

APPENDIX E:

**FEDERAL AND STATE REGULATORY REQUIREMENTS
POTENTIALLY APPLICABLE WHEN DESIGNATING ENERGY CORRIDORS**

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APPENDIX E:**FEDERAL AND STATE REGULATORY REQUIREMENTS POTENTIALLY APPLICABLE WHEN DESIGNATING ENERGY CORRIDORS**

The tables¹ that follow list the major federal and state laws and Executive Orders that establish requirements, permits, approvals, or consultations that may apply to the designation of energy corridors in the 11 western states that are the subject of this Programmatic Environmental Impact Statement (PEIS). The general application of these federal and state authorities and other regulatory considerations associated with energy corridors are discussed in Chapter 1.

The tables are divided into general environmental impact categories. The citations in the tables are those of the general statutory authority that governs the indicated category of activities to be undertaken under the Proposed Action and the No Action Alternative. Under such statutory authority, the lead federal and state agencies may have promulgated implementing regulations that set forth the detailed procedures for permitting and compliance.

Definitions of abbreviations used in the tables are provided here.

ARS	<i>Arizona Revised Statutes</i>
CFR	<i>Code of Federal Regulations</i>
CRS	<i>Colorado Revised Statutes</i>
IC	<i>Idaho Code</i>
MCA	<i>Montana Code Annotated</i>
NMSA	<i>New Mexico Statutes Annotated</i>
NRS	<i>Nevada Revised Statutes</i>
ORS	<i>Oregon Revised Statutes</i>
P.L.	<i>Public Law</i>
RCW	<i>Revised Code of Washington</i>
UCA	<i>Utah Code Annotated</i>
USC	<i>United States Code</i>
WS	<i>Wyoming Statutes</i>

¹ Shaded text indicates portions of the document that underwent revision between the draft and the final PEIS in response to comments received during the public comment period as well as additional information provided by local federal land managers and resource specialists.

TABLE E-1 Air Quality

Authority	Citation
Federal	Clean Air Act (42 USC 7401 et seq.)
Arizona	Air Quality (ARS 49-401 et seq.)
California	Air Resources (Health and Safety Code, Section 39000 et seq.)
Colorado	Air Quality Control (CRS 25-7-101 et seq.)
Idaho	Registration of Persons Engaged in Operations or Construction Where Air Pollution Is a Factor – Reports (IC 39-110) Pollution Source Permits (IC 39-115) Relationship to Federal Law (IC 39-118B)
Montana	Air Quality (MCA 75-2-101 et seq.)
Nevada	Air Pollution (NRS 445B.100 et seq.)
New Mexico	Air Pollution (NMSA 74-2-1 et seq.)
Oregon	Air Quality (ORS 468A.005 et seq.)
Utah	Air Conservation Act (UCA 19-2-101 et seq.)
Washington	Washington Clean Air Act (RCW 70.94.011 et seq.)
Wyoming	Air Quality (WS 35-11-201 et seq.)

TABLE E-2 Cultural Resources

Authority	Citation
Federal	<p>Native American Graves Protection and Repatriation Act (25 USC 3001 et seq.)</p> <p>American Indian Religious Freedom Act (42 USC 1996 et seq.)</p> <p>Archeological Resources Protection Act (16 USC 470(aa) et seq.)</p> <p>Archeological and Historic Preservation Act (16 USC 469 et seq.)</p> <p>Historic Sites, Buildings, and Antiquities Act (Historic Sites Act) (16 USC 461 et seq.)</p> <p>Antiquities Act (16 USC 431 et seq.)</p> <p>National Historic Preservation Act (16 USC 470 et seq.)</p> <p>Theft and Destruction of Government Property (18 USC 641 et seq., 1361 et seq.)</p> <p>Executive Order 11593, "Protection and Enhancement of the Cultural Environment," May 13, 1971</p> <p>Executive Order 13007, "Indian Sacred Sites," May 24, 1996</p> <p>Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments," Nov. 6, 2000</p> <p>Executive Order 13287, "Preserve America," Mar. 3, 2003</p>
Arizona	<p>Duties; Board; Partnership Fund; State Historic Preservation Officer (ARS 41-511.04)</p> <p>Arizona Historical Society (ARS 41-821 et seq.)</p> <p>Archeological Discoveries (ARS 41-841 et seq.)</p> <p>Historic Preservation (ARS 41-861 et seq.)</p>
California	Historical Resources (Public Resources Code, Section 5020 et seq.)
Colorado	<p>Historical, Prehistorical, and Archeological Resources (CRS 24-80-401 et seq.)</p> <p>Unmarked Human Graves (CRS 24-80-1301 et seq.)</p>
Idaho	<p>Idaho Archeological Survey (IC 33-3901 et seq.)</p> <p>Protection of Graves (IC 27-501 et seq.)</p> <p>Preservation of Historic Sites (IC 67-4601)</p>
Montana	<p>Antiquities (MCA 22-3-401 et seq.)</p> <p>Human Skeletal Remains and Burial Site Protection (MCA 22-3-801 et seq.)</p> <p>Repatriation of Human Remains and Funerary Objects (MCA 22-3-901 et seq.)</p>
Nevada	Historic Preservation and Archeology (NRS 383.011 et seq.)
New Mexico	Cultural Properties (NMSA 18-6-1 et seq.)
Oregon	<p>Historic Property (ORS 358.475 et seq.)</p> <p>Indian Graves and Protected Objects (ORS 97.740 et seq.)</p>
Utah	<p>History Development (UCA 9-8-102 et seq.)</p> <p>Native American Graves Protection and Repatriation Act (UCA 9-9-102 et seq.)</p>
Washington	<p>Archeological Sites and Resources (RCW 27.53.010 et seq.)</p> <p>Indian Graves and Records (RCW 27.44.020 et seq.)</p> <p>State Historical Societies – Historic Preservation (RCW 27.34.010 et seq.)</p>
Wyoming	Protection of Prehistoric Ruins (WS 36-1-114 et seq.)

TABLE E-3 Energy Projects

Authority	Citation
Federal	Natural Gas Act (15 USC 717 et seq.) Natural Gas Policy Act (15 USC 3301 et seq.) Federal Power Act (16 USC 791a et seq.) Public Utilities Regulatory Policies Act (16 USC 2601 et seq.) Energy Supply and Environmental Coordination Act (15 USC 791 et seq.) Energy Policy and Conservation Act (42 USC 6201 et seq.) Surface Mining Control and Reclamation Act (30 USC 1201 et seq.) Accountable Pipeline Safety and Partnership Act of 1996 (49 USC 60101 et seq.) Energy Policy Act of 2005 (P.L. 109-58) Executive Order 10485, "Providing for the Performance of Certain Functions Heretofore Performed by the President with Respect to Electric Power and Gas Facilities Located on the Borders of the United States," Sept. 3, 1953 Executive Order 13337, "Issuance of Permits with Respect to Certain Energy-Related Facilities and Land Transportation Crossings on International Boundaries of the United States," May 11, 2004
Arizona	Power Plant and Transmission Line Siting Committee (ARS 40-360 et seq.)
California	Power Facility and Site Certification (Public Resources Code, Section 25500 et seq.) Certificates of Public Convenience and Necessity (Public Utilities Code, Section 1001 et seq.)
Colorado	Local Government Regulation – Location, Construction, or Improvement of Major Electrical or Natural Gas Facilities – Legislative Declaration (CRS 29-20-108) New Construction-Extension (CRS 40-5-101)
Idaho	Powers and Duties of Public Utilities Commission (IC 61-501 et seq.) Certificate of Convenience and Necessity (IC 61-526 et seq.) Idaho Energy Resources Authority Act (IC 67-8901 et seq.)
Montana	Major Facility Siting (MCA 75-20-101 et seq.) Regulation of Utilities (MCA 69-3-101 et seq.) Utility Lines and Facilities (MCA 69-4-101 et seq.) Pipeline Carriers (MCA 69-13-101 et seq.)
Nevada	Construction of Utility Facilities: Utility Environmental Protection Act (NRS 704.820 et seq.) Oil Pipelines (NRS 708.010 et seq.)
New Mexico	Electric, Gas, and Water Utilities (NMSA 62-1-1 et seq.)
Oregon	Regulation of Energy Facilities (ORS 469.300 et seq.) Energy Facility Siting Council (ORS 469.450 et seq.) Publicly Owned Utilities (ORS 469.649 et seq.) Pacific Northwest Electric Power and Conservation Planning Council (ORS 469.802 et seq.) Small Scale Local Energy Projects (ORS 470.050 et seq.) Utility Regulation Generally (ORS 757.005 et seq.) Rights of Way (ORS 758.010 et seq.) Underground Electric and Communication Facilities (ORS 758.210 et seq.)

TABLE E-3 (Cont.)

Authority	Citation
Oregon (Cont.)	Electric and Gas Utilities; Allocation of Territories and Customers (ORS 758.400 et seq.) Cogeneration and Small Power Production Facilities (ORS 758.505 et seq.)
Utah	Electric Power Facilities Act (UCA 54-9-101 et seq.) Natural Gas Pipeline Safety (UCA 54-13-1 et seq.) Electricity Facility Review Board Act (UCA 54-14-101 et seq.)
Washington	Energy Facilities – Site Locations (RCW 80.50.010 et seq.) Gas and Hazardous Liquid Pipelines (RCW 81.88.005 et seq.)
Wyoming	Industrial Development and Siting (WS 35-12-101 et seq.) Electric Utilities (WS 37-16-101 et seq.) Wyoming Energy Commission (WS 30-7-101)

TABLE E-4 Floodplains and Wetlands

Authority	Citation
Federal	Clean Water Act (33 USC 1344) Rivers and Harbors Act of 1899 (33 USC 401 et seq.) Executive Order 11988, "Floodplain Management," May 24, 1977 Executive Order 11990, "Protection of Wetlands," May 24, 1977
Arizona	Floodplain Delineation, Regulation of Use (ARS 48-3609)
California	Wetlands Preservation (Keene-Nejedly California Wetlands Preservation Act) (Public Resources Code, Section 5810 et seq.) Cobey-Alquist Flood Plain Management Act (Water Code, Section 8400 et seq.)
Colorado	Drainage of State Lands (CRS 37-30-101 et seq.) Marsh Land (CRS 37-33-101 et seq.)
Idaho	Local Governments May Adopt Floodplain Zoning Ordinances (IC 46-1022)
Montana	Aquatic Ecosystem Protections (MCA 75-7-101 et seq.) Flood Plain and Floodway Management (MCA 76-5-101 et seq.)
Nevada	Establishment, Use and Operation of Wetland Mitigation Bank (NRS 244.388) Contents of Regional Plans (NRS 278.0274)
New Mexico	Additional County and Municipal Powers; Flood and Mudslide Hazard Areas; Floodplain Permits; Land Use Control; Jurisdiction; Agreement (NMSA 3-18-7(C))
Oregon	Drainage and Flood Control Generally (ORS 549.010 et seq.) Wetlands (ORS 196.600 et seq.) Wetlands Conservation Plans (ORS 196.668 et seq.) Removal of Material; Filling (ORS 196.795 et seq.) Submersible and Submerged Lands (ORS 274.005 et seq.)
Utah	Siting Criteria (UCA 19-3-307)
Washington	Wetlands Mitigation Banking (RCW 90.84.005 et seq.) Floodplain Management (RCW 86.16.010 et seq.)
Wyoming	Wyoming Wetlands Act (WS 35-11-308 et seq.)

TABLE E-5 Groundwater, Drinking Water, and Water Rights

Authority	Citation
Federal	Safe Drinking Water Act (42 USC 300(f) et seq.)
Arizona	Water Quality Control (ARS 49-201 et seq.) Groundwater Code (ARS 45-401 et seq.) Appropriation of Water (ARS 45-151 et seq.)
California	California Safe Drinking Water Act (Health and Safety Code, Section 116270 et seq.) Water (Water Code, Section 1000 et seq.)
Colorado	Water Right Determination and Administration (CRS-37-92-101 et seq.) Water Quality Control (CRS 25-8-101 et seq.)
Idaho	Irrigation and Drainage – Water Rights and Reclamation (IC 42-101 et seq.) Groundwater Recharge (IC 42-4201) Domestic Water to Be Protected (IC 37-2102) State Policy on Environmental Protection (IC 39-102)
Montana	Surface Water and Groundwater (MCA 85-2-101 et seq.) Public Water Supplies, Distribution and Treatment (MCA 75-6-101 et seq.)
Nevada	Underground Water and Wells (NRS 534.010 et seq.) Public Water Systems (NRS 445A.800 et seq.)
New Mexico	Compliance with Federal Safe Drinking Water Act (NMSA 74-1-12) Water Rights in General (NMSA 72-1-1 et seq.) Appropriation and Use of Surface Water (NMSA 72-5-1 et seq.) Ground Water Storage and Recovery (NMSA 72-5A-1 et seq.) Underground Waters (NMSA 72-12-1 et seq.)
Oregon	Ground Water (ORS 468B.150 et seq.) Water Systems (ORS 448.115 et seq.) Potable Water Treatment Plants (ORS 448.405 et seq.) Water Resources Administration (ORS 536.007 et seq.) Appropriation of Water Generally (ORS 537.010 et seq.) Withdrawal of Certain Waters from Appropriation; Special Municipal and County Water Rights (ORS 538.010 et seq.) Determination of Water Rights Initiated before February 24, 1909; Determination of Water Rights of Federally Recognized Indian Tribes (ORS 539.005 et seq.) Distribution of Water; Watermasters; Change in Use, Transfer, or Forfeiture of Water Rights (ORS 540.010 et seq.) Watershed Enhancement and Protection; Water Development Projects; Miscellaneous Provisions on Water Rights; Stewardship Agreements (ORS 541.010 et seq.)
Utah	Safe Drinking Water Act (UCA 19-4-101 et seq.) Ground Water Recharge and Recovery Act (UCA 73-3b-101 et seq.) Appropriation (UCA 73-3-1 et seq.) Determination of Water Rights (UCA 73-4-1 et seq.) Withdrawal of Unappropriated Water (UCA 73-6-1 et seq.)

TABLE E-5 (Cont.)

Authority	Citation
Washington	Aquifer Protection Areas (RCW 36.36.010 et seq.) Public Water Supply Systems – Operators (RCW 70.119.010 et seq.) Public Water Supply Systems – Penalties and Compliance (RCW 70.119A.020 et seq.) Water Code (RCW 90.03.005 et seq.) Water Rights – Registration – Waiver and Relinquishment (RCW 90.14.010) Appropriation of Water for Public and Industrial Purposes (RCW 90.16.010 et seq.) Water Rights of the United States (RCW 90.40.010 et seq.) Water Resource Management (RCW 90.42.005 et seq.) Regulation of Public Ground Waters (RCW 90.44.020 et seq.)
Wyoming	Water Rights; Administration and Control (WS 41-3-101) Board of Control; Adjudication of Water Rights (WS 41-4-101)

TABLE E-6 Hazardous Materials

Authority	Citation
Federal	Hazardous Materials Transportation Act (49 USC 5101 et seq.) Emergency Planning and Community Right-to-Know Act of 1986 (42 USC 11001 et seq.) Oil Pollution Control Act (33 USC 2701 et seq.) Pollution Prevention Act of 1990 (42 USC 13101 et seq.) Executive Order 12856, "Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements," Aug. 3, 1993
Arizona	Transporting Hazardous Material; Violation; Classification (ARS 28-1523) Emergency Panning and Community Right-to-Know Act (ARS 26-341 et seq.)
California	Unified Hazardous Waste and Hazardous Materials Management and Regulatory Program (Health and Safety Code, Section 25404 et seq.) Hazardous Materials Release Response Plans and Inventory (Health and Safety Code, Section 25500 et seq.) Safe Drinking Water and Toxics and Enforcement Act of 1986, Section 25249.5
Colorado	Implementation of Title III of Superfund Act (CRS 24-32-2601 et seq.) Hazardous Substances (CRS 25-5-501 et seq.) Pollution Prevention (CRS 25-16.5-101 et seq.)
Idaho	Hazardous Substances Emergency Response Act (IC 39-7101 et seq.) Hazardous Materials/Hazardous Waste Transportation Enforcement (IC 49-2201 et seq.)
Montana	Response to Hazardous Materials Incidents Act (MCA 10-3-1201 et seq.)
Nevada	Regulation of Highly Hazardous Substances and Explosives (NRS 459.380 et seq.) Handling of Hazardous Materials (NRS 459.700 et seq.)
New Mexico	Hazardous Chemicals Information Act (NMSA 74-4E-1 et seq.) Hazardous Material Transportation (NMSA 74-4F-1 et seq.)
Oregon	Spill Response and Cleanup of Hazardous Materials (ORS 466.605 et seq.) Oil and Hazardous Material Spillage (ORS 468B.300 et seq.) Hazardous Substances; Radiation Sources (ORS 453.001 et seq.) Applicability of Hazardous Material Safety Regulations; Rules (ORS 823.061)
Utah	Hazardous Materials – Transportation Regulations (UCA 41-6a-1639) Hazardous Materials Emergency – Recovery of Expenses (UCA 53-2-105)
Washington	Oil and Hazardous Substance Spill Prevention and Response (RCW 90.56.005 et seq.) Hazardous Substance Information (RCW 70.102.010 et seq.) Hazardous Materials Incidents (RCW 70.136.010 et seq.)
Wyoming	Authority of Department to Adopt Rules and Regulations Governing...Hazardous Materials (WS 31-18-303)

TABLE E-7 Hazardous Waste and Polychlorinated Biphenyls (PCBs)

Authority	Citation
Federal	Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act and the Hazardous Solid Waste Amendments of 1984 (42 USC 6901 et seq.) Toxic Substances Control Act (15 USC 2601)
Arizona	Hazardous Waste Disposal (ARS 49-901 et seq.)
California	Hazardous Waste Control (Health and Safety Code, Section 25100 et seq.)
Colorado	Hazardous Waste (CRS 25-15-101 et seq.)
Idaho	Hazardous Waste Management (IC 39-4401 et seq.) PCB Waste Disposal (IC 39-6201 et seq.)
Montana	Hazardous Waste Management (MCA 75-10-401 et seq.)
Nevada	Disposal of Hazardous Waste (NRS 459.400 et seq.)
New Mexico	Hazardous Wastes (NMSA 74-4-1 et seq.) Hazardous Waste Feasibility Studies (NMSA 74-4C-1 et seq.)
Oregon	Hazardous Waste and Hazardous Materials I (ORS 465.003 et seq.) Hazardous Waste and Hazardous Materials II (ORS 466.005 et seq.)
Utah	Solid and Hazardous Waste Act (UCA 19-6-101 et seq.)
Washington	Hazardous Waste Management (RCW 70.105.005 et seq.)
Wyoming	Solid Waste Management (WS 35-11-501 et seq.)

TABLE E-8 Land Use

Authority	Citation
Federal	Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.) BLM Right of Way Regulations (43 CFR 2800 et al.) Mineral Leasing Act (30 USC 181 et seq.) BLM Right of Way Regulations (43 CFR 2800 et al.) Coastal Zone Management Act, as amended by Coastal Zone Reauthorization Amendments of 1990 (16 USC 1451 et seq.) Wild and Scenic Rivers Act (16 USC 1271 et seq.) National Trails System Act (16 USC 1241 et seq.) National Park Service Organic Act (16 USC 1 et seq.) National Wildlife Refuge System Administration Act (16 USC 668dd) Wilderness Act (16 USC 1311 et seq.) Federal Land Exchange Facilitation Act (43 USC 1716) Federal Land Transaction Facilitation Act (43 USC 2301 et seq.) Farmland Protection and Policy Act (7 USC 4201) Soil and Water Resources Conservation Act of 1977 (16 USC 2001 et seq.) Sikes Act, as amended by the Sikes Act Improvement Act, 16 USC 670a et seq.) Federal Cave Resources Protection Act of 1988, 16 USC 4301 et seq.) Oregon and California Grant Lands Act of 1937 (43 USC 1181 a, b, d-f) The Northwest Forest Plan
Arizona	Public Lands (ARS 37-101 et seq.) Administration of State and Other Public Lands (ARS 37-201 et seq.) Acts of Congress Relating to State and Federal Lands (ARS 37-701 et seq.) Natural Resource Conservation District (ARS 37-1001) State Claims to Streambeds (ARS 37-1101) Arizona Agricultural Protection Act (ARS 3-3301)
California	California Wild and Scenic Rivers Act (Public Resources Code, Section 5093.50 et seq.) Coastal Resources and Energy Assistance (Public Resources Code, Section 35000 et seq.)
Colorado	Areas and Activities of State Interest (CRS 24-65.1-101 et seq.) Local Government Land Use Control Enabling Act (CRS 29-20-101 et seq.) County Planning (CRS 30-28-101 et seq.) (Municipal) Planning and Zoning (CRS 31-23-101 et seq.)
Idaho	Local Land Use Planning (IC 67-6501 et seq.)
Montana	Land Use Regulations (MCA 76-15-701 et seq.) Wild and Scenic Resources (MCA 76-12-101 et seq.) Timber Resources (MCA 76-13-101 et seq.) Rangeland Resources (MCA 76-14-101 et seq.)
Nevada	Regulations for Use of Land (NRS 548.410 et seq.) Planning and Zoning (NRS 278.010 et seq.)

TABLE E-8 (Cont.)

Authority	Citation
New Mexico	Land Development Fees and Rights (NMSA 5-8-1 et seq.) Land Use Easements (NMSA 47-12-1 et seq.) Natural Lands Protection (NMSA 75-5-1 et seq.) Rangeland Protection (NMSA 76-7B-1 et seq.) Range Management Plans (NMSA 76-7C-1) Zoning Regulations (NMSA 3-21-1 et seq.)
Oregon	Comprehensive Land Use Planning Coordination (ORS 197.005 et seq.) County Planning, Zoning, Housing Codes (ORS 215.010 et seq.) City Planning and Zoning (ORS 227.010 et seq.) Use and Disposition of Public Lands (ORS 271.005 et seq.)
Utah	Quality Growth Act (UCA 11-38-101 et seq.) Environmental Institutional Control Act (UCA 19-10-101 et seq.) Municipal Land Use, Development, and Management (UCA 10-9a-101 et seq.) County Land Use, Development, and Management (UCA 17-27a-101 et seq.) Critical Land Near State Prison – Definitions – Preservation as Open Land – Management and Use of Land – Restrictions on Transfer – Wetlands Development – Conservation Easement (UCA 23A-5-222)
Washington	Shoreline Management Act of 1971 (RCW 90.58.010 et seq.) Public Lands Management – General (RCW 79.02.010 et seq.) Mineral, Coal, Oil, and Gas Leases (RCW 79.14.010 et seq.) Easements over Public Lands (RCW 79.36.310 et seq.) Natural Area Preserves (RCW 79.70.010 et seq.) Washington Natural Resources Conservation Areas (RCW 79.71.010 et seq.) (Counties) Planning Enabling Act (RCW 36.70.010 et seq.) (Counties) Growth management – planning by selected counties and cities (RCW 36.70A.010 et seq.)
Wyoming	Land Quality (WS 35-11-401 et seq.) Mineral Leases (WS 36-6-101 et seq.) Carey Act Lands (WS 36-7-101 et seq.) Sale of State Lands (WS 36-9-101 et seq.) United States Lands (WS 36-10-101 et seq.) State Control of Certain Land (WS 36-12-101 et seq.) (Counties) Planning and Zoning (WS 18-5-101 et seq.)

TABLE E-9 Noise

Authority	Citation
Federal	Noise Control Act, as amended by Quiet Communities Act (42 USC 4901 et seq.)
Arizona	No specific primary statutory authority
California	Noise Control Act (Health and Safety Code, Section 46000 et seq.)
Colorado	Noise Abatement (CRS 25-12-101 et seq.)
Idaho	No specific primary statutory authority
Montana	No specific primary statutory authority
Nevada	Prevention of Excessive Noise (NRS 244.363)
New Mexico	No specific primary statutory authority Nuisances and Offenses; Regulations and Prohibitions (NMSA 3-18-17) Board; duties (NMSA 74-1-8(6))
Oregon	Noise Control (ORS 467.010 et seq.)
Utah	No specific primary statutory authority
Washington	Noise Control (RCW 70.107.010 et seq.)
Wyoming	No specific primary statutory authority

TABLE E-10 Paleontological Resources

Authority	Citation
Federal	<p>Federal Land Policy and Management Act of 1976 (43 USC 1701 et seq.)</p> <p>National Environmental Policy Act of 1969 (42 USC 4321 et seq.)</p> <p>Federal Cave Resources Protection Act of 1988 (16 USC 4302 et seq.)</p> <p>Archaeological Resources Protection Act (16 USC 470(aa) et seq.)</p> <p>Archaeological and Historic Preservation Act (16 USC 469-469c)</p> <p>Archeological and Paleontological Salvage Act (16 USC 305)</p> <p>Organic Act of March 3, 1879 (20 USC 59)</p> <p>Theft and Destruction of Government Property (18 USC 641 et seq., 1361 et seq.)</p> <p>National Wildlife Refuge System Administration Act (16 USC 668dd)</p> <p>Executive Order 11593, "Protection and Enhancement of the Cultural Environment," May 13, 1971</p>
Arizona	<p>Archeological Discoveries (ARS 41-841 et seq.)</p> <p>State Museum Responsibilities include Paleontological Resources (ARS 15-1631)</p> <p>Paleontological Resources Are Heritage Resources (M06-388) (ARS 41-821 et seq.)</p> <p>State Lands: Fossils Belong to the Mineral Estate (ARS 37-231, AAC R12-5-1807)</p>
California	<p>Archeological, Paleontological, and Historical Sites (Public Resources Code, 5097.1 et seq.)</p> <p>State Lands: Fossils Belong to the Mineral Estate (PRC 6407)</p> <p>Protection of Paleontological Resources (PRC 5097-5097.6, PRC 30244)</p>
Colorado	<p>Historical, Prehistorical, and Archeological Resources (CRS 24-80-401 et seq.)</p> <p>Paleontological Resources Are Prehistorical Resources Reserved to the State (CRS 24 80 401)</p>
Idaho	<p>Protection of Archeological and Vertebrate Paleontological Sites and Resources (IC 67-4119 and 4120)</p> <p>Vertebrate Paleontological Sites and Resources Are Protected (IS 67-4121)</p>
Montana	<p>Antiquities (MCA 22-3-421 et seq.)</p> <p>Paleontological Remains Belong to the State and Are Protected (MCA 22-3 Part 4)</p>
Nevada	<p>Preservation of Prehistoric and Historic Sites (NRS 381.195 et seq.)</p> <p>Paleontological Sites Belong to the State and Are Protected (NRS 381.195-381.227, NRS 321.5977)</p>
New Mexico	<p>Cultural Properties (NMSA 18-6-1 et seq.)</p> <p>Theft and Destruction of Paleontological Sites (NMAC 19.2.19.16)</p>
Oregon	<p>Permits and Conditions for Excavation or Removal of Archaeological or Historical Material (ORS 390.235)</p> <p>Paleontological Resources are Protected under the Natural Heritage Program (ORS 273.563 to 273.591)</p>
Utah	<p>Permit Required to Excavate Critical Paleontological Resources (UCA 63-73-12 and 13)</p> <p>Paleontological Resources (UC 63-73 et seq.)</p>

TABLE E-10 (Cont.)

Authority	Citation
Washington	Powers and Duties of Fish and Wildlife (RCW 77.12) (authorizes WAC 232-12-251, Removal of Minerals, Wood, and Artifacts from Department Lands) Fossils Are Property That belong to the State (RCW 79.01.748, WAC 232-12-251)
Wyoming	Protection of Prehistoric Ruins (WS 36-1-114 et seq.) Paleontological Deposits Are Protected (WS 36-1-114-116; WS 36-2-107; WSLCR Ch. 11)

TABLE E-11 Pesticides and Noxious Weeds

Authority	Citation
Federal	Federal Insecticide, Fungicide, and Rodenticide Act (7 USC 136 et seq.) Noxious Weed Act of 1974, as amended by Sec. 15 – Management of Undesirable Plants on Federal Lands, 1990 (7 USC 2801 et seq.)
Arizona	Pesticides (ARS 3-341 et seq.) Pesticide Control (ARS 3-361 et seq.) Pesticide Contamination Prevention (ARS 49-301 et seq.)
California	Agricultural Chemicals, Livestock Remedies, and Commercial Feeds (Food and Agriculture Code, Section 12500 et seq.) Weeds (Food and Agriculture Code, Section 7201 et seq.)
Colorado	Pesticide Act (CRS 35-9-101 et seq.)
Idaho	Application of Fertilizers and Pesticides (IC 39-127) Pesticides and Chemigation (IC 22-3401 et seq.) Noxious Weeds (IC 22-2401 et seq.)
Montana	Pesticides (MCA 80-8-101 et seq.) Weed Control (MCA 80-7-701 et seq.)
Nevada	Control of Insects, Pests, and Noxious Weeds (NRS 555.005 et seq.)
New Mexico	Pesticide Control (NMSA 76-4-1 et seq.) Noxious Weed Control (NMSA 76-7-1 et seq.)
Oregon	Pesticide Control (ORS 634.005 et seq.)
Utah	Utah Pesticide Control Act (UCA 4-14-1 et seq.)
Washington	Washington Pesticide Application Act (RCW 17.21.010 et seq.) Noxious Weeds (RCW 17.10.007 et seq.)
Wyoming	Weed and Pest Control (WS 11-5-101 et seq.)

TABLE E-12 Solid Waste

Authority	Citation
Federal	Solid Waste Disposal Act (42 USC 6901 et seq.)
Arizona	Solid Waste Management (ARS 49-701 et seq.)
California	Solid Waste Handling and Disposal (Health and Safety Code, Section 117575 et seq.) Waste Management (Public Resources Code, Section 40000 et seq.)
Colorado	Solid Waste Disposal Sites and Facilities (CRS 30-20-100.5 et seq.)
Idaho	Idaho Solid Waste Facilities Act (IC 39-7401 et seq.)
Montana	Montana Solid Waste Management Act (MCA 75-10-201 et seq.)
Nevada	Collection and Disposal of Solid Waste (NRS 444.440 et seq.)
New Mexico	Solid Waste Incineration (NMSA 74-8-1 et seq.) Solid Waste Act (NMSA 74-9-1 et seq.) Solid Waste Authority (NMSA 74-10-1 et seq.)
Oregon	Solid Waste Management (ORS 459.005 et seq.) Solid Waste Recovery Generally (ORS 459A.005 et seq.)
Utah	Solid Waste Management Act (UCA 19-6-501 et seq.)
Washington	Solid Waste Management – Reduction and Recycling (RCW 70.95.010 et seq.) Solid Waste Incinerator and Landfill Operators (RCW 70.95D.010)
Wyoming	Solid Waste Management (WS 35-11-501 et seq.) Solid Waste Disposal Districts (WS 18-11-101 et seq.)

TABLE E-13 Source Water Protection

Authority	Citation
Federal	Safe Drinking Water Act (42 USC 300h et seq.)
Arizona	Aquifer Protection Permits (ARS 49-241 et seq.)
California	Water Wells and Cathodic Protection Wells (Water Code, Section 13700 et seq.) Water Supply Provisions (Public Resources Code, Section 116975 et seq.)
Colorado	Water Quality Control (CRS 25-8-101 et seq.)
Idaho	Groundwater Recharge (IC-4201)
Montana	Montana Wellhead Protection Program (MCA 75-6-120)
Nevada	Underground Water and Wells (NRS 534.010 et seq.)
New Mexico	Ground Water Protection (NMSA 74-6B-1 et seq.)
Oregon	Ground Water (ORS 468B.150 et seq.)
Utah	Water Quality Act (UCA 19-5-101 et seq.)
Washington	Protection of Ground Water Aquifers if Sole Drinking Water Source (RCW 90.54.140) Ground Water Management Areas (RCW 90.44.400)
Wyoming	Protection of Public Water Supply (WS 35-4-201 et seq.)

TABLE E-14 Water Bodies and Wastewater

Authority	Citation
Federal	Clean Water Act (33 USC 1251 et seq.)
Arizona	Water Quality Control (ARS 49-201 et seq.)
California	Water Quality (Water Code, Section 13000 et seq.)
Colorado	Water Quality Control (CRS 25-8-101 et seq.) Water and Wastewater Treatment Plant Operations (CRS 25-9-101 et seq.)
Idaho	Water Quality (IC 39-3601 et seq.)
Montana	Water Quality (MCA 75-5-101 et seq.)
Nevada	Water Pollution Control (NRS 445A.300 et seq.)
New Mexico	Water Quality (NMSA 74-6-1 et seq.)
Oregon	Water Pollution Control (ORS 468B.005 et seq.) Sewage Treatment and Disposal Systems (ORS 454.010 et seq.) Water and Sewage Systems (ORS 448.005 et seq.)
Utah	Water Quality Act (UCA 19-5-101 et seq.)
Washington	Water Pollution Control (RCW 90.48.010 et seq.) Domestic Wastewater Treatment Plans – Operators (RCW 70.95B.010 et seq.) On-site Sewage Disposal Systems (RCW 70.118.010 et seq.) Chemical Contaminants and Water Quality (RCW 70.142.010 et seq.)
Wyoming	Water Quality (WS 35-11-301 et seq.)

TABLE E-15 Vegetation and Wildlife

Authority	Citation
Federal	Fish and Wildlife Coordination Act (16 USC 661 et seq.) Bald and Golden Eagle Protection Act (16 USC 668 et seq.) National Wildlife Refuge System Administration Act (16 USC 668dd) Migratory Bird Act (16 USC 703 et seq.) Endangered Species Act (16 USC 1531 et seq.) Wild Free-Roaming Horses and Burros Act (16 USC 1331 et seq.) Executive Order 12996, "Management and General Public Use of the National Wildlife Refuge System," Mar. 25, 1996 Executive Order 13112, "Invasive Species," Feb. 3, 1999 Executive Order 13186, "Responsibilities of Federal Agencies to Protect Migratory Birds," Jan. 10, 2001
Arizona	Powers and Duties (ARS 17-231 et seq.) Taking and Handling of Wildlife (ARS 17-301 et seq.) Wildlife Habitat Protection (ARS 17-451)
California	Migratory Birds (Fish and Game Code, Section 355 et seq.) Wildlife Conservation Law of 1947 (Fish and Game Code, Section 1300 et seq.) Fish and Game Management (Fish and Game Code, Section 1500 et seq.) Fish and Wildlife Protection and Conservation (Fish and Game Code, Section 1600 et seq.) Native Species Conservation and Enhancement (Fish and Game Code, Section 1750 et seq.) Conservation of Wildlife Resources (Fish and Game Code, Section 1800 et seq.) Endangered Species (Fish and Game Code, Section 2050 et seq.) Protected Reptiles and Turtles (Fish and Game Code, Section 5000 et seq.) California Wilderness Preservation System (Public Resources Code, Section 5093.30 et seq.)
Colorado	Nongame and Endangered Species Conservation (CRS 33-2-101 et seq.) Migratory Birds – Possession of Raptors – Reciprocal Agreements (CRS 33-1-115) Protection of Fishing Streams (CRS 33-5-101 et seq.) Nongame and Endangered Species Conservation (CRS 33-2-101 et seq.) Colorado Natural Areas CRS 33-33-101 et seq.)
Idaho	Species Conservation (IC 36-2401 et seq.)
Montana	Nongame and Endangered Species (MCA 87-5-101 et seq.) Wild Birds – Regulation of Raptors (MCA 87-5-201 et seq.) Grizzly Bear (MCA 87-5-301 et seq.) Game Preserves and Closed Areas (MCA 87-5-401 et seq.) Stream Protection (MCA 87-5-501 et seq.)
Nevada	Wildlife (NRS 501.003 et seq.) Preservation of Endangered Species or Subspecies in County Whose Population Is 400,000 or More (NRS 244.386)

TABLE E-15 (Cont.)

Authority	Citation
New Mexico	Wildlife Conservation Act (NMSA 17-2-37 et seq.) Endangered Plant Species (NMSA 75-6-1 et seq.) Protection of Native New Mexico Plants (NMSA 76-8-1 et seq.) Habitat Protection (NMSA 17-6-1 et seq.)
Oregon	Application, Administration, and Enforcement of Wildlife Laws (ORS 496.002 et seq.) Threatened or Endangered Wildlife Species (ORS 496.171 et seq.) Hunting, Angling, and Trapping Regulations; Miscellaneous Wildlife Protective Measures (ORS 498.002 et seq.) Fish Passage; Fishways; Screening Devices; Hatcheries Near Dams (ORS 509.580 et seq.) Wildflowers; Threatened and Endangered Plants (ORS 564.010 et seq.)
Utah	Wildlife Resources Code of Utah (UCA 23-13-1 et seq.)
Washington	Protection of Bald Eagles and Their Habitats (RCW 77.12.650 et seq.) Fish and Wildlife Enforcement Code (RCW 77.15.005 et seq.)
Wyoming	Bird and Animal Provisions (WS 23-3-101 et seq.) Predatory Animals – Control Generally (WS 11-6-101 et seq.)

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