

Huron Regional Airport Environmental Assessment

# Federal Statutes, Regulations, Executive Orders, and Guidance

Appendix A

## Federal Statutes, Regulations, Executive Orders, and Guidance

<b>Statute</b>	<b>Regulations and Guidance</b>
<p><b><i>Air Quality</i></b></p> <ul style="list-style-type: none"> <li>➤ Clean Air Act (CAA), as amended [42 United States Code (U.S.C.) 7401-7671] [Public Law (PL) 91-604, PL 101-549]</li> </ul>	<ul style="list-style-type: none"> <li>➤ Title 40 Code of Federal Regulations (CFR) parts 9, 50-53, 60, 61, 66, 67, 81, 82, and 93 (which includes General Conformity)</li> </ul>
<p><b><i>Coastal Resources</i></b></p> <ul style="list-style-type: none"> <li>➤ Coastal Barrier Resources Act of 1982 as amended by the Coastal Barrier Improvement Act of 1990 [16 U.S.C. 3501-3510] [PL 97-348]</li> <li>➤ Coastal Zone Management Act as amended [16 U.S.C. 1451-1464] [PL 92-583]</li> <li>➤ Executive Order 13089, Coral Reef Protection (63 FR 32701, June 16, 1998)</li> </ul>	<ul style="list-style-type: none"> <li>➤ U.S. Department of Interior Coastal Barrier Act Advisory Guidelines (57 FR 52730, November 5, 1992)</li> <li>➤ 15 CFR part 930, subparts C and D</li> <li>➤ 15 CFR part 923</li> </ul>
<p><b><i>Compatible Land Use</i></b></p> <ul style="list-style-type: none"> <li>➤ Aviation Safety and Noise Abatement Act of 1979, as amended (49 U.S.C. 47501-47507)</li> </ul>	<ul style="list-style-type: none"> <li>➤ 14 CFR part 150</li> </ul>
<p><b><i>Department of Transportation Act</i></b></p> <ul style="list-style-type: none"> <li>➤ Department of Transportation Act of 1966, section 4(f) [recodified at 49 U.S.C. 303 (c)]</li> </ul>	
<p><b><i>Farmlands</i></b></p> <ul style="list-style-type: none"> <li>➤ Farmland Protection Policy Act [7 U.S.C. 4201-4209] [PL 97-98, amended by section 1255 of the Food Security Act of 1985, PL 99-198]</li> </ul>	<ul style="list-style-type: none"> <li>➤ 7 CFR part 658 (59 FR 31109, June 17, 1994)</li> <li>➤ 7 CFR part 657 (43 FR 4030)</li> <li>➤ CEQ Memorandum on Analysis of Impacts on Prime and Unique Agricultural Lands in Implementing the National Environmental Policy Act, August 11, 1980 (45 FR 59189, September 8, 1980)</li> </ul>
<p><b><i>Fish, Wildlife and Plants</i></b></p> <ul style="list-style-type: none"> <li>➤ Endangered Species Act of 1973 [16 U.S.C. §§1531-1544] [PL 93-205] Marine Mammal Protection Act of 1972 [16 U.S.C. §§1361-1421h] Related Essential Fish Habitat Requirements of the Magnuson-Stevens Act, as amended by the Sustainable Fisheries Act [16 U.S.C. §1855(b)(2)]</li> </ul>	

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<b>Statute</b>	<b>Regulations and Guidance</b>
<ul style="list-style-type: none"> <li>➤ Sikes Act Amendments of 1974 [PL 93-452]</li> <li>➤ Fish and Wildlife Coordination Act of 1958 [16 U.S.C. §§661-666c] [PL 85-624]</li> <li>➤ Fish and Wildlife Conservation Act of 1980 [16 U.S.C. §§2901-2912] [PL 96-366]</li> <li>➤ Executive Order 13112, Invasive Species (64 FR 6183, February 8, 1999)</li> <li>➤ Migratory Bird Treaty Act of 1981 [16 U.S.C. §§703-712]</li> <li>➤ Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds [66 FR 3853, January 17, 2001]</li> <li>➤ Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federally Landscaped Grounds (April 26, 1994); Executive Order 13148, Greening the Government Through Leadership in Environmental Management (April 22, 2000).</li> <li>➤ The Animal Damage Control Act of 1931 [7 U.S.C. 426-426c] [46 stat. 1468]</li> </ul>	<ul style="list-style-type: none"> <li>➤ 50 CFR parts 17 and 22</li> <li>➤ 50 CFR part 402</li> <li>➤ 50 CFR parts 450-453</li> <li>➤ 50 CFR 600.920</li> <li>➤ MOU [among 14 Federal agencies] on Implementation of the Endangered Species Act, September 28, 1994</li> <li>➤ MOU on Using an Ecosystem Approach in Agency Decision-making, December 5, 1995</li> <li>➤ CEQ Guidance on Incorporating Biodiversity Considerations into Environmental Impact Analysis, January 1993</li> <li>➤ 50 CFR part 83</li> <li>➤ DOT Policy on Invasive Species, April 22, 1999</li> <li>➤ 50 CFR Part 10</li> <li>➤ Environmental Protection Agency, Office of the Federal Environmental Executive, Guidance for Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds (60 FR 40837, August 10, 1995)</li> <li>➤ Paragraph 3f of attachment 2; Order DOT 5610.1C</li> </ul>
<p><b><i>Floodplains</i></b></p> <ul style="list-style-type: none"> <li>➤ Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951)</li> <li>➤ Appropriate State and local construction statutes</li> </ul>	<ul style="list-style-type: none"> <li>➤ Order DOT 5650.2, Floodplain Management and Protection</li> <li>➤ Federal Emergency Management Agency "Protecting Floodplain Resources: A Guidebook for Communities," 1996</li> </ul>
<p><b><i>Hazardous Materials, Pollution Prevention and Solid Waste</i></b></p> <ul style="list-style-type: none"> <li>➤ Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (as amended by the Superfund Amendments and Reauthorization Act of 1986 and the Community Environmental Response Facilitation Act of 1992) [42 U.S.C. 9601-9675]</li> </ul>	<ul style="list-style-type: none"> <li>➤ 40 CFR parts 300, 311, 355, and 370</li> </ul>

**Federal Statutes, Regulations, Executive Orders, and Guidance**

<b>Statute</b>	<b>Regulations and Guidance</b>
<ul style="list-style-type: none"> <li>➤ Pollution Prevention Act of 1990 [42 U.S.C. 1310-1319]</li> <li>➤ Toxic Substances Control Act of 1976, as amended (TSCA) [15 U.S.C. 2601-2692] [PL 94-469]</li> <li>➤ Resource Conservation and Recovery Act of 1976 (RCRA) [PL 94-580, as amended by the Solid Waste Disposal Act of 1980 (SWDA), PL 96-482, the Hazardous and Solid Waste Amendments of 1984, PL 98-616, and the Federal Facility Compliance Act of 1992, (FFCA) PL 103-386] [42 U.S.C. 6901-6992(k)]</li> <li>➤ Executive Order 12088, Federal Compliance with Pollution Control Standards, October 13, 1978 (43 FR 47707), amended by Executive Order 12580, January 23, 1987 (52 FR 2923) January 29, 1987</li> <li>➤ Executive Order 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements (58 FR 41981, August 3, 1993)</li> <li>➤ Executive Order 12580, Superfund Implementation, amended by Executive Order 13016 and 12777</li> </ul>	<ul style="list-style-type: none"> <li>➤ CEQ Memorandum on Pollution Prevention and the National Environmental Policy Act, January 12, 1993 (58 FR 6478)</li> <li>➤ 40 CFR parts 761 and 763</li> <li>➤ 40 CFR parts 240-280</li> </ul>
<p><b><i>Historical, Architectural and Cultural Resources</i></b></p>	
<p><b><i>Laws Governing National Preservation Programs, National Natural Landmarks and National Historic Landmarks:</i></b></p>	
<ul style="list-style-type: none"> <li>➤ National Historic Preservation Act of 1966, as amended, including Executive Order 11593, Protection and Enhancement of the Cultural Environment (36 FR 8921, May 13, 1971) [16 U.S.C. 470, 470 note] [PL 102-575 (1992)]</li> </ul>	<ul style="list-style-type: none"> <li>➤ 36 CFR parts 60 (National Register of Historic Places (NRHP)), 61 (State and Local Preservation Programs), 62.1 (National Natural Landmarks), 63 (NRHP), 65, 65.1 (National Historic Landmarks), 68 (standards), 73 (World Heritage Program), 78 (waiver of Federal agency section 110 responsibilities), 79 (curation) and 800 (consultation), as revised (65 FR 77697; December 12, 2000, effective January 1, 2001)</li> </ul>
<p><b><i>Laws Governing the Federal Archeology Program:</i></b></p>	
<ul style="list-style-type: none"> <li>➤ Antiquities Act of 1906 [16 U.S.C. 431,</li> </ul>	<ul style="list-style-type: none"> <li>➤ 43 CFR part 3</li> </ul>

432, 433] [PL 59-209 (1906)]	➤ 25 CFR part 261
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<b>Statute</b>	<b>Regulations and Guidance</b>
➤ Archaeological and Historic Preservation Act of 1974, as amended [16 U.S.C. 469-469c] [PL 89-665]	➤ Guidelines for Archeology and Historic Preservation: Standards and Guidelines (DOI) (48 FR 44716, September 29, 1983) ➤ 36 CFR part 68
➤ Archaeological Resources Protection Act of 1979, as amended [16 U.S.C. 470aa-470mm] [PL 96-95 (1979)]	➤ 43 CFR parts 3 and 7 ➤ 36 CFR part 79 ➤ 25 CFR part 262 ➤ Federal Archeological Preservation Strategy
➤ Native American Graves Protection and Repatriation Act of 1990 [25 U.S.C. 3001] [PL 101-601 (1990)]	➤ 43 CFR part 10 ➤ 25 CFR 262.8
<b><i>Other Major Federal Historic and Cultural Resource Preservation Laws and Executive Orders:</i></b>	
➤ American Indian Religious Freedom Act of 1978 [ 42 U.S.C. 1996, 1996 note] [PL 95-341 (1978)]	➤ 43 CFR 7.7 and 7.32 ➤ 25 CFR 262.7
➤ Department of Transportation Act [49 U.S.C. 303]	
➤ Public Building Cooperative Use Act of 1976 [40 U.S.C. 601(a), 601(a)(1), 606, 611(c), 612(a)(4)] [PL 94-541]	➤ 41 CFR parts 101-17, 101-17.002(l), (m), (n) (rural areas), 101.17.002(i)(2) (urban areas), and 101-19
➤ Executive Order 13006, Locating Federal Facilities on Historic Properties in Our Nation's Central Cities (61 FR 26071, May 24, 1996)	
➤ Executive Order 13007, Indian Sacred Sites (61 FR 26771, May 29, 1996)	
➤ Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (65 FR 67249, November 9, 2000), and the Presidential Memorandum of April 29, 1994, Government-to-government Relations with Native American Tribal Governments.	
➤ Executive Order 11593, Protection and Enhancement of the Cultural Environment (36 FR 8921, May 13, 1971) (16 U.S.C. 470 note)	

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<b>Statute</b>	<b>Regulations and Guidance</b>
<p><b><i>Light Emissions and Visual Impacts</i></b></p> <ul style="list-style-type: none"> <li>➤ There are no special purpose laws for light emissions and visual impacts.</li> </ul>	
<p><b><i>Natural Resources and Energy Supply</i></b></p> <ul style="list-style-type: none"> <li>➤ There are no special purpose laws for natural resources and energy supply.</li> </ul>	
<p><b><i>Noise</i></b></p> <ul style="list-style-type: none"> <li>➤ 49 U.S.C. 47501-47507 (Aviation Safety and Noise Abatement Act of 1979, as amended)</li> <li>➤ 49 U.S.C. 40101 et seq., as amended by PL 103-305 (Aug. 23, 1994) (The Federal Aviation Act of 1958)</li> <li>➤ The Control and Abatement of Aircraft Noise and Sonic Boom Act of 1968</li> <li>➤ 49 U.S.C. 47101 et seq., as amended by PL 103-305 (Aug. 23, 1994) (The Airport and Airway Improvement Act)</li> <li>➤ 49 U.S.C. 2101 et seq. (Airport Noise and Capacity Act of 1990)</li> <li>➤ 49 U.S.C. 44715 (The Noise Control Act of 1972)</li> </ul>	<ul style="list-style-type: none"> <li>➤ 14 CFR part 150</li> <li>➤ Noise Control and Compatibility Planning for Airports Advisory Circular, 150/5020</li> <li>➤ 14 CFR part 161 Notice and Approval of Airport Noise and Access Restrictions</li> </ul>
<p><b><i>Socioeconomic Impacts, Environmental Justice and Children's Environmental Health and Safety Risks</i></b></p> <ul style="list-style-type: none"> <li>➤ Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994).</li>   <li>➤ Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks (62 CFR 19883, April 23, 1997).</li> </ul>	<ul style="list-style-type: none"> <li>➤ Order DOT 5610.2, Environmental Justice in Minority and Low-Income Populations, April 15, 1997</li> <li>➤ CEQ Environmental Justice: Guidance Under the National Environmental Policy Act, December 10, 1997</li> <li>➤ Final Guidance For Consideration of Environmental Justice in Clean Air Act 309 Reviews, July 1999.</li>   <li>➤ 40 CFR 1508.27</li> </ul>

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<b>Statute</b>	<b>Regulations and Guidance</b>
<ul style="list-style-type: none"> <li>➤ Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 [42 U.S.C. 4601] [PL 91-528 amended by the Surface Transportation and Uniform Relocation Act Amendments of 1987, PL 100-117]</li> </ul>	<ul style="list-style-type: none"> <li>➤ FAA Advisory Circular 150/5100-17</li> <li>➤ 49 CFR part 24</li> <li>➤ FAA Order 5100.37A, Land Acquisition and Relocation Assistance for Airport Projects.</li> </ul>
<p><b><i>Water Quality</i></b></p> <ul style="list-style-type: none"> <li>➤ Federal Water Pollution Control Act, as amended, known as the Clean Water Act [33 U.S.C. 1251-1387] [PL 92-500, as amended by the Clean Water Floodplains and Floodways Act of 1977, 33 U.S.C. 1252, PL 95-217, and PL 100-4]; as amended by the Oil Pollution Act of 1990 (section 311 of the Clean Water Act.</li> <li>➤ Safe Drinking Water Act, as amended (SDWA, also known as the Public Health Service Act) [42 U.S.C. 300f to 300j-26] [PL 104-182]</li> <li>➤ Fish and Wildlife Coordination Act of 1980 [16 U.S.C. 661-666c] [PL 85-624]</li> </ul>	<ul style="list-style-type: none"> <li>➤ 40 CFR parts 110-112, 116, 117, 122, 125, 129, 130, 131,136, and 403</li> </ul>
<p><b><i>Wetlands</i></b></p> <ul style="list-style-type: none"> <li>➤ Clean Water Act, section 404 [33 U.S.C. 1344] [PL 92-500, as amended by PL 95-217 and PL 100-4]</li> <li>➤ Rivers and Harbors Act of 1899, section 10</li> <li>➤ Executive Order 11990, Protection of Wetlands (May 24, 1977) (42 FR 26961)</li> </ul>	<ul style="list-style-type: none"> <li>➤ 33 CFR parts 320–330</li> <li>➤ Order DOT 5660.1A, Preservation of the Nation’s Wetlands</li> </ul>
<p><b><i>Wild and Scenic Rivers</i></b></p> <ul style="list-style-type: none"> <li>➤ Wild and Scenic Rivers Act of 1968 [16 U.S.C. 1271-1287] [PL 90-542 as amended by PL 96-487]</li> </ul>	<ul style="list-style-type: none"> <li>➤ 36 CFR part 297, subpart A (USDA Forest Service)</li> <li>➤ Department of the Interior and Department of Agriculture, Wild and Scenic River Guidelines for Eligibility, Classification and Management of River Areas (47 FR 39454, September 7, 1982)</li> <li>➤ CEQ Memorandum on Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory, August 11, 1980 (45 FR 59190, September 8, 1980)</li> </ul>

