

## Appendix D: Applicable Laws and Executive Orders.

Law, Regulation, or Guideline	Description
<b>Agency Coordination</b>	
Executive Order No. 12372, Intergovernmental Review of Federal Programs.	Requires that Federal agencies afford other agencies review of documents associated with Federal programs.
<b>Human Rights Regulations</b>	
Executive Order 12898, Environmental Justice. February 11, 1994	Requires Federal agencies to consider the effects of projects and policies on minority and lower income population.
Americans with Disabilities Act of 1990 (ADA)	Provides for access to Federal facilities for the disabled.
<b>Cultural Resources Regulations</b>	
Antiquities Act of 1906	This act authorizes the scientific investigation of antiquities on Federal land. It prohibits and provides penalties for unauthorized search for or collection of artifacts or other objects of scientific interest. The Act also authorizes the president to establish national monuments and cultural areas on Federal lands.
Executive Order No. 11593, Protection and Enhancement of the Cultural Environment	States that if the Service proposes any development activities that may affect archaeological or historical sites, the Service will consult with Federal and State Historic Preservation Officers to comply with Section 106 of the National Historic Preservation Act of 1966, as amended.
Native American Graves Protection and Repatriation Act of 1990 (PL 101-601; 25 USC 3001 et seq.)(NAGPRA)	Regulations for the treatment of Native American graves, human remains, funeral objects, sacred objects, and other objects of cultural patrimony. Requires consultation with Native American Tribes during Federal project planning.
Archaeological Resources Protection Act of 1979 (PL 96-95; 93 STAT 722; 16 USC 470aa-47011), as amended (ARPA)	Protects archaeological resources on public lands.
Executive Order 13007, Indian Sacred Sites. 24 May, 1996	Provides for access to, and ceremonial use of, Indian sacred sites on Federal lands used by Indian religious practitioners and direction to avoid adversely affecting the physical integrity of such sites.
American Indian Religious Freedom Act 1978 (PL 95-341; 92 STAT 469; 42 USC 1996)	Provides for freedom of Native Americans to believe, express, and exercise their traditional religion, including access to important sites.
Archaeological and Historic Preservation Act of 1974 (PL 93-291; 88 STAT 174; 16 USC 469)	Provides for the preservation of historical buildings, sites, and objects of national significance.
National Historic Preservation Act of 1966 (PL 89-665; 50 STAT 915; 16 USC 470 et seq.; 36 CFR 800), as amended (NHPA)	Requires Federal agencies to consider the effects of any actions or programs on historical properties.
<b>Biological Resources Regulations</b>	
Endangered Species Act of 1973 (16 USC 1531 et seq.), as amended (ESA)	Provides for protection of plants, fish, and wildlife that have a designation as threatened or endangered.
National Environmental Policy Act of 1969 (42 USC 4321 et seq) (NEPA)	Requires analysis, public comment, and reporting for environmental impacts of Federal actions.

## Appendix D: Applicable Laws and Executive Orders.

Law, Regulation, or Guideline	Description
Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds. Jan. 10, 2001.	Instructs Federal agencies to conserve migratory birds by several means, including the incorporation of strategies and recommendations found in Partners in Flight Bird Conservation Plans, the North American Waterfowl Plan, the North American Waterbird Conservation Plan, and the United States Shorebird Conservation Plan, into agency management plans and guidance documents.
Fish and Wildlife Conservation Act of 1980 (16 USC 661-667e), as amended	Requires the Service to monitor non-gamebird species, identify species of management concern, and implement conservation measures to preclude the need for listing under ESA.
The Bald and Golden Eagle Protection Act of 1940 (16 USC 668 et seq.)	Provides protection for bald and golden eagles.
Migratory Bird Treaty Act of 1918, as amended (MBTA)	Provides protection for bird species that migrate across state and international boundaries.
Marine Mammal Protection Act of 1972 (16 USC 1361 et seq.), as amended (MMPA)	Provides protection to marine mammals
The Clean Water Act of 1972, Section 404 (33 USC 1344 et seq.), as amended	Provides for protection of water quality.
Fish and Wildlife Act of 1956 (16 USC 742a-743j)	Provides Secretary of Interior with authority to protect and manage fish and wildlife resources.
Fish and Wildlife Coordination Act of 1958	Requires equal consideration and coordination of wildlife conservation with other water resource development programs.
National Natural Landmarks Program (PL 74-292; 36 CFR 62)	Sets forth process for establishment of National Natural Landmarks.
<b>Hazardous Materials Regulations</b>	
Oil Pollution Act of 1990 (PL 101-380; 33 USC 2701, et seq.)	Provides oil pollution policies and protections.
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (PL 96-510; 42 USC 9601, et seq.) (CERCLA)	Provides mechanism for hazardous waste clean up.
Ports and Waterways Safety Act of 1972 (33 USC 1221 et seq.), as amended	Promotes pollution controls for ships.
<b>Land and Water Use Regulations</b>	
Coastal Zone Management Act of 1972 (16 USC 1451-1464)	Protects environmental quality of coastal areas.
The National Wildlife Refuge System Administration Act of 1966 (16 USC 668dd-668ee)	Administration, management, and planning for National Wildlife Refuges.
National Wildlife Refuge System Improvement Act of 1997 (PL 105-57)	Amends the National Wildlife Refuge System Administration Act of 1966. Requires development of CCPs for all refuges outside of Alaska.

## Appendix D: Applicable Laws and Executive Orders.

Law, Regulation, or Guideline	Description
Executive Order 12996, Management and General Public Use of the National Wildlife Refuge System	Recognizes compatible wildlife-dependent recreation uses, such as hunting, fishing, wildlife observation, and photography, and environmental education and interpretation as priority uses of the NWRS.
Executive Order No. 11988, Floodplain Management	Provides for the support, preservation, and enhancement of the natural and beneficial values of floodplains.
Executive Order No. 11990, Protection of Wetlands	Provides for the conservation of the natural and beneficial values of wetlands and their associated habitats.
The Refuge Recreation Act of 1962, as amended	Provides for recreation use that is compatible with the primary purpose of a refuge.
<b>Tribal Coordination</b>	
Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, 6 November 2000	Provides a mechanism for establishing regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications.
Medicine Creek Treaty Act of 1854	Recognizes Nisqually Indian Tribe's fishing, hunting, and gathering rights within their usual and accustomed areas.

This page intentionally left blank.