

LFD Informational Paper 21-3: Dingell-Johnson Federal Sport Fish Restoration Act

A Legislative Research/Legislative Finance Collaboration

Overview

The [Federal Aid in Sport Fish Restoration Act \(16 U.S.C. 777-777k, 64 Stat. 430\)](#), commonly known as the Dingell-Johnson (D-J) Act, provides federal aid to the states for management and restoration of fish having "material value in connection with sport or recreation in the marine and/or fresh waters of the United States."¹ Funds can be used for a variety of purposes including sport fishing access, fisheries management and research, and projects to improve recreational power boating, aquatic education, and wetlands restoration.

To be eligible to participate in the Dingell-Johnson (D-J) program, states are required to assent to this law and pass measures for the conservation of fish, which include a prohibition against the diversion of license fees for any purpose other than the administration of applicable state agencies. The relevant Alaska law is AS 16.05.140.

Appropriations to states for the various programs funded in the Act are collected in an account known as the Sport Fish Restoration Account. Funds are derived from a ten percent excise tax on certain items of sport fishing tackle; a three percent excise tax on fish finders and electric trolling motors; import duties on fishing tackle, yachts and pleasure craft; interest on the account; and a portion of motorboat fuel tax revenues and small engine fuel taxes. The [federal apportionment formula](#) provides Alaska with the maximum allotment of five percent of funds available for distribution each year, as 40 percent of apportionment is determined by the state's land mass, and 60 percent is based on the number of licensed anglers.

The State receives a preliminary apportionment in November or December, following the start of the federal fiscal year—October 1 to September 30—and a final apportionment in March or April. The Alaska Department of Fish and Game (ADFG) Sport Fish Division fully utilizes each annual apportionment in the federal fiscal year during which the funds are available, which crosses two state fiscal years. If the Division is unable to utilize all available D-J funds by the conclusion of the first state fiscal year, the remainder of the funds may be obligated in the next state fiscal year to avoid reversion. The State has never reverted or failed to obligate available D-J funds, partially owing to the fact that the annual apportionments have remained fairly consistent and the agency has successfully leveraged user fees rather than relying heavily on general fund match.

The Alaska Department of Fish and Game (ADF&G) is the only department in state government that is allowed to receive and use D-J funds. This program will cover up to 75 percent of the cost of an eligible project and requires a 25 percent non-federal match, which is often met through revenues from the sale

¹ Information for this brief is taken largely from relevant websites of the U.S. Fish and Wildlife Service and the Alaska Department of Fish and Game.

of sport fish licenses and stamps. To help control program costs, projects partner with other State agencies and with local governments.

The ADF&G Division of Sport Fish has regional and statewide staff who work with state and federal land managers and local governments to identify and facilitate design and construction, and fund capital improvements and maintenance of boating access sites. Projects are built to Americans with Disabilities Act guidelines and include boat launches and parking areas, restrooms, transient moorage, fish cleaning facilities, and other fresh water and marine access site improvements. Over the last thirty years more than 160 capital improvement projects have been accomplished, which have provided new and improved access to waters throughout the state.

Funding Restrictions

According to federal aid regulations, D-J grants can only be approved if they primarily benefit the recreational boating and sport fishing public. These funds cannot be used for projects that primarily support subsistence, personal use, or commercial fishing groups. Subsistence and personal use fisheries are restricted to Alaska residents only and are therefore not open to the non-resident public. In addition, the "methods and means" used in subsistence, personal use, and commercial fisheries - gillnets, dip nets, and set nets - are not allowed in sport fisheries, and are thus not subject to the excise tax that supports the program. Other users may use a D-J funded project, but such use cannot displace recreational boater and sport angler use.

Overall in state FY20, 112 total projects used D-J funds in Alaska—around \$18.5 million from the federal government and about \$4.6 million in non-federal matching funds. The non-federal matching funds include primarily Fish and Game fees supplemented by some general fund money.

In the table below we highlight six Dingell-Johnson projects from fiscal year 2020 that collectively highlight the ways in which program funds are used.² The ADF&G provided us with a link to a table that lists all D-J projects from FY18 and FY19 (similar information on FY20 was not available), which can be viewed [here](#).³ Accessing this link will show in a greater measure the variety and scope of D-J projects around Alaska.

² It is important to note that roughly 75 percent of the D-J projects in Alaska, including the six in this table, are funded over multiple years.

³ The table includes a number of sport fish projects that were not eligible for D-J funds.

Selected Dingell-Johnson Projects in Alaska, Fiscal Year 2020 ^a

Project Title	Location	Federal Funds ^b	Matching Funds ^b
Situk River Steelhead Stock Assessment	Yakutat	\$34,000	\$11,300
Assessment of Recreational Groundfish Fishery in Southcentral Alaska	Southcentral Coastal ports	\$147,200	\$49,100
Evaluation of Stocked Waters	Interior Alaska, multiple lakes	\$100,500	\$33,500
Region III Salmon Studies	Copper River and Tanana River basins	\$82,100	\$27,400
Biometrics	Statewide; statistical support for fisheries biologist	\$484,700	\$161,600
Information and Education	Statewide IT support to all staff	\$123,100	\$41,000

Notes: a) These are six of the 112 Dingell-Johnson (DJ) projects in Alaska in FY 20. b) In FY20, the state received around \$18.5 million from the federal government for DJ projects while about \$4.6 million in matching state funds, mostly generated through the sale of fishing licenses, were expended.

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