Pittman-Robertson Wildlife Restoration Act.* (1) Projects having as their purpose the restoration, conservation, management, and enhancement of wild birds and wild mammals, and the provision for public use of and benefits from these resources.

(2) Projects having as their purpose the education of hunters and archers in the skills, knowledges, and attitudes necessary to be a responsible hunter or archer.

(b) *Dingell-Johnson Sport Fish Restoration Act.* (1) Projects having as their purpose the restoration, conservation, management, and enhancement of sport fish, and the provision for public use and benefits from these resources. Sport fish are limited to aquatic, gill-breathing, vertebrate animals, bearing paired fins, and having material value for sport or recreation.

(2) Additional funds resulting from expansion of the Sport Fish Restoration Program must be added to existing State fishery program funds available from traditional sources and not as a substitute therefor.

[47 FR 22539, May 25, 1982, as amended at 50 FR 21448, May 24, 1985; 73 FR 43128, July 24, 2008]

§ 80.6 Prohibited activities.

The following are not eligible for funding under the Acts, except when necessary for the accomplishment of project purposes as approved by the regional director.

(a) Law enforcement activities conducted by the State to enforce the fish and game regulations.

(b) Public relations activities conducted to promote the State fish and wildlife agency.

§ 80.7 Appeals.

Any difference of opinion over the eligibility of proposed activities or differences arising over the conduct of work may be appealed to the Director. Final determination rests with the Secretary.

§ 80.8 Availability of funds.

Funds are available for obligation or expenditure during the fiscal year for which they are apportioned and until the close of the succeeding fiscal year except as provided in §80.24. For the purposes of this section, funds become available when the Regional Director approves the grant.

[73 FR 43128, July 24, 2008]

§ 80.9 Notice of desire to participate.

Any State fish and wildlife agency desiring to avail itself of the benefits of the Acts shall notify the Secretary within 60 days after it has received a certificate of apportionment of funds available to the State. Notification to the Secretary may be accomplished by either of the following methods. In either method, the document must be signed by a State official authorized to commit the State to participation under the Act(s).

(a) Submitting to the regional director within the 60-day period a letter stating the desire of the State to participate in the Act(s); or,

(b) Having an approved Application for Federal Assistance which contains plans for the use of Wildlife and Sport Fish Restoration Program funds during the period of the apportionment.

[47 FR 22539, May 25, 1982, as amended at 73 FR 43128, July 24, 2008]

§ 80.10 State certification of licenses.

(a) To ensure proper apportionment of Federal funds, the Service requires that each director of a State fish and wildlife agency:

(1) Specify a license certification period that:

(i) Is 12 consecutive months in length;

(ii) Is either the State's fiscal year or license year;

(iii) Is consistent from year to year; and

(iv) Ends no less than 1 year and no more than 2 years before the beginning of the Federal fiscal year that the apportioned funds first become available for expenditure;

(2) Obtain the Director's approval before changing the State-specified license certification period; and

(3) Annually provide to the Service the following data:

(i) The number of persons who hold paid licenses that authorize an individual to hunt in the State during the State-specified license certification period; and

(ii) The number of persons who hold paid licenses that authorize an individual to fish in the State during the State-specified license certification period.

(b) When counting persons holding paid hunting or fishing licenses in a State-specified license certification period, a State fish and wildlife agency must abide by the following requirements:

(1) The State may count all persons who possess a paid license that allows the licensee to hunt or fish for sport or recreation. The State may not count persons holding a license that allows the licensee only to trap animals or only to engage in commercial activities.

(2) The State may count only those persons who possess a license that produced net revenue of at least $1 per year returned to the State after deducting costs directly associated with issuance of the license. Examples of such costs are agents' or sellers' fees and the cost of printing, distribution, and control.

(3) The State may count persons possessing a single-year license (one that is legal for less than 2 years) only in the State-specified license certification period in which the license was purchased.

(4) The State may count persons possessing a multiyear license (one that is legal for 2 years or more) in each State-specified license certification period in which the license is legal, whether it is legal for a specific or indeterminate number of years, only if:

(i) The net revenue from the license is in close approximation with the number of years in which the license is legal, and

(ii) The State fish and wildlife agency uses statistical sampling or other techniques approved by the Director to determine whether the licensee remains a license holder.

(5) The State may count persons possessing a combination license (one that permits the licensee to both hunt and fish) with:

(i) The number of persons who hold paid hunting licenses in the State-specified license certification period, and

(ii) The number of persons who hold paid fishing licenses in the same State-specified license certification period.

(6) The State may count persons possessing multiple hunting or fishing licenses (in States that require or permit more than one license to hunt or more than one license to fish) only once with:

(i) The number of persons who hold paid hunting licenses in the State-specified license certification period, and

(ii) The number of persons who hold paid fishing licenses in the same State-specified license certification period.

(c) The director of the State fish and wildlife agency must provide the certified information required in paragraphs (a) and (b) of this section to the Service by the date and in the format that the Director specifies. If the Director requests it, the director of the State fish and wildlife agency must provide documentation to support the accuracy of this information. The director of the State fish and wildlife agency is responsible for eliminating multiple counting of single individuals in the information that he or she certifies and may use statistical sampling or other techniques approved by the Director for this purpose.

(d) Once the Director approves the certified information required in paragraphs (a) and (b) of this section, the Service must not adjust the numbers if such adjustment would adversely impact any apportionment of funds to a State fish and wildlife agency other than the agency whose certified numbers are being adjusted. However, the Director may correct an error made by the Service.

[73 FR 43128, July 24, 2008]

§ 80.11 Submission of proposals.

A State may apply to use funds apportioned under the Acts by submitting to the Regional Director either a comprehensive fish and wildlife management plan or grant proposal.

(a) Each application must contain such information as the Regional Director may require to determine if the proposed activities are in accordance with the Acts and the provisions of this part.

(b) The State must submit each application and amendments of scope to the State Clearinghouse as required by Office of Management and Budget (OMB) Circular A–95 and by State Clearinghouse requirements.

(c) Applications must be signed by the director of the State fish and wildlife agency or an official delegated to exercise the authority and responsibilities of the State director in committing the State to participate under the Acts. The director of each State fish and wildlife agency must notify the Regional Director, in writing, of the official(s) authorized to sign the Wildlife and Sport Fish Restoration Program documents, and any changes in such authorizations.

[73 FR 43128, July 24, 2008]

§ 80.12 Cost sharing.

Federal participation is limited to 75 percent of eligible costs incurred in the completion of approved work or the Federal share specified in the grant, whichever is less, except that the non-Federal cost sharing for the Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa must not exceed 25 percent and may be waived at the discretion of the Regional Director.

(a) A minimum Federal participation of 10 percent of the estimated costs is required as a condition of approval.

(b) The non-Federal share of project costs may be in the form of cash or in-kind contributions.

(c) The non-Federal share of project costs may not be derived from other Federal funds, except as authorized by specific legislation.

[>47 FR 22539, May 25, 1982, as amended at 73 FR 43129, July 24, 2008]

§ 80.13 Substantiality in character and design.

All projects proposed for funding under the Acts must be substantial in character and design. A substantial project (for fish and wildlife purposes) is one which:

(a) Identifies and describes a need within the purposes of the relevant Act to be utilized;

(b) Identifies the objectives to be accomplished based on the stated need;

(c) Utilizes accepted fish and wildlife conservation and management principles, sound design, and appropriate procedures; and

(d) Will yield benefits which are pertinent to the identified need at a level commensurate with project costs.

§ 80.14 Application of Wildlife and Sport Fish Restoration Program funds.

(a) States must apply Wildlife and Sport Fish Restoration Program funds only to activities or purposes approved by the Regional Director. If otherwise applied, such funds must be replaced or the State becomes ineligible to participate.

(b) Real property acquired or constructed with Wildlife and Sport Fish Restoration Program funds must continue to serve the purpose for which acquired or constructed.

(1) When such property passes from management control of the State fish and wildlife agency, the control must be fully restored to the State fish and wildlife agency or the real property must be replaced using non-Federal funds not derived from license revenues. Replacement property must be of equal value at current market prices and with equal benefits as the original property. The State may have up to 3 years from the date of notification by the Regional Director to acquire replacement property before becoming ineligible.

(2) When such property is used for purposes that interfere with the accomplishment of approved purposes, the violating activities must cease and any adverse effects resulting must be remedied.

(3) When such property is no longer needed or useful for its original purpose, and with prior approval of the Regional Director, the property must be used or disposed of as provided by 43 CFR 12.71 or 43 CFR 12.932.

(c) Wildlife and Sport Fish Restoration Program funds cannot be used for the purpose of producing income. However, income-producing activities incidental to accomplishment of approved purposes are allowable. Income derived from such activities must be accounted for in the project records and disposed of as directed by the Director.

[73 FR 43129, July 24, 2008]

§ 80.15 Allowable costs.

(a) *What are allowable costs?* Allowable costs are costs that are necessary and reasonable for accomplishment of approved project purposes and are in accordance with the cost principles of OMB Circular A–87 (For availability, see 5 CFR 1310.3.).

(b) *What is required to determine the allowability of costs?* Source documents or other records as necessary must support all costs to substantiate the application of funds. Such documentation and records are subject to review by the Service and, if necessary, the Secretary to determine the allowability of costs.

(c) *Are costs allowable if they are incurred prior to the date of the grant?* Costs incurred prior to the effective date of the grant are allowable only when specifically provided for in the grant.

(d) *How are costs allocated in multipurpose projects or facilities?* Projects or facilities designed to include purposes other than those eligible under either the Dingell-Johnson Sport Fish Restoration or Pittman-Robertson Wildlife Restoration Acts must provide for the allocation of costs among the various purposes. The method used to allocate costs must produce an equitable distribution of costs based on the relative uses or benefits provided.

(e) *What is the limit on administrative costs for State central services?* Administrative costs in the form of overhead or indirect costs for State central services outside of the State fish and wildlife agency must be in accord with an approved cost allocation plan and cannot exceed in any one fiscal year three per centum of the annual apportionment to that State. Each State has a State Wide Cost Allocation Plan that describes approved allocations of indirect costs to agencies and programs within the State.

(f) *How much money may be obligated for aquatic resource education and outreach and communications?*

(1) Each of the 50 States may spend no more than 15 percent of the annual amount apportioned to it under the provisions of the Dingell-Johnson Sport Fish Restoration Act for an aquatic resource education and outreach and communications program for the purpose of increasing public understanding of the Nation's water resources and associated aquatic life forms.

(2) The Commonwealths of Puerto Rico and the Northern Mariana Islands, the District of Columbia, and the territories of Guam, the U.S. Virgin Islands, and American Samoa are not limited to the 15-percent cap imposed on the 50 States. Each of these entities may spend more for these purposes with the approval of the appropriate Regional Director.

[66 FR 18212, Apr. 6, 2001, as amended at 43129, July 24, 2008]

§ 80.16 Payments.

Payments must be made for the Federal share of allowable costs incurred by the State in accomplishing approved projects.

(a) Requests for payments must be submitted on forms furnished by the Regional director.

(b) Payments must be made only to the office or official designated by the State fish and wildlife agency and authorized under the laws of the State to receive public funds for the State.

(c) All payments are subject to final determination of allowability based on audit. Any overpayments made to the State must be recovered as directed by the Regional Director.

(d) The Regional director may withhold payments pending receipt of all required reports or documentation for the project.

[47 FR 22539, May 25, 1982, as amended at 73 FR 43129, July 24, 2008]

§ 80.17 Maintenance.

The State is responsible for maintenance of all capital improvements acquired or constructed with Wildlife and Sport Fish Restoration Program funds throughout the useful life of each improvement. Costs for such maintenance are allowable when provided for in approved projects. The maintenance of improvements acquired or constructed with funds other than funds from the Wildlife and Sport Fish Restoration Program are allowable costs when such improvements are necessary for accomplishment of project purposes as approved by the Regional Director and when such costs are otherwise allowable by law.

[73 FR 43129, July 24, 2008]

§ 80.18 Responsibilities.

In the conduct of activities funded under the Acts, the State is responsible for:

(a) The supervision of each project to assure it is conducted as provided in the project documents, including:

(1) Proper and effective use of funds.

(2) Maintenance of project records.

(3) Timely submission of reports.

(4) Regular inspection and monitoring of work in progress.

(b) The selection and supervision of project personnel to assure that:

(1) Adequate and competent personnel are available to carry the project through to a satisfactory and timely completion.

(2) Project personnel perform the work to ensure that time schedules are met, projected work units are accomplished, other performance objectives are being achieved, and reports are submitted as required.

(c) The accountability and control of all assets to assure that they serve the purpose for which acquired throughout their useful life.

(d) The compliance with all applicable Federal, State, and local laws.

(e) The settlement and satisfaction of all contractual and administrative issues arising out of procurement entered into.

§ 80.19 [Reserved]

§ 80.20 Land control.

The State must control lands or waters on which capital improvements are made with Wildlife and Sport Fish Restoration Program funds. Controls may be exercised through fee title, lease, easement, or agreement. Control must be adequate for protection, maintenance, and use of the improvement throughout its useful life.

[47 FR 22539, May 25, 1982, as amended at 73 FR 43129, July 24, 2008]

§ 80.21 Assurances.

The State must agree to and certify that it will comply with all applicable Federal laws, regulations, and requirements as they relate to the application, acceptance, and use of Federal funds under the Acts. The Secretary shall have the right to review or inspect for compliance at any time. Upon determination of noncompliance, the Secretary may terminate or suspend those projects in noncompliance, or may declare the State ineligible for further participation in program benefits until compliance is achieved.

§ 80.22 [Reserved]

§ 80.23 Allocation of funds between marine and freshwater fishery projects.

(a) Each coastal State, to the extent practicable, must equitably allocate those funds specified by the Secretary, in the apportionment of the Dingell-Johnson Sport Fish Restoration funds, between projects having recreational benefits for marine fisheries and projects having recreational benefits for freshwater fisheries.

(1) Coastal States are: Alabama, Alaska, California, Connecticut, Delaware, Florida, Georgia, Hawaii, Louisiana, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Oregon, Rhode Island, South Carolina, Texas, Virginia, and Washington; the territories of Guam, the U.S. Virgin Islands, and American Samoa; and the Commonwealths of Puerto Rico and the Northern Mariana Islands.

(2) The allocation and subsequent obligation of funds between projects that benefit marine and freshwater interests will be in the same proportion as the estimated number of resident marine anglers and resident freshwater anglers, respectively, bears to the estimated number of total resident anglers in the State. The number of marine and freshwater anglers shall be based on a statistically reliable method for determining the relative distribution of resident anglers in the State between those that fish in saltwater and those that fish in freshwater.

(3) To the extent practicable means that the amounts allocated of each year's apportionment may not necessarily result in an equitable allocation for each year. However, the amounts allocated over a period, not to exceed 3 years, must result in an equitable allocation between marine and freshwater fisheries projects. Ongoing marine project costs can be applied toward the State's saltwater allocation.

(4) Failure to provide for an equitable allocation may result in the State's becoming ineligible to participate in the use of those funds specified, until such time as the State demonstrates to the satisifaction of the Director that funds will be allocated equitably.

(b) [Reserved]

[50 FR 21448, May 24, 1985, as amended at 43129, July 24, 2008]

§ 80.24 Recreational boating access facilities.

The State must allocate 15 percent of each annual apportionment under the Dingell-Johnson Sport Fish Restoration Act for recreational boating access facilities. However, a State may allocate more or less than 15 percent of its annual allocation with the approval of the Service's Regional Director. Although a broad range of access facilities and associated amenities can qualify for funding under the 15-percent provision, the State must accommodate power boats with common horsepower ratings, and must make reasonable efforts to accommodate boats with larger horsepower ratings if they would not conflict with aquatic resources management. Any portion of a State's 15-percent set aside for the above purposes that remain unexpended or unobligated after 5 years must revert to the Service for apportionment among the States.

[43139, July 24, 2008]

§ 80.25 Multiyear financing under the Dingell-Johnson Sport Fish Restoration Program.

(a) States may finance the acquisition of lands or interests in lands including water rights and the construction of structures and facilities utilizing multiyear funding as authorized by the Dingell-Johnson Sport Fish Restoration Act in two ways:

(1) States may finance the entire cost of the acquisition or construction from a non-Federal funding source and claim Federal reimbursement in succeeding apportionment years according to a scheduled reimbursement plan.

(2) States may negotiate an installment purchase or contract whereby periodic and specified amounts are paid to the seller or contractor and Federal reimbursements are allowed for each payment from any apportionment year current at the time of payment.

(b) Multiyear financing is subject to the following conditions:

(1) Projects must provide for prospective use of funds and be approved by the Regional Director in advance of the State's obligation or commitment to purchase property or contract for structures or facilities.

(2) States must agree to complete the project even if Federal funds are not available. In the event the project is not completed, those Federal funds expended but not resulting in commensurate sport fishery benefits must be recovered by the State and reallocated to approved State sport fish projects.

(3) Project proposals must include a complete schedule of payments to complete the project.

(4) No costs for interest or financing shall be claimed for reimbursement.

[50 FR 21448, May 24, 1985, as amended at 73 FR 43130, July 24, 2008]

§ 80.26 Symbols.

We have prescribed distinctive symbols to identify projects funded by the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act and items on which taxes and duties have been collected to support the respective Acts.

(a) All recipients identified in §80.2 of this part are authorized to display the appropriate symbol(s) on areas, such as wildlife management areas and fishing access facilities, acquired, developed, operated or maintained by these grants, or on printed material or other visual representations relating to project accomplishments. Recipients may require sub-recipients to display the symbol(s) and may authorize use by others, or for purposes other than as stated above, only with approval of the Director, U.S. Fish and Wildlife Service.

(b) Other persons or organizations may use the symbol(s) for purposes related to the Wildlife and Sport Fish Restoration Program as authorized by the Director. Authorization for the use of the symbol(s) will be by written agreement executed by the Service and the user. To obtain authorization, submit a written request stating the specific use and items to which the symbol(s) will be applied to Director, U.S. Fish and Wildlife Service, Washington, DC 20240.

(c) The user of the symbol(s) shall indemnify and defend the United States and hold it harmless from any claims, suits, losses and damages arising out of any allegedly unauthorized use of any patent, process, idea, method or device by the user in connection with its use of the symbol(s), or any other alleged action of the user and also from any claims, suits, losses and damages arising out of alleged defects in the articles or services with which the symbol(s) is associated.

(d) The appearance of the symbol(s) on projects or items is to indicate that the manufacturer of the product is taxed by, and that the State project was funded through, the respective Act(s). The U.S. Fish and Wildlife Service and the Department of the Interior make no representation or endorsement

whatsoever by the display of the symbol(s) as to the quality, utility, suitability or safeness of any product, service or project with which the symbol(s) is associated.

(e) Neither symbol may be used in any other manner except as authorized by the Director, U.S. Fish and Wildlife Service. Unauthorized use of the symbol(s) will constitute a violation of section 701 of title 18 of the United States Code and subject the violator to possible fines and imprisonment as set forth therein.

(f) The symbol pertaining to the Pittman-Robertson Wildlife Restoration Act is below.

(g) The symbol pertaining to the Dingell-Johnson Sport Fish Restoration Act is below.

(h) The symbol pertaining to the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act when used in combination is below.

[52 FR 47571, Dec. 15, 1987, as amended at 73 FR 43130, July 24, 2008]

§ 80.27 Information collection requirements.

(a) Information gathering requirements include filling out forms to apply for certain benefits offered by the Federal Government. Information gathered under this part is authorized under the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777–777n) and the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669–669k). The Service may not conduct or sponsor, and applicants or grantees are not required to respond to, a collection of information unless the request displays a currently valid OMB control number. OMB has approved our collection of information under OMB control number 1018–0007. Our requests for information will be used to apportion funds and to review and make decisions on grant applications and reimbursement payment requests submitted to the Wildlife and Sport Fish Restoration Program.

HISTORY

The Recreational Boating Safety (RBS) Federal financial assistance program was first established by the Federal Boat Safety Act (FBSA) of 1971 to "encourage greater State participation and uniformity in boating safety efforts, and particularly to permit the States to assume the greater share of boating safety education, assistance, and enforcement activities" (46 U.S.C. 13101). The Secretary of Transportation delegated administration of the program to the U.S. Coast Guard. Funding for the grants was provided from general revenue through the Coast Guard's Operating Expenses (OE) appropriations.

Grant Program Renewed

Authorization for the RBS grant program expired in 1979, but was reestablished by the Recreational Boating Safety and Facilities Improvement Act of 1980 (the Biaggi Act). The Biaggi Act also provided that a portion of Federal excise tax receipts attributable to motorboat fuel use would be transferred from the Highway Trust Fund to a new Recreational Boating Safety fund to provide monies for the program. In utilizing the fuel taxes being paid by boaters, the Biaggi Act ensured that those receiving the benefits of the program would also pay the costs. The first appropriations under this new mechanism were approved in 1982.

Additional Funding Approved

The Aquatic Resources (Wallop-Breaux) Trust Fund was established in the Deficit Reduction Act of 1984 to improve funding to the States for the RBS program administered by the Coast Guard and the Sport Fish Restoration program administered by the U.S. Fish and Wildlife Service. The legislation provided that the two separate funds for those programs would become individual accounts under the single umbrella of the new Wallop-Breaux fund. Trust fund receipts consist of Federal excise taxes attributable to motorboat and small-engine fuel use and on sport fishing equipment, along with import duties on fishing equipment, yachts and pleasure craft. The Boat Safety Account is funded solely from motorboat fuel taxes. The Sport Fish Restoration Account receives a portion of the motorboat fuel tax as well as all other trust fund receipts. The State grant programs funded through Wallop-Breaux are excellent examples of "user pays/user benefits" since all monies deposited into the trust fund are paid by boaters and fishermen. No general tax revenues are involved.

The financial assistance provided to the States through Wallop-Breaux has contributed significantly to the States' ability to assume an increasingly larger share of responsibility for RBS program activities, as envisioned by FBSA of 1971, and is critical to the continued success of the State RBS programs.

Results of Program

The Coast Guard/State cooperative effort in recreational boating safety is an outstanding example of the ability of government at all levels to work together for the benefit of the public and has directly resulted

in safer boating for millions of Americans. This is evidenced by the fact that the number of reported recreational boating fatalities has been reduced from a high of 1,754 in 1973 to about 800 per year. During the same period, the number of boats owned by Americans more than doubled.

The Secretary shall establish guidelines prescribing the purposes for which amounts available under this chapter for State recreational boating safety programs may be used. Those purposes shall include
(1) providing facilities, equipment, and supplies for boating safety education and law enforcement, including purchase, operation, maintenance, and repair;
(2) training personnel in skills related to boating safety and to the enforcement of boating safety laws and regulations;
(3) providing public boating safety education, including educational programs and lectures, to the boating community and the public school system;
(4) acquiring, constructing, or repairing public access sites used primarily by recreational boaters;
(5) conducting boating safety inspections and marine casualty investigations;
(6) establishing and maintaining emergency or search and rescue facilities, and providing emergency or search and rescue assistance;
(7) establishing and maintaining waterway markers and other appropriate aids to navigation; and
(8) providing State recreational vessel numbering and titling programs.
(c)
(1) Of the amount transferred to the Secretary under subsection (a)(2) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c (a)(2)), $5,500,000 is available to the Secretary for payment of expenses of the Coast Guard for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program under this title, of which not less than $2,000,000 shall be available to the Secretary only to ensure compliance with chapter 43 of this title.
(2) No funds available to the Secretary under this subsection may be used to replace
-CITE-
46 USC CHAPTER 131 - RECREATIONAL BOATING SAFETY 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-MISC1-
Sec.
13101. Definitions.
13102. State recreational boating safety programs.
13103. Program acceptance.
13104. Allocations.
13105. Availability of allocations.
13106. Computation decisions about State amounts expended.
13107. Authorization of appropriations.
13108. Computing amounts allocated to States and State records requirements.
13109. Consultation, cooperation, and regulation.

13110. National Boating Safety Advisory Council.

HISTORICAL AND REVISION NOTES

This Chapter establishes the recreational boating safety and facility program administered by the Coast Guard. The general purpose is to encourage State participation in boating safety education and enforcement activities.

AMENDMENTS

2006 - Pub. L. 109-304, Sec. 16(b)(3), Oct. 6, 2006, 120 Stat. 1705, added item 13101 and redesignated former items 13101 to 13106 as 13102 to 13107, respectively.

1998 - Pub. L. 105-178, title VII, Sec. 7405(c)(2), June 9, 1998, 112 Stat. 488, substituted "appropriations" for "contract spending" in item 13106.

1984 - Pub. L. 98-369, div. A, title X, Sec. 1016(c)(2), July 18, 1984, 98 Stat. 1020, struck out item 13107 "National Recreational Boating Safety and Facilities Improvement Fund".

-End-

-CITE-
46 USC Sec. 13101 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13101. Definitions

-STATUTE-
In this chapter:

(1) Eligible State. - The term "eligible State" means a State that has a State recreational boating safety program accepted by the Secretary.

(2) State Recreational Boating Safety Program. - The term "State recreational boating safety program" means education, assistance, and enforcement activities conducted for maritime casualty prevention, reduction, and reporting for recreational boating.

-SOURCE-
(Pub. L. 109-304, Sec. 16(b)(2), Oct. 6, 2006, 120 Stat. 1705.)

-MISC1-

HISTORICAL AND REVISION NOTES

Section 16 of the bill [H.R. 1442, which became Pub. L. 109-304] moves the definitions relating to the recreational boating safety program from section 2102(a)(1) and (3) to chapter 131 because the terms only appear in chapter 131.

Section 16 of the bill also eliminates the special definitions of "State" and "United States" in section 2102(a)(2) as including the Trust Territory of the Pacific Islands because the Trust Territory has been terminated. See the definitions of "State" and "United States" in section 2101, which are being moved to chapter 1 and being made applicable title-wide. Those definitions already include the Northern Mariana Islands, the only component of the former Trust Territory still under United States sovereignty.

PRIOR PROVISIONS

A prior section 13101 was renumbered section 13102 of this title.

-End-

-CITE-

46 USC Sec. 13102 02/01/2010

-EXPCITE-

TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-

Sec. 13102. State recreational boating safety programs

-STATUTE-

(a) To encourage greater State participation and uniformity in boating safety efforts, and particularly to permit the States to assume the greater share of boating safety education, assistance, and enforcement activities, the Secretary shall carry out a national recreational boating safety program. Under this program, the Secretary shall make contracts with, and allocate and distribute amounts to, eligible States to assist them in developing, carrying out, and financing State recreational boating safety programs.

(b) The Secretary shall establish guidelines and standards for the program. In doing so, the Secretary -

(1) shall consider, among other things, factors affecting recreational boating safety by contributing to overcrowding and

congestion of waterways, such as the increasing number of recreational vessels operating on those waterways and their geographic distribution, the availability and geographic distribution of recreational boating facilities in and among applying States, and State marine casualty and fatality statistics for recreational vessels;

(2) shall consult with the Secretary of the Interior to minimize duplication with the purposes and expenditures of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-4 - 460l-11) the Federal Aid in Sport Fish Restoration Act of 1950 (16 U.S.C. 777-777k), and with the guidelines developed under those Acts; and

(3) shall maintain environmental standards consistent with the Coastal Zone Management Act of 1972 (16 U.S.C. 1451-1464) and other laws and policies of the United States intended to safeguard the ecological and esthetic quality of the waters and wetlands of the United States.

(c) A State whose recreational boating safety program has been approved by the Secretary is eligible for allocation and distribution of amounts under this chapter to assist that State in developing, carrying out, and financing its program. Matching amounts shall be allocated and distributed among eligible States by the Secretary as provided by section 13104 of this title.

-SOURCE-

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 592, Sec. 13101; Pub. L. 98-369, div. A, title X, Sec. 1011(b), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, Sec. 312(a), Nov. 16, 1990, 104 Stat. 2987; renumbered Sec. 13102 and amended Pub. L. 109-304, Sec. 16(b)(1), (c)(3), Oct. 6, 2006, 120 Stat. 1705, 1706.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13101	46:1474

Section 13101(a) authorizes the Secretary to make contracts with, and allocate amounts to eligible States to assist them in carrying out their recreational boating safety and facilities improvement programs.

Subsection (b) requires the Secretary to establish guidelines and standards for the program, and specifies specific conditions the

Secretary must consider, requires consultation with the Secretary of the Interior, and to maintain environmental standards consistent with the Coastal Zone Management Act.

Subsection (c) makes the States who meet the standards prescribed by the Secretary eligible for the amounts authorized under this chapter.

-REFTEXT-

REFERENCES IN TEXT

The Land and Water Conservation Fund Act of 1965, referred to in subsec. (b)(2), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (Sec. 460l-4 et seq.) of subchapter LXIX of chapter 1 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 460l-4 of Title 16 and Tables.

The Federal Aid in Sport Fish Restoration Act of 1950, referred to in subsec. (b)(2), is act Aug. 9, 1950, ch. 658, 64 Stat. 430, as amended, also known as the Dingell-Johnson Sport Fish Restoration Act, the Federal Aid in Fish Restoration Act, and the Fish Restoration and Management Projects Act, which is classified generally to chapter 10B (Sec. 777 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 777 of Title 16 and Tables.

The Coastal Zone Management Act of 1972, referred to in subsec. (b)(3), is title III of Pub. L. 89-454 as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to chapter 33 (Sec. 1451 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

-MISC2-

PRIOR PROVISIONS

A prior section 13102 was renumbered section 13103 of this title.

AMENDMENTS

2006 - Pub. L. 109-304, Sec. 16(b)(1), renumbered section 13101 of this title as this section.

Subsec. (c). Pub. L. 109-304, Sec. 16(c)(3), substituted "section 13104" for "section 13103".

1990 - Subsec. (b)(2). Pub. L. 101-595 substituted "the Federal Aid in Sport Fish Restoration Act of 1950 (16 U.S.C. 777-777k), and with the guidelines developed under those Acts; and" for "and with the guidelines developed under that Act; and".

1984 - Subsec. (a). Pub. L. 98-369, Sec. 1011(b), struck out "and facility improvement" after "in boating safety", struck out "and facilities improvement" in two places after "recreational boating safety", and substituted "shall" for "may" in second sentence.

Subsec. (c). Pub. L. 98-369, Sec. 1011(b)(1)(B), struck out "and

facilities improvement" after "recreational boating safety".

EFFECTIVE DATE OF 1984 AMENDMENT

Pub. L. 98-369, div. A, title X, subtitle B, part I, subpart A (Secs. 1010-1013), Sec. 1013, July 18, 1984, 98 Stat. 1014, provided that: "The amendments made by this subpart [amending this section and sections 2102, 13102, 13103, 13105, 13106, 13108, and 13109 of this title and enacting a provision set out as a note under this section] shall take effect on October 1, 1984, and shall apply with respect to fiscal years beginning after September 30, 1984."

SURVEY OF FUEL USE BY RECREATIONAL VESSELS

Pub. L. 100-448, Sec. 6(d), Sept. 28, 1988, 102 Stat. 1841, provided that:

"(1) In general. - The Secretary of Transportation and the Secretary of the Interior shall jointly conduct a survey of -

"(A) the number, size, and primary uses of recreational vessels operating on the waters of the United States; and

"(B) the amount and types of fuel used by those vessels.

"(2) Authorization of contracts. - The Secretary of Transportation and the Secretary of the Interior may enter into contracts for the performance of a survey pursuant to this subsection.

"(3) Report. - The Secretary of the Interior and the Secretary of Transportation shall jointly submit a report to the Speaker of the House of Representatives and to the President pro tempore of the Senate which describes the results of the survey conducted pursuant to this section not later than November 15, 1992.

"(4) Funding. - Activities under this subsection may be carried out -

"(A) using amounts available to the Secretary of the Interior for administrative expenses under the Act entitled 'An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes' (64 Stat. 430; 16 U.S.C. 777 et seq.); and

"(B) subject to appropriations, using amounts available to the Secretary of Transportation under section 13106(a)(1) [now section 13107(a)(1)] of title 46, United States Code (as amended by this Act)."

CONGRESSIONAL DECLARATION OF POLICY FOR 1984 AMENDMENT

Pub. L. 98-369, div. A, title X, subtitle B, part I (Secs. 1010-1017), Sec. 1010, July 18, 1984, 98 Stat. 1012, provided that: "It is declared to be the policy of Congress and the purpose of this part [enacting sections 4162 and 9504 of Title 26, Internal Revenue Code, amending this section, sections 2102, 13102, 13103, 13105, 13106, 13108, and 13109 of this title, sections 777, 777b to 777e, 777g, and 777k of Title 16, Conservation, and sections 4161 and

9503 of Title 26, repealing section 13107 of this title, and enacting provisions set out as notes under this section, section 777 of Title 16, and sections 4161, 4162, and 9504 of Title 26] to improve recreational boating safety and to foster greater development, use, and enjoyment of all waters of the United States by encouraging and assisting participation by the States, the boating industry, and the boating public in activities related to increasing boating safety; by authorizing the establishment of national construction and performance standards for boats and associated equipment; by creating more flexible authority governing the use of boats and equipment; and by facilitating the provision of services by the United States Coast Guard on behalf of boating safety. It is further declared to be the policy of Congress to encourage greater and continuing uniformity of boating laws and regulations among the States and the Federal Government, to encourage and assist the States in exercising their authorities in boating safety, to foster greater cooperation and assistance between the Federal Government and the States in administering and enforcing Federal and State laws and regulations pertaining to boating safety, and to equitably utilize taxes paid on fuel use in motor boats in a manner which enhances boating safety."

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

-End-

-CITE-
46 USC Sec. 13103 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13103. Program acceptance

-STATUTE-
(a) The Secretary shall make a contract with, and allocate and distribute amounts from the Sport Fish Restoration and Boating

Trust Fund established by section 9504 of the Internal Revenue Code of 1986 (26 U.S.C. 9504) to, a State that has an approved State recreational boating safety program, if the State demonstrates to the Secretary's satisfaction that -

(1) the program submitted by that State is consistent with this chapter and chapters 61 and 123 of this title;

(2) amounts distributed will be used to develop and carry out a State recreational boating safety program containing the minimum requirements of subsection (c) of this section;

(3) sufficient State matching amounts are available from general State revenue, undocumented vessel numbering and license fees, State marine fuels taxes, or from a fund constituted from the proceeds of those taxes and established to finance a State recreational boating safety program; and

(4) the program submitted by that State designates a State lead authority or agency that will carry out or coordinate carrying out the State recreational boating safety program supported by financial assistance of the United States Government in that State, including the requirement that the designated State authority or agency submit required reports that are necessary and reasonable to carry out properly and efficiently the program and that are in the form prescribed by the Secretary.

(b) Amounts of the Government (except amounts from sources referred to in subsection (a)(3) of this section) may not be used to provide a State's share of the costs of the program described under this section. State matching amounts committed to a program under this chapter may not be used to constitute the State's share of matching amounts required by another program of the Government.

(c) The Secretary shall approve a State recreational boating safety program, and the program is eligible to receive amounts authorized to be expended under section 13107 of this title, if the program includes -

(1) a vessel numbering system approved or carried out by the Secretary under chapter 123 of this title;

(2) a cooperative boating safety assistance program with the Coast Guard in that State;

(3) sufficient patrol and other activity to ensure adequate enforcement of applicable State boating safety laws and regulations;

(4) an adequate State boating safety education program, that includes the dissemination of information concerning the hazards of operating a vessel when under the influence of alcohol or drugs; and

(5) a system, approved by the Secretary, for reporting marine casualties required under section 6102 of this title.

(d) The Secretary's approval under this section is a contractual obligation of the Government for the payment of a proportionate

share of the cost of carrying out the program.

-SOURCE-
(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 593, Sec. 13102; Pub. L. 98-369, div. A, title X, Sec. 1011(c), July 18, 1984, 98 Stat. 1013; Pub. L. 98-557, Sec. 7(b)(3), Oct. 30, 1984, 98 Stat. 2862; Pub. L. 99-307, Sec. 1(17), May 19, 1986, 100 Stat. 446; Pub. L. 99-626, Sec. 4(a), (b), Nov. 7, 1986, 100 Stat. 3505; Pub. L. 100-448, Sec. 6(b)(3)-(5), Sept. 28, 1988, 102 Stat. 1840; Pub. L. 101-595, title III, Sec. 312(b), Nov. 16, 1990, 104 Stat. 2987; Pub. L. 109-59, title X, Sec. 10141, Aug. 10, 2005, 119 Stat. 1931; renumbered Sec. 13103 and amended Pub. L. 109-304, Secs. 15(25), 16(b)(1), (c)(4), Oct. 6, 2006, 120 Stat. 1704-1706.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13102	46:1475

Section 13102(a) authorizes the Secretary to contract with the States and allocate the amounts of them if they demonstrate to the satisfaction of the Secretary that they have a program consistent with this chapter and chapters 61 and 123, that the amounts received will be used to develop and carry out their recreational boating safety and facilities improvement programs, that they have sufficient matching amounts available from specified revenue sources to meet the objectives of the program, that they will submit required reports to the Secretary to ensure continued compliance with the objectives of this chapter.

Subsection (b) prohibits a State from using any other funds received from the Federal Government to meet their required State match.

Subsections (c) and (d) require the Secretary to approve a State's recreational boating safety and facilities improvement program if the program meets the specified requirements of this subsection.

Subsection (e) makes the approval of a State's program a contractual obligation of the Government to pay the Federal portion of the cost to carry out the program.

Subsection (f) allows a State to submit a combined boating safety and facility improvement program if it meets the requirements of all of the objectives of both programs.

PRIOR PROVISIONS

A prior section 13103 was renumbered section 13104 of this title.

AMENDMENTS

2006 - Pub. L. 109-304, Sec. 16(b)(1), renumbered section 13102 of this title as this section.

Subsec. (a). Pub. L. 109-304, Sec. 15(25), inserted "(26 U.S.C. 9504)" after "Internal Revenue Code of 1986".

Subsec. (c). Pub. L. 109-304, Sec. 16(c)(4), substituted "section 13107" for "section 13106".

2005 - Subsec. (a). Pub. L. 109-59 substituted "the Sport Fish Restoration and Boating Trust Fund" for "the Boat Safety Account" in introductory provisions.

1990 - Subsec. (a)(3). Pub. L. 101-595, Sec. 312(b)(1), inserted "State" after "general".

Subsec. (c)(4). Pub. L. 101-595, Sec. 312(b)(2), inserted "or drugs" after "alcohol".

Subsec. (d). Pub. L. 101-595, Sec. 312(b)(3), substituted "a proportionate share" for "the proportional share".

1988 - Subsec. (a). Pub. L. 100-448, Sec. 6(b)(4), substituted "1986" for "1954." in introductory provisions.

Subsec. (a)(4). Pub. L. 100-448, Sec. 6(b)(5), amended par. (4) generally. Prior to amendment, par. (4) read as follows: "the program submitted by that State designates a State lead authority or agency that will carry out or coordinate carrying out out the State recreational boating safety program supported by financial assistance of the United States Government in that State, including the requirement that the designated State authority or agency submit required reports that are necessary and reasonable to carry out properly and efficiently the program and that are in the form prescribed by the Secretary."

Subsec. (b). Pub. L. 100-448, Sec. 6(b)(3), substituted "(except amounts from" for "from sources (except".

1986 - Subsec. (a). Pub. L. 99-626, Sec. 4(a), substituted "Boat Safety Account established by section 9504 of the Internal Revenue Code of 1954." for "Fund established under section 13107 of this title" in introductory provisions.

Subsec. (a)(4). Pub. L. 99-626, Sec. 4(b), inserted "out" after "carrying".

Pub. L. 99-307 substituted "carrying out the State" for "carrying the State".

1984 - Subsec. (a). Pub. L. 98-369, Sec. 1011(c)(1), (2), in provisions preceding par. (1) substituted "shall" for "may" and struck out "and facilities improvement" after "boating safety".

Subsec. (a)(2). Pub. L. 98-369, Sec. 1011(c)(1), (3), struck out ", (d), or (f)" after "requirements of subsection (c)" and struck out "and facilities improvement" after "boating safety".

Subsec. (a)(3), (4). Pub. L. 98-369, Sec. 1011(c)(1), struck out "and facilities improvement" after "boating safety".

Subsec. (c)(4). Pub. L. 98-557 inserted provisions relating to dissemination of information concerning the hazards of operating a vessel when under the influence of alcohol.

Subsecs. (d), (e). Pub. L. 98-369, Sec. 1011(c)(4), redesignated subsec. (e) as (d). Former subsec. (d), which related to approval of a State recreational boating facilities improvement program by the Secretary, was struck out.

Subsec. (f). Pub. L. 98-369, Sec. 1011(c)(4), struck out subsec. (f) which related to submission by a State to the Secretary of a combined program for the improvement of recreational boating safety and recreational boating facilities.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, subsec. (a) of this section considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of Title 16, Conservation.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of Title 16, Conservation.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-448 effective Oct. 1, 1988, see section 6(e) of Pub. L. 100-448, set out as a note under section 777 of Title 16, Conservation.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

-TRANS-

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

-End-

-CITE-

46 USC Sec. 13104 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13104. Allocations

-STATUTE-
(a) The Secretary shall allocate amounts available for allocation and distribution under this chapter for State recreational boating safety programs as follows:

(1) One-third shall be allocated equally each fiscal year among eligible States.

(2) One-third shall be allocated among eligible States that maintain a State vessel numbering system approved under chapter 123 of this title and a marine casualty reporting system approved under this chapter so that the amount allocated each fiscal year to each eligible State will be in the same ratio as the number of vessels numbered in that State bears to the number of vessels numbered in all eligible States.

(3) One-third shall be allocated so that the amount allocated each fiscal year to each eligible State will be in the same ratio as the amount of State amounts expended by the State for the State recreational boating safety program during the prior fiscal year bears to the total State amounts expended during that fiscal year by all eligible States for State recreational boating safety programs.

(b) The amount received by a State under this section in a fiscal year may be not more than one-half of the total cost incurred by that State in developing, carrying out, and financing that State's recreational boating safety program in that fiscal year.

(c) The Secretary may allocate not more than 5 percent of the amounts available for allocation and distribution in a fiscal year for national boating safety activities of national nonprofit public service organizations.

-SOURCE-
(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 594, Sec. 13103; Pub. L. 98-369, div. A, title X, Sec. 1011(d), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, Sec. 312(c), Nov. 16, 1990, 104 Stat. 2987; renumbered Sec. 13104, Pub. L. 109-304, Sec. 16(b)(1), Oct. 6, 2006, 120 Stat. 1705.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13103	46:1476

Section 13103 requires the Secretary to allocate the amounts available for recreational boating safety and facilities improvement programs according to a specific formula:

(1) 1/3 shall be allocated equally to each eligible State:

(2) 1/3 shall be allocated to those States maintaining an approved numbering system; and

(3) 1/3 shall be allocated to the State in the proportion that the State obligated in the prior fiscal year to the total amount obligated by all of the States in the prior fiscal year.

PRIOR PROVISIONS

A prior section 13104 was renumbered section 13105 of this title.

AMENDMENTS

2006 - Pub. L. 109-304 renumbered section 13103 of this title as this section.

1990 - Subsec. (a)(3). Pub. L. 101-595 struck out "or obligated" after "expended" in two places.

1984 - Subsec. (b). Pub. L. 98-369, Sec. 1011(d), redesignated subsec. (c) as (b), struck out "and facilities improvement" after "boating safety", and struck out former subsec. (b) which related to allocation of amounts for State recreational boating facilities improvement programs by the Secretary.

Subsec. (c). Pub. L. 98-369, Sec. 1011(d)(1), redesignated subsec. (e) as (c). Former subsec. (c) redesignated (b).

Subsec. (d). Pub. L. 98-369, Sec. 1011(d)(1), struck out subsec. (d) which provided that an allocation or distribution of amounts under this section may not be made to a State to maintain boating facilities under that State's approved recreational boating safety and facilities improvement program.

Subsec. (e). Pub. L. 98-369, Sec. 1011(d)(1), redesignated subsec. (e) as (c).

Subsec. (f). Pub. L. 98-369, Sec. 1011(d)(1), struck out subsec. (f) which provided that the Secretary could extend amounts necessary to carry out this chapter but that there was a limitation on the total amount allocable.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with

respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

PAYMENT OF ADMINISTRATIVE COSTS; RETENTION OF AMOUNT PRIOR TO ALLOCATIONS

Pub. L. 99-640, Sec. 7(d), Nov. 10, 1986, 100 Stat. 3548, which related to retention of amounts appropriated for State recreational boating safety programs prior to making allocations for a fiscal year, was repealed by Pub. L. 100-448, Sec. 6(b)(1)(B), Sept. 28, 1988, 102 Stat. 1840.

-End-

-CITE-
46 USC Sec. 13105 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13105. Availability of allocations

-STATUTE-
(a)(1) Amounts allocated to a State shall be available for obligation by that State for a period of 3 years after the date of allocation.

(2) Amounts allocated to a State that are not obligated at the end of the 3-year period referred to in paragraph (1) shall be withdrawn and allocated by the Secretary in addition to any other amounts available for allocation in the fiscal year in which they are withdrawn or the following fiscal year.

(b) Amounts available to the Secretary for State recreational boating safety programs for a fiscal year that have not been allocated at the end of the fiscal year shall be allocated among States in the next fiscal year in addition to amounts otherwise available for allocation to States for that next fiscal year.

-SOURCE-
(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 595, Sec. 13104; Pub. L. 99-307, Sec. 1(18), May 19, 1986, 100 Stat. 446; Pub. L. 102-587, title V, Sec. 5101, Nov. 4, 1992, 106 Stat. 5070; Pub. L. 105-178, title VII, Sec. 7405(a), June 9, 1998, 112 Stat. 487; Pub. L. 109-59, title X, Sec. 10142, Aug. 10, 2005, 119 Stat. 1931; renumbered

Sec. 13105, Pub. L. 109-304, Sec. 16(b)(1), Oct. 6, 2006, 120 Stat. 1705.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13104	46:1477

Section 13104 allows a State to use any of the amounts received from the Secretary over a 3 year period. If the State does not spend the money within that period, the amounts revert to the Secretary, who will make the amounts available along with the amounts available for that year.

PRIOR PROVISIONS

A prior section 13105 was renumbered section 13106 of this title.

AMENDMENTS

2006 - Pub. L. 109-304 renumbered section 13104 of this title as this section.

2005 - Subsec. (a)(1). Pub. L. 109-59, Sec. 10142(1), substituted "3 years" for "2 years".

Subsec. (a)(2). Pub. L. 109-59, Sec. 10142(2), substituted "3-year" for "2-year".

1998 - Subsec. (a)(1). Pub. L. 105-178, Sec. 7405(a)(1), substituted "2 years" for "3 years".

Subsec. (a)(2). Pub. L. 105-178, Sec. 7405(a)(2), substituted "2-year" for "3-year".

1992 - Pub. L. 102-587 amended section generally. Prior to amendment, section read as follows:

"(a) Amounts allocated to a State shall be available for obligation by that State for a period of 3 years after the date of allocation. Amounts unobligated by the State at the end of the 3 years shall be withdrawn by the Secretary and shall be available with other amounts to be allocated by the Secretary during that fiscal year.

"(b) Amounts available to the Secretary for State recreational boating safety programs that have not been allocated at the end of a fiscal year shall be carried forward as part of the total allocation of amounts for the next fiscal year that may be expended under this chapter."

1986 - Subsec. (b). Pub. L. 99-307 inserted "for State recreational boating safety programs" after "Secretary".

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, subsec. (a) of this section considered to read as immediately before enactment of Pub. L. 109-59, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of Title 16, Conservation.

Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of Title 16, Conservation.

-End-

-CITE-
46 USC Sec. 13106 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13106. Computation decisions about State amounts expended

-STATUTE-
(a) Consistent with regulations prescribed by the Secretary, the computation by a State of amounts expended for the State recreational boating safety program shall include -

(1) the acquisition, maintenance, and operating costs of land, facilities, equipment, and supplies;

(2) personnel salaries and reimbursable expenses;

(3) the costs of training personnel;

(4) public boat safety education;

(5) the costs of carrying out the program; and

(6) other expenses that the Secretary considers appropriate.

(b) The Secretary shall decide an issue arising out of the computation made under subsection (a) of this section.

-SOURCE-
(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 596, Sec. 13105; Pub. L. 98-369, div. A, title X, Sec. 1011(e), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, Sec. 312(c), Nov. 16, 1990, 104 Stat. 2987; renumbered Sec. 13106, Pub. L. 109-304, Sec. 16(b)(1), Oct. 6, 2006, 120 Stat. 1705.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13105	46:1478

Section 13105 prescribes what amounts expended or obligated by a State will be counted toward the State's share. This section also authorizes the Secretary to settle any dispute over the computations required by this section.

PRIOR PROVISIONS

A prior section 13106 was renumbered section 13107 of this title.

AMENDMENTS

2006 - Pub. L. 109-304 renumbered section 13105 of this title as this section.

1990 - Subsec. (a). Pub. L. 101-595 struck out "or obligated" after "expended" in provisions preceding par. (1).

1984 - Subsec. (a). Pub. L. 98-369 struck out "and facilities improvement" after "boating safety" in provisions preceding par. (1).

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

-End-

-CITE-
46 USC Sec. 13107 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13107. Authorization of appropriations

-STATUTE-

(a)(1) Subject to paragraph (2) and subsection (c), the Secretary shall expend in each fiscal year for State recreational boating safety programs, under contracts with States under this chapter, an amount equal to the sum of (A) the amount made available from the Boat Safety Account for that fiscal year under section 15 of the Dingell-Johnson Sport Fish Restoration Act and (B) the amount transferred to the Secretary under subsections (a)(2) and (f) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(2) and (f)). The amount shall be allocated as provided under section 13104 of this title and shall be available for State recreational boating safety programs as provided under the guidelines established under subsection (b) of this section. Amounts authorized to be expended for State recreational boating safety programs shall remain available until expended and are deemed to have been expended only if an amount equal to the total amounts authorized to be expended under this section for the fiscal year in question and all prior fiscal years have been obligated. Amounts previously obligated but released by payment of a final voucher or modification of a program acceptance shall be credited to the balance of unobligated amounts and are immediately available for expenditure.

(2) The Secretary shall use not more than two percent of the amount available each fiscal year for State recreational boating safety programs under this chapter to pay the costs of investigations, personnel, and activities related to administering those programs.

(b) The Secretary shall establish guidelines prescribing the purposes for which amounts available under this chapter for State recreational boating safety programs may be used. Those purposes shall include -

(1) providing facilities, equipment, and supplies for boating safety education and law enforcement, including purchase, operation, maintenance, and repair;

(2) training personnel in skills related to boating safety and to the enforcement of boating safety laws and regulations;

(3) providing public boating safety education, including educational programs and lectures, to the boating community and the public school system;

(4) acquiring, constructing, or repairing public access sites used primarily by recreational boaters;

(5) conducting boating safety inspections and marine casualty investigations;

(6) establishing and maintaining emergency or search and rescue facilities, and providing emergency or search and rescue assistance;

(7) establishing and maintaining waterway markers and other appropriate aids to navigation; and

(8) providing State recreational vessel numbering and titling

programs.

(c)(1) Of the amount transferred to the Secretary under subsection (a)(2) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(2)), $5,500,000 is available to the Secretary for payment of expenses of the Coast Guard for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program under this title, of which not less than $2,000,000 shall be available to the Secretary only to ensure compliance with chapter 43 of this title.

(2) No funds available to the Secretary under this subsection may be used to replace funding traditionally provided through general appropriations, nor for any purposes except those purposes authorized by this section.

(3) Amounts made available by this subsection shall remain available during the 2 succeeding fiscal years. Any amount that is unexpended or unobligated at the end of the 3-year period during which it is available shall be withdrawn by the Secretary and allocated to the States in addition to any other amounts available for allocation in the fiscal year in which they are withdrawn or the following fiscal year.

(4) The Secretary shall publish annually in the Federal Register a detailed accounting of the projects, programs, and activities funded under this subsection.

-SOURCE-

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 596, Sec. 13106; Pub. L. 98-369, div. A, title X, Sec. 1012, July 18, 1984, 98 Stat. 1013; Pub. L. 99-626, Sec. 4(c), Nov. 7, 1986, 100 Stat. 3505; Pub. L. 99-640, Sec. 7(b), (c), Nov. 10, 1986, 100 Stat. 3548; Pub. L. 100-448, Sec. 6(b)(1)(A), (2), (6), Sept. 28, 1988, 102 Stat. 1839, 1840; Pub. L. 105-178, title VII, Sec. 7405(b), (c)(1), June 9, 1998, 112 Stat. 487, 488; Pub. L. 108-88, Sec. 9(c), Sept. 30, 2003, 117 Stat. 1126; Pub. L. 108-202, Sec. 7(c), Feb. 29, 2004, 118 Stat. 484; Pub. L. 108-224, Sec. 6(c), Apr. 30, 2004, 118 Stat. 632; Pub. L. 108-263, Sec. 6(c), June 30, 2004, 118 Stat. 704; Pub. L. 108-280, Sec. 6(c), July 30, 2004, 118 Stat. 882; Pub. L. 108-310, Sec. 9(c), Sept. 30, 2004, 118 Stat. 1159; Pub. L. 109-14, Sec. 8(c), May 31, 2005, 119 Stat. 335; Pub. L. 109-20, Sec. 8(c), July 1, 2005, 119 Stat. 357; Pub. L. 109-35, Sec. 8(c), July 20, 2005, 119 Stat. 390; Pub. L. 109-37, Sec. 8(c), July 22, 2005, 119 Stat. 405; Pub. L. 109-40, Sec. 8(c), July 28, 2005, 119 Stat. 421; Pub. L. 109-59, title X, Sec. 10143, Aug. 10, 2005, 119 Stat. 1931; Pub. L. 109-74, title I, Sec. 102, title II, Sec. 203, Sept. 29, 2005, 119 Stat. 2030, 2032; renumbered Sec. 13107 and amended Pub. L. 109-304, Sec. 16(b)(1), (c)(5), Oct. 6, 2006, 120 Stat. 1705, 1706.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13106	46:1479

Section 13106 provides the Secretary with liquidating contract authority in an amount equal to the revenues received from the motor boat fuel tax. One third shall be used for State boating safety programs, and 2/3 shall be used for State facilities improvement programs. And as provided in Section 13102(f), the approval of a State's program makes it a contractual obligation of the United States Government to provide the amounts available.

-REFTEXT-

REFERENCES IN TEXT

Section 15 of the Dingell-Johnson Sport Fish Restoration Act, referred to in subsec. (a)(1), is classified to section 777n of Title 16, Conservation.

-MISC2-

PRIOR PROVISIONS

A prior section 13107, Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 596, established the National Recreational Boating Safety and Facilities Improvement Fund, prior to repeal by Pub. L. 98-369, div. A, title X, Sec. 1016(c)(1), July 18, 1984, 98 Stat. 1020. See section 9504 of Title 26, Internal Revenue Code.

AMENDMENTS

2006 - Pub. L. 109-304, Sec. 16(b)(1), renumbered section 13106 of this title as this section.

Subsec. (a)(1). Pub. L. 109-304, Sec. 16(c)(5), substituted "section 13104" for "section 13103".

2005 - Subsec. (a)(1). Pub. L. 109-59, Sec. 10143(2), as amended by Pub. L. 109-74, Sec. 102(2), substituted "subsections (a)(2) and (f) of section 4 of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(a)(2) and (f))" for "section 4(b) of the Act of August 9, 1950 (16 U.S.C. 777c(b))".

Pub. L. 109-59, Sec. 10143(1), as amended by Pub. L. 109-74, Sec. 102(1), substituted "the amount made available from the Boat Safety Account for that fiscal year under section 15 of the Dingell-Johnson Sport Fish Restoration Act" for "the amount appropriated from the Boat Safety Account for that fiscal year".

Subsec. (a)(2). Pub. L. 109-59, Sec. 10143(3), struck out "not less than one percent and" before "not more than two percent".

Subsec. (c)(1). Pub. L. 109-74, Sec. 203, substituted "$5,000,000" for "$4,150,685" and "$2,000,000" for "$1,660,274".

Pub. L. 109-59, Sec. 10143(4)(D), as amended by Pub. L. 109-74, Sec. 102(3)(B), amended par. (1) as amended by Pub. L. 109-74, Sec. 203, by inserting "not less than" before "$2,000,000". See Effective Date of 2005 Amendments note below.

Pub. L. 109-59, Sec. 10143(4)(C), as amended by Pub. L. 109-74, Sec. 102(3)(B), amended par. (1) as amended by Pub. L. 109-74, Sec. 203, by substituting "$5,500,000" for "$5,000,000". See Effective Date of 2005 Amendments note below.

Pub. L. 109-59, Sec. 10143(4)(B), as amended by Pub. L. 109-74, Sec. 102(3)(A), substituted "(16 U.S.C. 777c(a)(2))" for "(16 U.S.C. 777c(b))".

Pub. L. 109-59, Sec. 10143(4)(A), substituted "Secretary under subsection (a)(2) of section 4" for "Secretary of Transportation under paragraph (5)(C) of section 4(b)".

Pub. L. 109-40 substituted "$4,150,685" for "$4,100,000" and "$1,660,274" for "$1,643,836".

Pub. L. 109-37 substituted "$4,100,000" for "$4,050,000" and "$1,643,836" for "$1,620,003".

Pub. L. 109-35 substituted "$4,050,000" for "$4,000,000" and "$1,620,003" for "$1,600,000".

Pub. L. 109-20 substituted "$4,000,000" for "$3,750,003" and "$1,600,000" for "$1,500,003".

Pub. L. 109-14 substituted "$3,750,003" for "$3,333,336" and "$1,500,003" for "$1,333,336".

Subsec. (c)(3). Pub. L. 109-59, Sec. 10143(5), as amended by Pub. L. 109-74, Sec. 102(4), substituted "during the 2 succeeding fiscal years. Any amount that is unexpended or unobligated at the end of the 3-year period during which it is available shall be withdrawn by the Secretary and allocated to the States in addition to any other amounts available for allocation in the fiscal year in which they are withdrawn or the following fiscal year." for "until expended."

2004 - Subsec. (c). Pub. L. 108-310 amended subsec. (c) generally. Prior to amendment, subsec. (c) read as follows: "Of the amount transferred to the Secretary of Transportation under paragraph (4) of section 4(b) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777c(b)), $5,000,000 is available to the Secretary for payment of expenses of the Coast Guard for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program under this title, of which $2,000,000 shall be available to the Secretary only to ensure compliance with chapter 43 of this title. No funds available to the Secretary under this subsection may be used to replace funding traditionally provided through general appropriations, nor for any purposes except those purposes authorized by this section.

Amounts made available by this subsection shall remain available until expended. The Secretary shall publish annually in the Federal Register a detailed accounting of the projects, programs, and activities funded under this subsection."

Pub. L. 108-280 substituted "$5,000,000" for "$4,166,668" and "$2,000,000" for "$1,666,668".

Pub. L. 108-263 substituted "$4,166,668" for "$3,750,001" and "$1,666,668" for "$1,500,001".

Pub. L. 108-224 substituted "$3,750,001" for "$2,916,667" and "$1,500,001" for "$1,166,667".

Pub. L. 108-202 substituted "$2,916,667" for "$2,083,333" and "$1,166,667" for "$833,333".

2003 - Subsec. (c). Pub. L. 108-88 amended first sentence generally. Prior to amendment, first sentence read as follows: "Of the amount transferred for each fiscal year to the Secretary of Transportation under paragraphs (2) and (3) of section 4(b) of the Act of August 9, 1950 (16 U.S.C. 777c(b)), $5,000,000 is available to the Secretary for payment of expenses of the Coast Guard for personnel and activities directly related to coordinating and carrying out the national recreational boating safety program under this title, of which $2,000,000 shall be available to the Secretary only to ensure compliance with chapter 43 of this title."

1998 - Pub. L. 105-178, Sec. 7405(c)(1), substituted "appropriations" for "contract spending" in section catchline.

Subsec. (a)(1). Pub. L. 105-178, Sec. 7405(b)(1), substituted "Subject to paragraph (2) and subsection (c), the Secretary shall expend in each fiscal year for State recreational boating safety programs, under contracts with States under this chapter, an amount equal to the sum of (A) the amount appropriated from the Boat Safety Account for that fiscal year and (B) the amount transferred to the Secretary under section 4(b) of the Act of August 9, 1950 (16 U.S.C. 777c(b))." for "Subject to paragraph (2), the Secretary may expend in each fiscal year, subject to amounts as are provided in appropriations laws for liquidation of contract authority, an amount equal to 1/2 of the amount transferred for such fiscal year to the Boat Safety Account under section 9503(c)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(4))."

Subsec. (a)(2). Pub. L. 105-178, Sec. 7405(b)(2), substituted "available" for "appropriated".

Subsec. (c). Pub. L. 105-178, Sec. 7405(b)(3), added subsec. (c) and struck out former subsec. (c) which read as follows: "An amount equal to one-half of the amount transferred for each fiscal year to the Boat Safety Account under section 9503(c)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(4)) is available to the Secretary for expenditures out of the operating expenses account of the Coast Guard for services provided by the Coast Guard for recreational boating safety, including services provided by the Coast Guard Auxiliary. Expenditures for a fiscal year under this subsection shall not exceed expenditures for the fiscal year under

subsection (a). Amounts made available by this subsection shall remain available until expended."

1988 - Subsec. (a). Pub. L. 100-448, Sec. 61(b)(1)(A), designated existing provisions as par. (1), added par. (2), and amended first sentence of par. (1) generally. Prior to amendment, first sentence read as follows: "The Secretary may expend in each of the fiscal years 1985, 1986, 1987, and 1988, subject to amounts as are provided in appropriations laws for liquidation of contract authority, an amount equal to one-half for Fiscal Year 1987 and two-thirds for each Fiscal Year thereafter of the amount transferred for such fiscal year to the Boat Safety Account under section 9503(c)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(4))."

Subsec. (c). Pub. L. 100-448, Sec. 6(b)(2)(A), struck out "for Fiscal Year 1987 and one-third for each fiscal year thereafter." after "An amount equal to one-half" in first sentence.

Pub. L. 100-448, Sec. 6(b)(6), substituted "1986" for "1954" in first sentence.

Pub. L. 100-448, Sec. 6(b)(2)(B), inserted after first sentence "Expenditures for a fiscal year under this subsection shall not exceed expenditures for the fiscal year under subsection (a)."

1986 - Subsec. (a). Pub. L. 99-640, Sec. 7(c), substituted "one-half for Fiscal Year 1987 and two-thirds for each Fiscal Year thereafter" for "two-thirds".

Subsec. (b). Pub. L. 99-626 substituted "shall" for "may" after "Those purposes" in introductory provisions and substituted "and" for "or" in par. (8).

Subsec. (c). Pub. L. 99-640, Sec. 7(b), substituted "one-half for Fiscal Year 1987 and one-third for each Fiscal Year thereafter." for "one-third".

1984 - Pub. L. 98-369 amended section generally and, among other changes, struck out all references to a facilities improvement program, inserted provisions directing the Secretary to establish guidelines prescribing the purposes for which amounts available under this chapter for State recreational safety boating programs may be used, and made available to the Secretary an amount equal to one-third of the amount transferred for each fiscal year to the Boat Safety Account under section 9503(c)(4) of title 26 to be used for expenditures out of the operating expenses account of the Coast Guard for services provided by the Coast Guard for recreational boating safety, including services provided by the Coast Guard Auxiliary.

EFFECTIVE DATE OF 2005 AMENDMENTS

From Aug. 10, 2005, to end of fiscal year 2005, subsecs. (a) and (c)(1), (3) of this section considered to read as immediately before enactment of Pub. L. 109-59, except as provided by the amendments by section 203 of Pub. L. 109-74, see section 101(b) of Pub. L. 109-74, set out as a note under section 777b of Title 16,

Conservation.
Amendment by Pub. L. 109-59 effective Oct. 1, 2005, see section 10102 of Pub. L. 109-59, set out as a note under section 777b of Title 16, Conservation.

EFFECTIVE DATE OF 1988 AMENDMENT

Amendment by Pub. L. 100-448 effective Oct. 1, 1988, see section 6(e) of Pub. L. 100-448, set out as a note under section 777 of Title 16, Conservation.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

BOATING SAFETY FUND

Pub. L. 99-272, title VI, Sec. 6001, Apr. 7, 1986, 100 Stat. 121, as amended by Pub. L. 99-514, Sec. 2, Oct. 22, 1986, 100 Stat. 2095, provided that: "An amount equal to one-third of the amount transferred for fiscal year 1985 to the Boat Safety Account under section 9503(c)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 9503(c)(4)) shall be deposited in the general fund of the Treasury as proprietary receipts of the department in which the Coast Guard is operating and ascribed to Coast Guard activities. Section 13106(a) of title 46, United States Code, shall be applied with respect to fiscal year 1985 by substituting 'one-third' for 'two-thirds' in the first sentence."

-End-

-CITE-
46 USC Sec. 13108 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13108. Computing amounts allocated to States and State records requirements

-STATUTE-
(a) Amounts allocated and distributed under section 13104 of this title shall be computed and paid to the States as follows:

(1) During the second quarter of a fiscal year and on the basis of computations made under section 13106 of this title and submitted by the States for the preceding fiscal year, the Secretary shall determine the percentage of the amounts available to which each eligible State is entitled for the next fiscal year.

(2) Notice of the percentage and of the dollar amount, if it can be determined, for each State shall be provided to the States at the earliest practicable time.

(3) If the Secretary determines that an amount made available to a State for a prior fiscal year is greater or less than the amount that should have been made available to the State for the prior fiscal year, because of later or more accurate State expenditure information, the amount for the current fiscal year may be increased or decreased by the appropriate amount.

(b) The Secretary shall schedule the payment of amounts, consistent with the program purposes and applicable regulations prescribed by the Secretary of the Treasury, to minimize the time elapsing between the transfer of amounts from the Treasury and the subsequent disbursement of the amounts by a State.

(c) The Secretary shall notify a State authority or agency that further payments will be made to the State only when the program complies with the prescribed standards or a failure to comply substantially with standards is corrected if the Secretary, after reasonable notice to the designated State authority or agency, finds that -

(1) the State recreational boating safety program submitted by the State and accepted by the Secretary has been so changed that it no longer complies with this chapter or standards prescribed by regulations; or

(2) in carrying out the State recreational boating safety program, there has been a failure to comply substantially with the standards prescribed by regulations.

(d) The Secretary shall provide for the accounting, budgeting, and other fiscal procedures that are necessary and reasonable to carry out this section properly and efficiently. Records related to amounts allocated under this chapter shall be made available to the Secretary and the Comptroller General to conduct audits.

-SOURCE-

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 596; Pub. L. 98-369, div. A, title X, Sec. 1011(f), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, Sec. 312(d), Nov. 16, 1990, 104 Stat. 2987; Pub. L. 104-324, title VII, Sec. 746(a)(3), (4), Oct. 19, 1996, 110 Stat. 3943; Pub. L. 109-304, Sec. 16(c)(6), Oct. 6, 2006, 120 Stat. 1706.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13108	46:1480

Section 13108 sets forth the manner that the Secretary shall compute the amounts to be allocated to the States, State record requirements, and authority for the General Accounting Office to review the records when conducting audits.

AMENDMENTS

2006 - Subsec. (a). Pub. L. 109-304 substituted "section 13104" for "section 13103" in introductory provisions and "section 13106" for "section 13105" in par. (1).

1996 - Subsec. (a)(1). Pub. L. 104-324 substituted "preceding" for "proceeding" and "Secretary" for "Secertary".

1990 - Subsec. (a)(1). Pub. L. 101-595 amended par. (1) generally. Prior to amendment, par. (1) read as follows: "During the last quarter of a fiscal year and on the basis of computations made under section 13105 of this title and submitted by the States, the Secretary shall determine the percentage of the amounts available for the next fiscal year to which each eligible State is entitled."

1984 - Subsec. (c)(1), (2). Pub. L. 98-369 struck out "and facilities improvement" after "boating safety".

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

-End-

-CITE-
46 USC Sec. 13109 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs

CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13109. Consultation, cooperation, and regulation

-STATUTE-
(a) In carrying out responsibilities under this chapter, the Secretary may consult with State and local governments, public and private agencies, organizations and committees, private industry, and other persons having an interest in boating safety.

(b) The Secretary may advise, assist, and cooperate with the States and other interested public and private agencies in planning, developing, and carrying out boating safety programs. Acting under section 141 of title 14, the Secretary shall ensure the fullest cooperation between the State and United States Government authorities in promoting boating safety by making agreements and other arrangements with States when possible. Subject to chapter 23 of title 14, the Secretary may make available, on request of a State, the services of members of the Coast Guard Auxiliary to assist the State in promoting boating safety on State waters.

(c) The Secretary may prescribe regulations to carry out this chapter.

-SOURCE-
(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 597; Pub. L. 98-369, div. A, title X, Sec. 1011(g), July 18, 1984, 98 Stat. 1013.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13109	46:1481

Section 13109 authorizes the Secretary to consult with State and local governments, public and private agencies, and any other persons that have an interest in boating safety.

This section also authorizes the Secretary to advise and assist the States and other public and private agencies in the planning and carrying out of their boating safety and facilities improvement programs.

AMENDMENTS

1984 - Subsec. (a). Pub. L. 98-369 struck out "and facilities

improvement" after "boating safety".
Subsec. (b). Pub. L. 98-369 struck out "and facilities improvement" after "and carrying out boating safety".

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-369 effective Oct. 1, 1984, to apply with respect to fiscal years beginning after Sept. 30, 1984, see section 1013 of Pub. L. 98-369, set out as a note under section 13101 of this title.

-End-

-CITE-
46 USC Sec. 13110 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part I - State Boating Safety Programs
CHAPTER 131 - RECREATIONAL BOATING SAFETY

-HEAD-
Sec. 13110. National Boating Safety Advisory Council

-STATUTE-
(a) The Secretary shall establish a National Boating Safety Advisory Council. The Council shall consist of 21 members appointed by the Secretary, whom the Secretary considers to have a particular expertise, knowledge, and experience in recreational boating safety.

(b)(1) The membership of the Council shall consist of -

(A) 7 representatives of State officials responsible for State boating safety programs;

(B) 7 representatives of recreational vessel manufacturers and associated equipment manufacturers; and

(C) 7 representatives of national recreational boating organizations and from the general public, at least 5 of whom shall be representatives of national recreational boating organizations.

(2) Additional individuals from the sources referred to in paragraph (1) of this subsection may be appointed to panels of the Council to assist the Council in performing its duties.

(3) At least once a year, the Secretary shall publish a notice in the Federal Register soliciting nominations for membership on the Council.

(c) In addition to the consultation required by section 4302 of

this title, the Secretary shall consult with the Council on other major boating safety matters related to this chapter. The Council may make available to Congress information, advice, and recommendations that the Council is authorized to give to the Secretary.

(d) When attending meetings of the Council, a member of the Council or a panel may be paid at a rate not more than the rate for GS-18. When serving away from home or regular place of business, the member may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5 for individuals employed intermittently in the Government service. A payment under this section does not make a member of the Council an officer or employee of the United States Government for any purpose.

(e) The Council shall terminate on September 30, 2010.

-SOURCE-

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 598; Pub. L. 99-626, Sec. 3(a)(1), (b)(1), (2), Nov. 7, 1986, 100 Stat. 3505; Pub. L. 100-448, Sec. 20(a), Sept. 28, 1988, 102 Stat. 1846; Pub. L. 102-241, Sec. 24, Dec. 19, 1991, 105 Stat. 2217; Pub. L. 104-324, title III, Sec. 304(f), Oct. 19, 1996, 110 Stat. 3918; Pub. L. 107-295, title III, Sec. 335, Nov. 25, 2002, 116 Stat. 2105; Pub. L. 108-293, title IV, Sec. 418(f), Aug. 9, 2004, 118 Stat. 1049.)

-MISC1-

HISTORICAL AND REVISION NOTES

Revised section	Source section (U.S. Code)
13110	46:1482

Section 13110 establishes the National Boating Safety Advisory Council, the membership of the council, and compensation for individuals serving on the council. This council is to be established consistent with the Federal Advisory Committee Act (P.L. 92-463; 5 U.S.C. App.).

AMENDMENTS

2004 - Subsec. (e). Pub. L. 108-293 substituted "September 30, 2010" for "September 30, 2005".

2002 - Subsec. (e). Pub. L. 107-295 substituted "September 30, 2005" for "September 30, 2000".

1996 - Subsec. (e). Pub. L. 104-324 substituted "2000" for "1996".

1991 - Subsec. (e). Pub. L. 102-241 substituted "1996" for "1991".

1988 - Subsec. (b)(1). Pub. L. 100-448 substituted "representatives of" for "members from" wherever appearing.

1986 - Subsec. (a). Pub. L. 99-626, Sec. 3(b)(1), struck out "not more than" before "21 members" and inserted "recreational" after "experience in".

Subsec. (b)(1). Pub. L. 99-626, Sec. 3(b)(2), amended par. (1) generally. Prior to amendment, par. (1) read as follows: "Insofar as practical and to ensure balanced representation, the Secretary shall appoint members equally from -

"(A) State officials responsible for State boating safety programs;

"(B) recreational vessel manufacturers; and

"(C) boating organizations and members of the general public."

Subsec. (e). Pub. L. 99-626, Sec. 3(a)(1), added subsec. (e).

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, Sec. 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

IMPLEMENTATION OF 1988 AMENDMENT

Pub. L. 100-448, Sec. 20(b), Sept. 28, 1988, 102 Stat. 1846, provided that: "The Secretary of the department in which the Coast Guard is operating shall carry out the amendments made by subsection (a) [amending this section] as vacancies in the membership of the National Boating Safety Advisory Council occur."

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

IMPLEMENTATION OF 1986 AMENDMENT

Pub. L. 99-626, Sec. 3(b)(3), Nov. 7, 1986, 100 Stat. 3505, provided that: "The Secretary of Transportation shall carry out the amendments made by paragraph (2) [amending this section] as vacancies in the membership of the National Boating Safety Advisory Council occur."

-End-

-CITE-
46 USC Part J - Measurement of Vessels 02/01/2010

-EXPCITE-
TITLE 46 - SHIPPING
Subtitle II - Vessels and Seamen
Part J - Measurement of Vessels

-HEAD-
PART J - MEASUREMENT OF VESSELS

-MISC1-
HISTORICAL AND REVISION NOTES
Part J contains provisions that apply to the measurement of a vessel to determine its tonnage. Tonnage is a measurement of a vessel's volume and is used for international, customs, and regulatory purposes. This part implements the 1969 International Convention on Tonnage Measurement of Ships and provides a framework for phasing in the international system as the method of measuring ships domestically, to establish uniformity in ship measurement. The availability of an alternate domestic regulatory system of measurement is continued so that the application of domestic laws will be preserved in order that vessels engaged in domestic commerce will not be adversely affected.

-End-

462A.52 FEES REMITTED TO COMMISSION.

1. Within ten days after the end of each month, a county recorder shall remit to the commission all fees collected by the recorder during the previous month. Before May 10 of the registration period beginning May 1 of that year, a county recorder shall remit to the commission all unused license blanks for the previous registration period. All fees collected for the registration of vessels shall be forwarded by the commission to the treasurer of the state, who shall place the money in the state fish and game protection fund. The money so collected is appropriated to the commission solely for the administration and enforcement of navigation laws and water safety.

2. Notwithstanding subsection 1, any increase in revenues received on or after July 1, 2007, but on or before June 30, 2013, pursuant to this section as a result of fee increases pursuant to 2005 Acts, ch. 137, shall be used by the commission only for the administration and enforcement of programs to control aquatic invasive species and for the administration and enforcement of navigation laws and water safety upon the inland waters of this state and shall be used in addition to funds already being expended by the

commission each year for these purposes. The commission shall not reduce the amount of other funds being expended on an annual basis for these purposes as of July 1, 2005, during the period of the appropriation provided for in this subsection.

3. The commission shall submit a written report to the general assembly by December 31, 2007, and by December 31 of each year thereafter through December 31, 2013, summarizing the activities of the department in administering and enforcing programs to control aquatic invasive species and administering and enforcing navigation laws and water safety upon the inland waters of the state. The report shall include information concerning the amount of revenues collected pursuant to this section as a result of fee increases pursuant to 2005 Acts, ch. 137, and how the revenues were expended. The report shall also include information concerning the amount and source of all other funds expended by the commission during the year for the purposes of administering and enforcing programs to control aquatic invasive species and administering and enforcing navigation laws and water safety upon the inland waters of the state and how the funds were expended.

456A.27 FEDERAL WILDLIFE ACT -- ASSENT.

The state of Iowa assents to the provisions of the Act of Congress entitled "An Act To Provide That The United States Shall Aid The States In Wildlife Restoration Projects, And For Other Purposes", approved September 2, 1937, 50 Stat. 917, and the department may perform acts as necessary to the conduct and establishment of cooperative wildlife restoration projects, as defined in the Act of Congress, in compliance with the Act and with regulations promulgated by the secretary of agriculture under the Act. No funds accruing to the state of Iowa from license fees paid by hunters shall be diverted for any other purpose than as set out in sections 456A.17 and 456A.19.

456A.28 FISH RESTORATION PROJECTS.

The state of Iowa assents to the provisions of the Act of Congress entitled "An Act To Provide That The United States Shall Aid The States In Fish Restoration Projects, And For Other Purposes", approved August 9, 1950, Pub. L. No. 681, and the department may perform acts as necessary to the conduct and establishment of cooperative fish restoration projects, as defined in the Act of Congress, in compliance with the Act and with regulations promulgated by the secretary of the interior under the Act. No funds accruing to the state of Iowa from fishing license fees shall be diverted for any other purposes than as set out in sections 456A.17 and 456A.19.

456A.17 FUNDS -- RESTRICTIONS.

The following four funds are created in the state treasury:

1. A state fish and game protection fund.
2. A state conservation fund.
3. An administration fund.
4. A county conservation board fund.

The state fish and game protection fund, except as otherwise provided, consists of all moneys accruing from license fees and all other sources of revenue arising under the fish and wildlife programs. Notwithstanding section 12C.7, subsection 2, interest or earnings on investments or time deposits of the moneys in the state fish and game protection fund shall be credited to that fund.

The county conservation board fund consists of all moneys credited to it by law or appropriated to it by the general assembly.

The conservation fund, except as otherwise provided, consists of all other funds accruing to the department for the purposes embraced by this chapter.

The administration fund shall consist of an equitable portion of the gross amount of the state fish and game protection fund and the state conservation fund, to be determined by the commission, sufficient to pay the expense of administration entailed by this chapter.

All receipts and refunds and reimbursements related to activities funded by the administration fund are appropriated to the administration fund. All refunds and reimbursements relating to activities of the state fish and game protection fund shall be credited to the state fish and game protection fund.

Notwithstanding section 8.33, revenues deposited in the state conservation fund, and remaining in the state conservation fund on June 30 of any fiscal year shall not revert to the general fund of the state but shall remain available for expenditure for one year after the close of the fiscal year during which such revenues were deposited. Any such revenues remaining unexpended at the end of the one-year period during which the revenues are available for expenditure shall revert to the general fund of the state.

The department may apply for a loan for the construction of facilities for the collection and treatment of waste water under the state water pollution control works and drinking water facilities financing program as established in sections 455B.291 through 455B.299. In order to provide for the repayment of a loan granted under the financing program, the commission may impose a lien on not more than ten percent of the annual revenues from user fees and related revenue derived from park and recreation areas under chapter 461A which are deposited in the state conservation fund. If a lien is established as provided in this paragraph, repayment of the loan is the first priority on the revenues received and dedicated for the loan repayment each year.

456A.19 EXPENDITURES.

All funds accruing to the fish and game protection fund, except an equitable portion of the administration fund, shall be expended solely in carrying on fish and wildlife activities. Expenditures incurred by the department in carrying on the activities shall be only on authorization by the general assembly.

The department shall by October 1 of each year submit to the department of management for transmission to the general assembly a detailed estimate of the amount required by the department during the succeeding year for carrying on fish and wildlife activities. The estimate shall be in the same general form and detail as required by law in estimates submitted by other state departments.

Any unexpended balance at the end of the biennium shall revert to the fish and game protection fund.

All administrative expense shall be paid from the administration fund.

All other expenditures shall be paid from the conservation fund.

All expenditures under this chapter are subject to approval by the director of management and the director of the department of administrative services.

All moneys credited to the county conservation board fund shall be used to provide grants to county conservation boards to provide funding for the purposes of chapter 350. These grants are in addition to moneys appropriated to the conservation boards from the county boards of supervisors. The grants shall be made to the conservation boards based upon the needs of the boards. Applications shall be made by the boards to the commission.

Iowa Constitution, Article VII, Sec. 9: Fish and wildlife protection funds. SEC. 9. All revenue derived from state license fees for hunting, fishing, and trapping, and all state funds appropriated for, and federal or private funds received by the state for, the regulation or advancement of hunting, fishing, or trapping, or the protection, propagation, restoration, management, or harvest of fish or wildlife, shall be used exclusively for the performance and administration of activities related to those purposes.

Added 1996, Amendment **[44]**

§ 13101. — State recreational boating safety programs.

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[**CITE**: **46USC13101**]

TITLE 46--SHIPPING

Subtitle II--Vessels and Seamen

Part I--State Boating Safety Programs

CHAPTER 131--RECREATIONAL BOATING SAFETY

Sec. 13101. State recreational boating safety programs

(a) To encourage greater State participation and uniformity in boating safety efforts, and particularly to permit the States to assume the greater share of boating safety education, assistance, and enforcement activities, the Secretary shall carry out a national recreational boating safety program. Under this program, the Secretary shall make contracts with, and allocate and distribute amounts to, eligible States to assist them in developing, carrying out, and financing State recreational boating safety programs.

(b) The Secretary shall establish guidelines and standards for the program. In doing so, the Secretary--

(1) shall consider, among other things, factors affecting recreational boating safety by contributing to overcrowding and congestion of waterways, such as the increasing number of recreational vessels operating on those waterways and their geographic distribution, the availability and geographic distribution of recreational boating facilities in and among applying States, and State marine casualty and fatality statistics for recreational vessels;

(2) shall consult with the Secretary of the Interior to minimize duplication with the purposes and expenditures of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l-4--460l-11) the Federal Aid in Sport Fish Restoration Act of 1950 (16 U.S.C. 777-777k), and with the guidelines developed under those Acts; and

(3) shall maintain environmental standards consistent with the Coastal Zone Management Act of 1972 (16 U.S.C. 1451-1464) and other laws and policies of the United States intended to safeguard the ecological and esthetic quality of the waters and wetlands of the United States.

(c) A State whose recreational boating safety program has been approved by the Secretary is eligible for allocation and distribution of amounts under this chapter to assist that State in developing, carrying out, and financing its program. Matching amounts shall be allocated and distributed among eligible States by the Secretary as provided by section 13103 of this title.

(Pub. L. 98-89, Aug. 26, 1983, 97 Stat. 592; Pub. L. 98-369, div. A, title X, Sec. 1011(b), July 18, 1984, 98 Stat. 1013; Pub. L. 101-595, title III, Sec. 312(a), Nov. 16, 1990, 104 Stat. 2987.)

Historical and Revision Notes

Revised section	Source section (U.S. Code)
13101.....	46:1474

Section 13101(a) authorizes the Secretary to make contracts with, and allocate amounts to eligible States to assist them in carrying out their recreational boating safety and facilities improvement programs.

Subsection (b) requires the Secretary to establish guidelines and standards for the program, and specifies specific conditions the Secretary must consider, requires consultation with the Secretary of the Interior, and to maintain environmental standards consistent with the Coastal Zone Management Act.

Subsection (c) makes the States who meet the standards prescribed by the Secretary eligible for the amounts authorized under this chapter.

References in Text

The Land and Water Conservation Fund Act of 1965, referred to in subsec. (b)(2), is Pub. L. 88-578, Sept. 3, 1964, 78 Stat. 897, as amended, which is classified generally to part B (Sec. 460l-4 et seq.) of subchapter LXIX of chapter 1 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 460l-4 of Title 16 and Tables.

The Federal Aid in Sport Fish Restoration Act of 1950, referred to in subsec. (b)(2), is act Aug. 9, 1950, ch. 658, 64 Stat. 430, as amended, also known as the Dingell-Johnson Sport Fish Restoration Act, the Federal Aid in Fish Restoration Act, and the Fish Restoration and Management Projects Act, which is classified generally to chapter 10B (Sec. 777 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 777 of Title 16 and Tables.

The Coastal Zone Management Act of 1972, referred to in subsec. (b)(3), is title III of Pub. L. 89-454 as added by Pub. L. 92-583, Oct. 27, 1972, 86 Stat. 1280, as amended, which is classified generally to chapter 33 (Sec. 1451 et seq.) of Title 16. For complete classification of this Act to the Code, see Short Title note set out under section 1451 of Title 16 and Tables.

Amendments

1990--Subsec. (b)(2). Pub. L. 101-595 substituted ``the Federal Aid in Sport Fish Restoration Act of 1950 (16 U.S.C. 777-777k), and with the guidelines developed under those Acts; and'' for ``and with the guidelines developed under that Act; and''.

1984--Subsec. (a). Pub. L. 98-369, Sec. 1011(b), struck out ``and facility improvement'' after ``in boating safety'', struck out ``and facilities improvement'' in two places after ``recreational boating

safety", and substituted ``shall" for ``may" in second sentence.
Subsec. (c). Pub. L. 98-369, Sec. 1011(b)(1)(B), struck out ``and facilities improvement" after ``recreational boating safety".

Effective Date of 1984 Amendment

Section 1013 of subpart A (Secs. 1010-1013) of part I of subtitle B of title X of division A of Pub. L. 98-369 provided that: ``The amendments made by this subpart [amending this section and sections 2102, 13102, 13103, 13105, 13106, 13108, and 13109 of this title and enacting a provision set out as a note under this section] shall take effect on October 1, 1984, and shall apply with respect to fiscal years beginning after September 30, 1984."

Short Title of 1986 Amendment

Pub. L. 99-626, Sec. 1, Nov. 7, 1986, 100 Stat. 3504, provided that: ``This act [amending sections 13102, 13106, and 13110 of this title and section 1464 of Title 16, Conservation, and enacting provisions set out as notes under section 13110 of this title and section 1456a of Title 16] may be cited as the `Recreational Boating Safety Act of 1986'."

Survey of Fuel Use by Recreational Vessels

Pub. L. 100-448, Sec. 6(d), Sept. 28, 1988, 102 Stat. 1841, provided that:
``(1) In general.--The Secretary of Transportation and the Secretary of the Interior shall jointly conduct a survey of--
``(A) the number, size, and primary uses of recreational vessels operating on the waters of the United States; and
``(B) the amount and types of fuel used by those vessels.
``(2) Authorization of contracts.--The Secretary of Transportation and the Secretary of the Interior may enter into contracts for the performance of a survey pursuant to this subsection.
``(3) Report.--The Secretary of the Interior and the Secretary of Transportation shall jointly submit a report to the Speaker of the House of Representatives and to the President pro tempore of the Senate which describes the results of the survey conducted pursuant to this section not later than November 15, 1992.
``(4) Funding.--Activities under this subsection may be carried out--
``(A) using amounts available to the Secretary of the Interior for administrative expenses under the Act entitled `An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes' (64 Stat. 430; 16 U.S.C. 777 et seq.); and

``(B) subject to appropriations, using amounts available to the Secretary of Transportation under section 13106(a)(1) of title 46, United States Code (as amended by this Act)."

Congressional Declaration of Policy for 1984 Amendment

Section 1010 of part I (Secs. 1010-1017) of subtitle B of title X of division A of Pub. L. 98-369 provided that: ``It is declared to be the policy of Congress and the purpose of this part [enacting sections 4162 and 9504 of Title 26, Internal Revenue Code, amending this section, sections 2102, 13102, 13103, 13105, 13106, 13108, and 13109 of this title, sections 777, 777b to 777e, 777g, and 777k of Title 16, Conservation, and sections 4161 and 9503 of Title 26, repealing section 13107 of this title, and enacting provisions set out as notes under this section, section 777 of Title 16, and sections 4161, 4162, and 9504 of Title 26] to improve recreational boating safety and to foster greater development, use, and enjoyment of all waters of the United States by encouraging and assisting participation by the States, the boating industry, and the boating public in activities related to increasing boating safety; by authorizing the establishment of national construction and performance standards for boats and associated equipment; by creating more flexible authority governing the use of boats and equipment; and by facilitating the provision of services by the United States Coast Guard on behalf of boating safety. It is further declared to be the policy of Congress to encourage greater and continuing uniformity of boating laws and regulations among the States and the Federal Government, to encourage and assist the States in exercising their authorities in boating safety, to foster greater cooperation and assistance between the Federal Government and the States in administering and enforcing Federal and State laws and regulations pertaining to boating safety, and to equitably utilize taxes paid on fuel use in motor boats in a manner which enhances boating safety."

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

CHAPTER 456A REGULATION AND FUNDING - NATURAL RESOURCES DEPARTMENT

[Full Chapter text can be found at: http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=IowaCode&input=456A]

456A.17 FUNDS -- RESTRICTIONS.

The following four funds are created in the state treasury:

1. A state fish and game protection fund.
2. A state conservation fund.
3. An administration fund.
4. A county conservation board fund.

The state fish and game protection fund, except as otherwise provided, consists of all moneys accruing from license fees and all other sources of revenue arising under the fish and wildlife programs. Notwithstanding section 12C.7, subsection 2, interest or earnings on investments or time deposits of the moneys in the state fish and game protection fund shall be credited to that fund. The county conservation board fund consists of all moneys credited to it by law or appropriated to it by the general assembly.

The conservation fund, except as otherwise provided, consists of all other funds accruing to the department for the purposes embraced by this chapter.

The administration fund shall consist of an equitable portion of the gross amount of the state fish and game protection fund and the state conservation fund, to be determined by the commission, sufficient to pay the expense of administration entailed by this chapter.

All receipts and refunds and reimbursements related to activities funded by the administration fund are appropriated to the administration fund. All refunds and reimbursements relating to activities of the state fish and game protection fund shall be credited to the state fish and game protection fund.

Notwithstanding section 8.33, revenues deposited in the state conservation fund, and remaining in the state conservation fund on June 30 of any fiscal year shall not revert to the general fund of the state but shall remain available for expenditure for one year after the close of the fiscal year during which such revenues were deposited. Any such revenues remaining unexpended at the end of the one-year period during which the revenues are available for expenditure shall revert to the general fund of the state.

The department may apply for a loan for the construction of facilities for the collection and treatment of waste water under the state water pollution control works and drinking water facilities financing program as established in sections 455B.291 through 455B.299. In order to provide for the repayment of a loan granted under the financing program, the commission may impose a lien on not more than ten percent of the annual revenues from user fees and related revenue derived from park and recreation areas under chapter 461A which are deposited in the state conservation fund. If a lien is established as provided in this paragraph, repayment of the loan is the first priority on the revenues received and dedicated for the loan repayment each year.

456A.27 FEDERAL WILDLIFE ACT -- ASSENT.

The state of Iowa assents to the provisions of the Act of Congress entitled "An Act To Provide That The United States Shall Aid The States In Wildlife Restoration Projects, And For Other Purposes", approved September 2, 1937, 50 Stat. 917, and the department may perform acts as necessary to the conduct and establishment of cooperative wildlife restoration projects, as defined in the Act of Congress, in compliance with the Act and with regulations promulgated by the secretary of agriculture under the Act. No funds accruing to the state of Iowa from license fees paid by hunters shall be diverted for any other purpose than as set out in sections 456A.17 and 456A.19.

456A.28 FISH RESTORATION PROJECTS.

The state of Iowa assents to the provisions of the Act of Congress entitled "An Act To Provide That The United States Shall Aid The States In Fish Restoration Projects, And For Other Purposes", approved August 9, 1950, Pub. L. No. 681, and the department may perform acts as necessary to the conduct and establishment of cooperative fish restoration projects, as defined in the Act of Congress, in compliance with the Act and with regulations promulgated by the secretary of the interior under the Act. No funds accruing to the state of Iowa from fishing license fees shall be diverted for any other purposes than as set out in sections 456A.17 and 456A.19.

IOWA CODE 483A - FISHING AND HUNTING LICENSES, CONTRABAND, AND GUNS

[Full IA Code text can be found at: http://coolice.legis.state.ia.us/Cool-ICE/default.asp?Category=billinfo&Service=IowaCode&input=483A]

483A.3 WILDLIFE HABITAT FEE.

1. A resident or nonresident person required to have a hunting or fur harvester license shall not hunt or trap unless the person has paid the wildlife habitat fee. This section shall not apply to residents who have permanent disabilities or who are younger than sixteen or older than sixty-five years of age. Wildlife habitat fees shall be administered in the same manner as hunting and fur harvester licenses except all revenue derived from wildlife habitat fees shall be used within the state of Iowa for habitat development and shall be deposited in the state fish and game protection fund, except as provided in subsection 2. The revenue may be used for the matching of federal funds. The revenues and any matched federal funds shall be used for acquisition of land, leasing of land, or obtaining of easements from willing sellers for use as wildlife habitats. Notwithstanding the exemption provided by section 427.1, any land acquired with the revenues and matched federal funds shall be subject to the full consolidated levy of property taxes which shall be paid from those revenues. In addition the revenue may be used for the development and enhancement of wildlife lands and habitat areas. Not less than fifty percent of all revenue from wildlife habitat fees shall be used by the commission to enter into agreements with county conservation boards or other public agencies in order to carry out the purposes of this section. The state share of funding of those agreements provided by the revenue from wildlife habitat fees shall not exceed seventy-five percent.

2. Up to sixty percent of the revenues from wildlife habitat fees which are not required under subsection 1 to be used by the commission to enter into agreements with county conservation boards or other public agencies may be credited to the wildlife habitat bond fund as provided in section 483A.53.

3. Notwithstanding subsections 1 and 2, any increase in revenues received on or after July 1, 2007, pursuant to this section as a result of fee increases pursuant to 2007 Iowa Acts, ch. 194, shall be used by the commission only for the purpose of the game bird habitat development program as provided in section 483A.3B. The commission shall not reduce on an annual basis for these purposes the amount of other funds being expended as of July 1, 2007.

483A.3A FISH HABITAT DEVELOPMENT FUNDING.

Three dollars from each resident and nonresident annual and seven-day fishing license sold shall be deposited in the state fish and game protection fund and shall be used within this state for fish habitat development. Not less than fifty percent of this amount shall be used by the commission to enter into agreements with county conservation boards to carry out the purposes of this section.

483A.3B GAME BIRD HABITAT DEVELOPMENT PROGRAMS

1. Allocation of revenue -- accounts. All revenue collected from increases in wildlife habitat fees as provided in section 483A.3, subsection 3, that is deposited in the state fish and game protection fund shall be allocated as follows:

a. Two dollars of each wildlife habitat fee collected shall be allocated to the game bird wetlands conservation account.

b. One dollar of each wildlife habitat fee collected shall be allocated to the game bird buffer strip assistance account.

c. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys collected from wildlife habitat fees that are deposited in each account created under this section shall be credited to that account. Notwithstanding section 8.33 or section 456A.17, moneys credited to each account created under this section shall not revert to the state general fund at the close of a fiscal year.
d. All revenue generated by increases in the wildlife habitat fee as provided in section 483A.3, subsection 3, shall be used as provided in this section, except for that part which is specified by the department for use in paying administrative expenses as provided in section 456A.17.
2. Game bird wetlands conservation program.
a. All moneys allocated to the game bird wetlands conservation account shall be used by the department only to carry out the purposes of the game bird wetlands conservation program and shall be used in addition to funds already being expended by the department each year for wetlands conservation purposes.
b. The purpose of the game bird wetlands conservation program is to create a sustained source of revenue to be used by the department to qualify for federal matching funds that are available for wetlands conservation and to undertake projects in conjunction with soil and water conservation districts, county conservation boards, and other partners that will aid in wetlands and associated habitat conservation in the state, including the acquisition, restoration, maintenance, or preservation of wetlands and associated habitat.
c. (1) All moneys that are allocated to the game bird wetlands conservation account shall accumulate in the account until the account balance is equal to one million dollars or an amount sufficient to be used by the department to qualify for federal matching funds. Each time the account balance reaches an amount sufficient to be used by the department to qualify for federal matching funds, the department shall apply for such matching funds, and upon obtaining such funds, shall expend the state and federal revenues available at that time to undertake projects as set forth in paragraph "b".
(2) Additional moneys that are generated by game bird wildlife habitat fees and allocated to the game bird wetlands conservation account shall again accumulate in the account, and each time the account balance is equal to one million dollars or an amount sufficient to be used by the department to qualify for federal matching funds, the department shall again apply for federal matching funds, and upon obtaining such funds, shall expend the state and federal revenues available at that time to undertake projects as set forth in paragraph "b".
d. The department shall use all state revenue and federal matching funds obtained under the federal North American Wetlands Conservation Act to undertake the purposes of the game bird wetlands conservation program as set forth in paragraph "b". State revenue allocated to the account shall be used by the department only for projects that increase public recreational hunting opportunities in the state and shall not be used for projects on private land that is not accessible to the public for recreational hunting.
3. Game bird buffer strip assistance program.
a. All moneys allocated to the game bird buffer strip assistance account shall be used by the department only to carry out the purposes of the game bird buffer strip assistance program and shall be used in addition to funds already being expended by the department each year for such purposes. The department shall not reduce the amount of other funds being expended for these purposes as of July 1, 2007.
b. The purpose of the game bird buffer strip assistance program is to increase landowner participation in federally funded conservation programs that benefit game birds and to increase opportunities for recreational hunting on private lands. To the extent possible, moneys allocated to the game bird buffer strip assistance account shall be used in conjunction with and to qualify for

additional funding from private conservation organizations and other state and federal agencies to accomplish the purposes of the program. The funds may be used to provide private landowners with cost-sharing assistance for habitat improvement practices on projects that are not eligible for federal programs or where federal funding for such projects is not adequate. The department may utilize the funds to provide marketing and outreach efforts to landowners in order to maximize landowners' use of federal conservation programs. The department may coordinate such marketing and outreach efforts with soil and water conservation districts and other partners.

c. (1) All moneys that are allocated to the game bird buffer strip assistance account shall accumulate in the account for a period of three years. At the end of the three-year period, the moneys in the account shall be used by the department to carry out the purposes of the game bird buffer strip assistance program as set forth in paragraph "b". The department shall, by rule pursuant to chapter 17A, establish eligibility requirements for the program and procedures for applications for and approval of projects to be funded under the program. The department shall expend moneys from the account only for projects on private land that is accessible to the public for recreational hunting.

(2) Additional moneys that are generated by game bird wildlife habitat fees and allocated to the game bird buffer strip assistance account shall accumulate in the account and shall be used by the department every three years as set forth in subparagraph(1).

DNR Property Taxes Paid (2005-2010)

County	Acres	Taxes paid for FY10	Taxes paid for FY09	Taxes paid for FY08	Taxes paid for FY07	Taxes paid for FY06	Taxes paid for FY05
Allamakee	5,715.6	$31,044	$31,176	$29,888	$30,580	$29,888	$30,250
Appanoose	3,156.0	$24,396	$24,834	$23,456	$23,760	$18,010	$17,922
Benton	257.5	$926	$928	$868	$826	$1,462	$738
Boone	163.5	$1,686	$1,478	$1,390	$790	$780	$744
Bremer	3,180.3	$14,662	$13,176	$12,202	$13,550	$11,548	$14,682
Buchanan	248.4	$910	$772	$762	$818	$824	$820
Buena Vista	28.1	$668	$580	$542	$478	$462	$468
Butler	1,414.7	$26,132	$23,900	$22,306	$21,591	$17,978	$18,680
Carroll	70.3	$632	$418	$416	$356	$356	$378
Cass	110.6	$1,442	$1,036	$990	$862	$896	$900
Cedar	56.5	$880	$814	$788	$890	$814	$752
Cerro Gordo	403.0	$12,478	$11,018	$9,160	$11,534	$10,680	$8,764
Cherokee	6.2	$158	$158	$152	$120	$116	$108
Clarke	60.0	$98	$84	$82	$78	$78	$78
Clay	2,613.2	$28,080	$25,386	$23,144	$8,928	$8,978	$8,572
Clayton	771.0	$3,902	$4,254	$5,484	$5,092	$3,732	$4,710
Clinton	330.1	$3,814	$3,586	$3,298	$3,580	$2,128	$2,434
Dallas	414.7	$5,304	$4,154	$3,777	$2,562	$2,512	$2,444
Davis	844.4	$6,724	$6,796	$6,866	$6,028	$6,052	$4,900
Decatur	1,949.6	$8,870	$8,052	$7,512	$7,122	$6,730	$7,720
Delaware	734.8	$880	$818	$740	$632	$1,074	$2,210
Des Moines	183.8	$3,958	$3,378	$3,160	$2,716	$2,772	$2,384
Dickinson	4,019.6	$23,936	$17,740	$19,748	$20,712	$22,882	$20,366
Dubuque	83.6	$1,144	$1,102	$1,056	$686	$672	$650
Emmet	2,127.0	$22,116	$22,784	$15,628	$16,480	$15,596	$12,806
Fayette	479.0	$3,850	$3,712	$3,242	$842	$824	$800
Franklin	480.2	$6,412	$5,108	$4,988	$4,502	$4,470	$4,266
Fremont	2,025.5	$30,908	$25,518	$24,338	$21,952	$21,586	$19,600
Greene	767.7	$18,848	$16,930	$16,420	$13,842	$14,018	$13,080
Guthrie	1,628.7	$15,660	$11,812	$9,910	$9,082	$9,104	$8,706
Hamilton	1,771.8	$17,706	$14,606	$13,450	$11,696	$11,574	$11,108
Hancock	1,680.5	$8,248	$9,966	$7,676	$8,330	$7,642	$7,238
Hardin	52.2	$1,656	$1,500	$178	$164	$148	$126
Harrison	6,433.5	$59,628	$51,782	$49,102	$44,060	$42,922	$36,942
Iowa	97.8	$1,346	$1,488	$1,344	$1,236	$1,092	$60

IA FISH AND GAME PROTECTION FUND REPORT
APPENDIX I - DNR Property Taxes Paid (2005-2010)

Jackson	451.2	$4,250	$4,474	$4,052	$4,530	$4,596	$5,156
Jasper	1,723.5	$10,466	$13,136	$9,478	$8,034	$8,362	$7,806
Johnson	80.4	$1,458	$1,308	$1,180	$1,034	$980	$936
Jones	900.3	$9,938	$9,036	$6,630	$7,738	$6,910	$6,934
Keokuk	552.5	$6,378	$4,912	$4,896	$4,312	$3,844	$4,026
Kossuth	578.1	$2,566	$1,852	$1,724	$1,830	$1,296	$1,248
Lee	688.0	$5,272	$4,970	$4,084	$3,170	$3,054	$3,066
Linn	688.8	$5,138	$4,884	$4,636	$3,662	$3,592	$3,316
Louisa	1,922.3	$15,168	$12,694	$12,716	$12,608	$6,250	$2,392
Lucas	2,548.5	$19,408	$18,634	$17,728	$17,296	$16,762	$22,646
Mahaska	370.2	$4,794	$3,748	$3,532	$3,510	$3,436	$3,310
Monona	1,830.4	$13,652	$11,992	$10,299	$10,182	$10,474	$8,114
Monroe	1,753.6	$8,378	$8,548	$7,580	$7,512	$4,002	$4,170
Muscatine	1,391.3	$12,450	$11,704	$10,930	$10,384	$10,216	$7,064
Obrien	1,535.1	$18,050	$15,590	$14,746	$14,650	$13,578	$13,280
Palo Alto	1,983.6	$2,306	$1,962	$4,088	$1,816	$1,996	$2,651
Plymouth	242.4	$838	$770	$748	$582	$582	$342
Pocahontas	80.0	$824	$804	$772	$720	$692	$624
Polk	193.6	$4,356	$4,378	$4,266	$3,612	$3,458	$3,458
Ringgold	3,398.3	$32,462	$28,812	$23,510	$18,602	$17,964	$16,432
Sac	1,387.9	$14,974	$14,322	$16,118	$12,212	$12,194	$11,260
Scott	380.1	$2,370	$2,238	$2,116	$2,046	$2,046	$2,008
Sioux	280.1	$1,724	$1,810	$1,632	$1,634	$1,554	$1,464
Story	348.7	$3,894	$3,106	$2,854	$2,160	$2,138	$2,164
Tama	161.4	$1,214					
Taylor	471.5	$3,626	$3,092	$2,956	$3,466	$2,802	$2,730
Union	366.5	$1,756	$3,572	$1,396	$1,278	$1,218	$1,218
Van Buren	1,655.4	$11,774	$11,690	$11,440	$9,426	$9,748	$10,424
Wapello	1,238.9	$4,526	$4,102	$3,938	$3,316	$3,082	$3,080
Warren	1,105.6	$236	$206	$200	$194	$182	$404
Wayne	79.7	$842	$708	$668	$678	$656	$642
Webster	3,593.2	$46,758	$33,946	$31,932	$27,844	$27,670	$24,752
Winnebago	1,656.9	$2,440	$3,850	$2,718	$2,280	$1,906	$2,084
Winneshiek	1,119.3	$13,078	$11,458	$9,818	$9,468	$7,588	$7,466
Woodbury	1,222.3	$3,136	$3,984	$5,372	$2,028	$2,240	
Worth	553.4	$6,808	$6,028	$5,756	$6,050	$6,374	$5,906
Wright	200.0	$3,952	$3,216	$3,284	$2,076	$1,962	$1,776
Grand Total	**83,092**	**$690,362**	**$622,380**	**$573,856**	**$518,417**	**$485,804**	**$460,755**