

EXHIBIT 2

FEDERAL STATUTES AND EXECUTIVE ORDERS  
PERTINENT TO RESOURCE DEVELOPMENT  
AND MANAGEMENT

MASTER PLAN  
DESIGN MEMORANDUM 6B  
SAYLORVILLE LAKE

MULTI-PURPOSE PROJECT  
DES MOINES RIVER BASIN  
DES MOINES RIVER, IOWA

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Federal Statutes and Executive Orders (E.O.) which provide the basis for the development and management of the resources at the Saylorville Lake project include the following:

- . Public Law 78-534, Flood Control Act of 1944. Section 4 of this Act, as amended in 1946, 1954, and 1962, authorizes the Army Corps of Engineers to construct, maintain, and operate public parks and recreational facilities in reservoir areas under their jurisdiction and to grant leases and licenses for project lands to other public agencies.
- . Public Law 85-624, Fish and Wildlife Coordination Act of 1958. Provided that fish and wildlife conservation receive equal consideration and be coordinated with other project purposes.
- . Public Law 86-523, Reservoir Salvage Act of 1960. Provided for the preservation of historic and archaeological data, by the Secretary of the Interior, which might otherwise be lost as the result of the construction of a dam. Act further amended by Public Law 93-291.
- . Public Law 86-717, Forest Conservation Act of 1960. Provided for the protection of forest cover for reservoir areas under the jurisdiction of the Secretary of the Army and the Chief of Engineers.
- . Public Law 89-72, Federal Water Project Recreation Act of 1965. An act to provide uniform policies with respect to recreation and fish and wildlife benefits and costs of Federal multiple-purpose water resource projects and for other purposes. Section 213 of this Act establishes guidelines for the development of recreation facilities on Federal Government project lands in cooperation with non-Federal Government entities on a 50/50 cost-sharing basis. The participating Government entity is responsible for all aspects of the operation and management and maintenance cost of the facility.
- . Public Law 89-90, Water Resources Planning Act of 1965. This Act established the Water Resources Council and gave it the responsibility to encourage the development, conservation, and use of the Nation's water and related resources on a coordinated and comprehensive basis.

. Public Law 89-665, The National Historic Preservation Act of 1966. This Act declared a national policy of historic preservation, including the encouragement of preservation on the State and private levels; directed the expansion of the National Register of Historic Places to include cultural resources of State and local as well as national significance; authorized matching Federal grants to the States and the National Trust for Historic Preservation for the acquisition and rehabilitation of National Register properties; established the Advisory Council on Historic Preservation; provided certain procedures to be followed by Federal agencies in the event of a proposal that might have an effect on National Register properties; defined the term "historic preservation" as "the protection, rehabilitation, restoration, and reconstruction of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, or culture."

. Public Law 91-190, The National Environmental Policy Act of 1969, established a national policy for the environment and established a Council on Environmental Quality. NEPA protects the environment by requiring balancing of that factor against economic, technical, and other factors in undertaking major Federal actions. Enforcement is through the requirement of Environmental Impact Statements. This Act requires that an Environmental Impact Statement, assessing the impact of major actions on the environmental quality of federally owned land, be prepared for all such actions by the appropriate agency.

. Public Law 92-75, Federal Boat Safety Act of 1971. This Act authorizes Federal agencies to establish boat safety regulations for areas within their jurisdiction, or to accept as a supplement to Federal regulations, a Boating Safety Program which is designed and enforced by appropriate State authorities. Guidelines are also established for development and funding of the State programs.

. Public Law 92-500, The Federal Water Pollution Control Act Amendment of 1972, enacted by the Congress to restore and maintain the chemical, physical, and biological integrity of the Nation's waters. Section 404 of the Act established a Federal permit program to regulate the discharge of dredged or fill material into all waters of the United States.

. Public Law 93-205, Conservation, Preservation, and Propagation of the Endangered Species Act of 1973. Repealed the Endangered Species Conservation Act of 1969. Directs all Federal departments/agencies to carry out programs to conserve endangered and threatened species and to preserve the habitat of such species.

. Public Law 93-291, The Archaeological and Historic Preservation Act of 1974. This Act amends the Reservoir Salvage Act of 1960 and permits the expenditure of up to one percent of the funds appropriated for a Civil Works project for survey, recovery, analysis, and reporting of important (scientific, historical, archaeological, and paleontological) data which may be lost as the result of construction under Corps jurisdiction, including non-Federal lands provided by local interests for certain types of projects. The authorities of Public Law 93-291 apply to operating projects as well as those in the planning or design stages.

. Public Law 93-303 of 1974. This Act provides that fair and equitable fees will be assessed the users of specialized sites, facilities, equipment, or services provided at substantial Federal expense. This law is the authority for the fees charged at family and group camping facilities at Corps managed areas.

. Public Law 93-643, Highway Amendment Act of 1974. This law allows the Department of Transportation to participate in the construction or reconstruction of access roads leading to public use areas on Corps reservoirs.

. Public Law 94-587, Water Resources Development Act of 1976. Section 111 of this act authorizes full development of campground and other recreation sites and access thereto for the Saylorville Lake project at Federal cost. Section 111 also authorizes a number of modifications to the Saylorville project including: (1) provide additional recreation lands and development thereon at full Federal expense to compensate for those lands which will be taken from Ledges State Park by the Saylorville Lake pool, and (2) provide for the acquisition of lands within the downstream corridor for flood control and recreation purposes and to provide for cost-sharing with the State of Iowa in the acquisition of these lands and the development of the recreation facilities thereon.

. Public Law 95-341, American Indian Religious Freedom Act of 1978. Establishes the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including, but not limited to, access to sites, use, and possession of sacred objects, and the freedom to worship through ceremonies and traditional rites.

. Public Law 95-632 - Endangered Species Amendments of 1978. Amends the 1973 Act (Public Law 93-205) to establish an Endangered Species Interagency Committee to review proposed actions to determine whether exemptions from certain requirements of the Act should be granted. Prescribes a consultation process between Federal agencies and the Secretary of the Interior, Secretary of Commerce, or Secretary of Agriculture, as appropriate, for carrying out programs for the conservation of endangered and threatened species. Directs agencies to conduct a biological assessment to identify endangered or threatened species which may be present.

. Public Law 96-95, Archaeological Resources Protection Act of 1979. Authorizes the Secretary or other Federal official with primary management authority over public lands or Indian lands to issue permits for the excavation or removal of archaeological resources located on such lands; establishes civil and criminal penalties for the excavation or removal of archaeological resources without or in derogation of a permit; establishes penalties for the sale or transportation in interstate commerce of archaeological resources obtained in violation of State or local law.

. E.O. 11514, 5 March 1970, Protection and Enhancement of Environmental Quality. Section 2 of the order outlines the responsibilities of Federal agencies in consonance with Title I of the National Environmental Policy Act of 1969 (amended by E.O. 11991, 24 May 1977).

. E.O. 11593, 13 May 1971, Protection and Enhancement of the Cultural Environment. Section 2 of the order outlines the responsibilities of Federal agencies in consonance with the National Environmental Policy Act of 1969, the National Historic Preservation Act of 1966, the Historic Sites Act of 1935, and the Antiquities Act of 1906. Section 3 outlines specific responsibilities of the Secretary of the Interior including review and comment upon Federal agency procedures submitted under this order.

. E.O. 11989, 24 May 1977, Off-Road Vehicles on Public Lands. Agency heads are authorized to close areas or trails, within their jurisdiction, to off-road vehicles which cause adverse effects to soil, vegetation, wildlife, wildlife habitat, cultural or historic resources. Fire, military, emergency, and law enforcement vehicles are excluded when used for emergency purposes. This order amends E.O. 11644, 8 February 1972.

. E.O. 11990, 24 May 1977, Protection of Wetlands. This order directs Federal agencies to provide leadership in minimizing the destruction, loss, or degradation of wetlands. Section 2 of this order states that in furtherance of the National Environmental Policy Act of 1969, agencies shall avoid undertaking or assisting in new construction located in wetlands unless there is no practical alternative. Each agency will provide opportunity for early public review of plans and proposals for construction in wetlands, including those whose impact is not significant to require EIS preparation. Section 9 exempts assistance provided for emergency work, essential to protect lives, health, and property performed pursuant to Sections 305 and 306 of the Disaster Relief Act of 1974.