

Federal and Federal-State Agencies with Jurisdiction by Law or Special Expertise on Environmental Quality Issues

Under the CEQ NEPA Implementing Procedures (40 CFR §1501.6, Cooperating agencies), upon request of a lead agency preparing an EIS, any other Federal agency which has jurisdiction by law shall be a cooperating agency. In addition, any other Federal agency which has special expertise with respect to any environmental issue that should be addressed in the EIS may be a cooperating agency upon request of the lead agency. This compilation of Federal and Federal-State agencies with jurisdiction by law or special expertise on environmental quality issues was previously published as Appendix II to the CEQ NEPA Implementing Procedures.

Note: This list is not intended to be all-inclusive. There may be agencies not identified in this list that have jurisdiction by law or special expertise depending on environmental impacts and type of project.

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I. POLLUTION CONTROL

A. Air Quality

Department of Agriculture

- Agricultural Research Service (effects of air pollution on vegetative growth).
- Rural Housing Service, Rural Business-Cooperative Service (effects of air pollution on housing, community, and business loan programs, and farmer loan programs).
- Forest Service (effects of air pollution on vegetation and visibility; fire smoke management on National Forest and Grasslands); air quality monitoring of Class I wilderness areas).
- Rural Utilities Service (electric power plant emissions).
- Natural Resources Conservation Service (agricultural emissions of pollutants, including PM (coarse and fine; dust; smoke; PM precursors like ammonia); ozone precursors (NO_x and VOCs); odors; and greenhouse gases and carbon sequestration).

Department of Commerce

- National Bureau of Standards (air quality measurements, standards, data and methods).
- National Oceanic and Atmospheric Administration (meteorological and climatological research, monitoring in relation to urban air pollution; incorporation of national air quality standards in Coastal Zone Management Plans for management and protection of coastal and marine resources).

Department of Defense

- Department of the Air Force (air pollution from military aircraft).
- Department of the Army (emissions from military vehicles).

Department of Health and Human Services

- Public Health Service: Center for Disease Control (effects of air pollution on health); National Institutes of Health (effects of air pollution on health).

Department of Homeland Security

- Coast Guard (cargo tank venting and vapor recovery systems).

Department of the Interior

- Fish and Wildlife Service (effects of air pollution, including acid rain, on Endangered Species Act-listed species and critical habitats; National Wildlife Refuge System areas; migratory birds and other fish and wildlife resources).
- Geological Survey (effects of acid rain on surface and ground waters; effects of airborne contaminants to humans, endangered species, and other fish and wildlife).
- Bureau of Indian Affairs (effects of air pollution on Indian lands).
- Bureau of Land Management (effects of air pollution, including smoke from forest fires and prescribed burning, on public lands, vegetation and visibility).
- Bureau of Ocean Energy Management (approvals of emissions from outer continental shelf lease development).
- Bureau of Safety and Environmental Enforcement (compliance verification and enforcement of emissions from outer continental shelf lease operations):
 - Oil, gas, and sulphur operations on the outer continental shelf – air quality. 43 U.S.C. 1331 *et seq.*, and 42 U.S.C. 7411 (30 CFR Part 550).
- National Park Service (visibility and ecosystem effects of air pollution on National Park System resources; effects of air pollution on recreation areas and historic, archeological and architectural sites). 54 U.S.C. 306108.
- Office of Surface Mining Reclamation and Enforcement (air pollution from surface coal mining and reclamation operations; control of wind erosion at surface coal mines; control of coal waste fires).

Department of Labor

- Mine Safety and Health Administration (airborne hazards in mining operations).
- Occupational Safety and Health Administration (airborne hazards in the workplace):
 - Air contaminants, toxic and hazardous substances. 29 U.S.C. 655 *et seq.* (29 CFR Part 1910, Subpart Z).

Department of State (international aspects of air pollution).

Department of Transportation

- Federal Aviation Administration (aircraft emissions).
- Federal Highway Administration (highway related air quality impacts; vehicle emissions):
 - Air quality conformity of highway projects. 23 U.S.C. 109; 42 U.S.C. 7401 *et seq.* and 7506 (40 CFR Part 93; 23 CFR Parts 450 and 771).
- Federal Railroad Administration (locomotive emissions).

– Federal Transit Administration (air quality effects of urban transportation systems and vehicles):

Air quality conformity of transit projects. 42 U.S.C. 7401 *et seq.* and 7506 (49 CFR Part 623).

Advisory Council on Historic Preservation (effects of air pollution on historic districts, buildings and monuments).

Consumer Product Safety Commission (toxic emissions from consumer products and household substances):

Consumer products and household substances regulations. 15 U.S.C. 1261 *et seq.* and 2051 *et seq.* (16 CFR Part 1000 *et seq.*).

Environmental Protection Agency (effect of air pollution on public health and welfare; air quality criteria and standards; air pollution control and abatement technologies; transportation emissions and air quality impacts; stationary source emissions; monitoring technology):

Air quality programs in general. 42 U.S.C. 7401 *et seq.*, 7501 *et seq.*, and 7601 *et seq.* (40 CFR Parts 50-98).

Prevention of significant air quality deterioration. 42 U.S.C. 7470 *et seq.* (40 CFR Parts 51, 52, and 124).

Approval of State Implementation Plans (SIPs) for National primary and secondary ambient air quality standards. 42 U.S.C. 7410 (40 CFR Parts 51, 52, and 56).

Approval of State plans for standards of performance for new stationary emission sources (NSPS). 42 U.S.C. 7411 (40 CFR Part 60).

Applications for primary non-ferrous smelter orders. 42 U.S.C. 7419 (40 CFR Part 57).

Assuring that Federal projects conform with State Implementation Plans. 42 U.S.C. 7410 and 7616 (40 CFR Part 51).

Certification of new emission sources for conformance with National Emission Standards for Hazardous Air Pollutants (NESHAP) including radioactive materials. 42 U.S.C. 7412(c) (40 CFR Part 61).

National Aeronautics and Space Administration (advanced technology for remote sensing of air quality parameters and for reduction of aircraft engine emissions).

Nuclear Regulatory Commission (radioactive substances in air pollution):

For jurisdictional responsibilities, see I.E. – Radiation.

Tennessee Valley Authority (air quality in the Tennessee Valley region; measurement and control of air pollution from fossil-fueled steam plants; effects on vegetation).

B. Water Quality

Department of Agriculture

– Agricultural Research Service (research on erosion and sediment control, pesticide degradation and runoff, and salinity).

– Farm Service Agency (water quality on agricultural lands; Water Bank Program).

– Rural Housing Service, Rural Business-Cooperative Service (water quality in relation to housing, community, and business loan programs, and farmer loan programs).

– Rural Utilities Service (water quality related to water and wastewater treatment facilities)

– Forest Service (effects of water pollution on National Forests and Grasslands, and on forest and range land in general):

Consultation regarding effects of pollution on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Management of municipal watersheds on National Forest lands. (36 CFR Parts 251.9 and 251.35).

– Natural Resources Conservation Service (water quality in relation to agricultural waste management, erosion on highly erodible land, and sediment control and stabilization; salinity control; pesticides in conservation systems, wetland conservation and easements and watershed protection and flood prevention):

Highly Erodible Land and Wetland Conservation (16 U.S.C. 1001 *et seq.*).

The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 *et seq.*).

Department of Commerce

– National Bureau of Standards (water quality measurements, standards, data, and methods).

– National Oceanic and Atmospheric Administration (water quality in the management and protection of coastal and marine resources, marine pollution research and monitoring for ocean mining):

National Oceanographic Partnership Act, 10 U.S.C. §§ 7901-7903

National Oceanic and Atmospheric Administration Authorization Act of 1992, Pub. L. 102-567, Title I, § 108, 15 U.S.C. § 313 note.

National Marine Sanctuaries Act. 16 U.S.C. 1431 *et seq.* (15 CFR Part 922 *et seq.*).

Department of Defense

– Army Corps of Engineers (permits for structures and work in navigable waters; permits for discharges of dredged or fill into waters of the United States; water treatment and distribution from Washington Aqueduct (WAD) mission activities):

Rules governing work or structure in or affecting navigable waters of the United States. 33 U.S.C. 401 and 403 (33 CFR Parts 321 and 322).

Authority to enjoin dumping of, or force removal of, refuse placed in or on the banks of a navigable water or tributary of a navigable water. 33 U.S.C. 407 (33 CFR Part 320.2(d)).

Permits for discharges of dredged or fill materials into waters of the United States. 33 U.S.C. 1344 (33 CFR Part 323).

Guidelines controlling discharge of dredged or fill material in waters of the U.S. including wetlands. 33 U.S.C. 1344(b) and 1361(a) (40 CFR Part 230).

Permits for transportation of dredged materials for dumping into ocean waters. 33 U.S.C. 1413 (33 CFR Part 324).

Regulation of artificial islands, installations and devices on the outer continental shelf. 43 U.S.C. 1333(e) (33 CFR Part 320.2(b)).

The Restoration of Abandoned Mines Sites (RAMS) Program utilizes USACE environmental authorities to provide technical, planning, and design assistance in carrying out projects to address water quality problems caused by drainage and related activities from abandoned non-coal mines.

Regional environmental infrastructure assistance: numerous provisions in Water Resources Development Acts authorize the Corps to assist local communities in planning, design, and construction of environmental infrastructure improvements.

– Department of Navy (water pollution control for ships and naval installations; oceanography).

Department of Health and Human Services

– Centers for Disease Control and Prevention (effects of water quality on health).

– Food and Drug Administration (shellfish sanitation; contamination of fish and shell-fish with toxics; impacts of veterinary and human pharmaceuticals and food additives).

Department of Homeland Security

– Coast Guard (effects of oil spills and ship sanitation on water quality; ocean dumping enforcement; marine resource protection):
Tanker construction, equipment, manning, operation. 46 U.S.C. 391(a) (33 CFR Part 157).

Control of pollution by oil and hazardous substance discharges in ports, waterways, and offshore facilities. 33 U.S.C. 1008-1011, 1221, and 1321; 50 U.S.C. 191 (33 CFR Parts 151 and 154-156).

Certification of marine sanitation devices. 33 U.S.C. 1322 (33 CFR Part 159).

– Federal Emergency Management Agency (water quality as related to floodplain management).

The National Flood Insurance Program (NFIP) incentives measures that “encourage adoption of more effective measures that protect natural and beneficial floodplain functions,” (42 U.S.C. §4022(b)(1)) “which include maintenance of water quality and recharge of ground water, that reduce flood related damage.” (42 U.S.C. §4121(a)(12)).

Department of the Interior

– Fish and Wildlife Service (effects of water pollution on National Wildlife Refuge and National Fish Hatchery System areas, ESA-listed species and their critical habitats, migratory waterfowl birds, floodplains, wetlands, estuarine areas, marine sanctuaries, barrier islands, and sport fisheries, and other fish and wildlife resources).

– Geological Survey (general hydrology and water quality; National Water Summary; National Stream Quality Accounting Network [NASQAN], toxicological/infectious and other water pollution effects to humans, biota, floodplains, wetlands, critical habitat, and natural resources).

– Bureau of Indian Affairs (water quality on Indian lands).

– Bureau of Land Management (water quality on public lands):

Permits and leases for facilities to control/reduce water pollution. 43 U.S.C. 1732(b) and 1761(a)(1) (43 CFR Part 2800).

– Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement (effects of discharges and marine pollution on the outer continental shelf and coastal waters and compliance verification and enforcement of limitations):

Control of pollution from mineral mining, including oil and gas development, on the outer continental shelf. 43 U.S.C. 1331-1343. (30 CFR Parts 250, 550, 551, 556 and 256).

– National Park Service (effects of water pollution on National Park System areas including National Seashores and Lakeshores, on outdoor recreational values, and on historic, archeological, and architectural resources):

Consultations regarding effects of pollution on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.* and 54 U.S.C. 300101 *et seq.*

– Bureau of Reclamation (effects of public works, salinity control, sedimentation, and irrigation on water quality; effects of water developments on estuarine areas; research in weather modification, water quality and quantity, and desalinization).

– Office of Surface Mining Reclamation and Enforcement (effects of surface coal mining and reclamation operations on water quality and hydrologic balance).

Department of State (international aspects of water pollution):

Facilities for export/import of water and sewage. Executive Order 11423, as amended.

Department of Transportation

– Pipeline and Hazardous Materials Safety Administration:

Control of pollution by oil and hazardous substance discharges in onshore oil pipelines 33 U.S.C. 1321 (49 CFR Parts 191 and 194).

Pipeline Safety Regulations for Design, Construction, Operation, and Maintenance of Hazardous Liquid (Oil) Pipelines 49 CFR Part 195 and LNG facilities (49 CFR Part 193).

Effects of hazardous substances transportation on water quality).

– Federal Highway Administration (effects of highways, traffic and use of salt on water quality).

– Maritime Administration (water pollution from ships; destruction/treatment of wastes at sea):

Merchant vessels, polluting discharges and dumping. 46 U.S.C. 1101 *et seq.*

Port operations, polluting discharges and dumping. 46 U.S.C. 867.

Advisory Council on Historic Preservation (effects of water pollution on historic districts, buildings and monuments).

Environmental Protection Agency (waste water treatment works; effluent limitations; oil and hazardous substance discharges; protection of drinking water supplies; thermal discharges; ocean dumping; monitoring technology):

Water quality programs in general. 33 U.S.C. 1251 *et seq.*, 42 U.S.C. 300f *et seq.* and 6901 *et seq.* (40 CFR Parts 100-149).

Effluent guidelines and standards. 33 U.S.C. 1251 *et seq.* (40 CFR Part 129 and 401 *et seq.*).

Ocean dumping in general. 33 U.S.C. 1344, 1361 and 1412-1418 (40 CFR Parts 220-238).

Permits for discharge of specific pollutants from aquaculture projects. 33 U.S.C. 1328 (40 CFR Parts 122-125).

Review of permits for transportation of dredged material for ocean dumping. 33 U.S.C. 1413 (40 CFR Parts 220-229).

Permits for transportation of materials (other than dredged material) for ocean dumping. 33 U.S.C. 1412 and 1414 (40 CFR Parts 220-233).

Permits for disposal of sewage sludge. 33 U.S.C. 1345 (40 CFR Parts 122-127).

Permits for ocean discharges. 33 U.S.C. 1343 (40 CFR Parts 125.120-125.124).

Regulation of discharges of oil and hazardous substances in waters of the United States. 33 U.S.C. 1321 and 1361 (40 CFR Parts 110-117).

Permits for treatment, storage or disposal of hazardous wastes. 42 U.S.C. 6925 (40 CFR Parts 122-124 and 270-272).

Review of permits for discharges of dredged or fill materials into navigable waters. 33 U.S.C. 1344(c) (40 CFR Parts 230-231).

Guidelines controlling the discharge of dredged or fill material in waters of the U.S. including wetlands. 33 U.S.C. 1344(b) and 1361(a) (40 CFR Parts 230-233).

Assistance for construction of publicly-owned waste water treatment works. 33 U.S.C. 1281 (40 CFR Parts 35-45).

Underground injection control permits. 42 U.S.C. 300f *et seq.* (40 CFR Parts 122-124 and 144-148).

National Pollutant Discharge Elimination System (NPDES) wastewater permits. 33 U.S.C. 1342 (40 CFR Parts 122, 129, 133, and 136).

Designation of Sole Source Aquifers. 42 U.S.C. 300f and h-3(e) (40 CFR Part 149).

Federal Maritime Commission (vessel certification with respect to liability for water pollution).

International Boundary and Water Commission, United States Section (U.S.-Mexico border water quality, salinity, and sanitation problems).

National Aeronautics and Space Administration (advanced technology for remote sensing of water quality and marine pollution).

Nuclear Regulatory Commission (radioactive substances in water pollution):

For jurisdictional responsibilities, see I.E. – Radiation.

Tennessee Valley Authority (water quality in the Tennessee Valley; effects of chemical and thermal effluents).

C. Waste Disposal on Land

Department of Agriculture

– Agricultural Research Service (effects of agricultural wastes and sludge on cropland).

– Forest Service (effects of solid and liquid wastes on National Forests and Grasslands):

Permits for disposal sites on National Forest System lands. 16 U.S.C. 495, 497, 532-538, and 580 (36 CFR Part 251).

– Rural Utilities Service (landfills, solid waste disposal from electric power plants).

– Natural Resources Conservation Service (agriculture waste management; siting of disposal areas; sludge application on cropland for beneficial purposes).

Department of Commerce

– National Bureau of Standards (measurements, standards, data, and methods relating to solid and liquid wastes).
– National Oceanic and Atmospheric Administration (disposal of solid wastes in the management and protection of coastal and marine resources).

Department of Energy

– Office of Environment, Health, Safety and Security (waste management, including radiological and non-nuclear).

Department of Health and Human Services

– Centers for Disease Control and Prevention (effects of wastes on health).
– Food and Drug Administration (contamination of food resulting from disposal of municipal and industrial waste treatment sludge; impacts of veterinary and human pharmaceuticals and food additives).

Department of Homeland Security

– Federal Emergency Management Agency (debris removal authority during disaster response/recovery; emergency response including waste disposal under CERCLA. (42 U.S.C. §9604)).

Department of the Interior

– Fish and Wildlife Service (effects of solid wastes on National Wildlife Refuge and National Fish Hatchery System areas, ESA-listed species and critical habitat, migratory birds and other fish and wildlife resources).
– Geological Survey (geologic and hydrologic effects of solid and liquid wastes; analysis of municipal biosolids, mine wastes and tailings, and debris generated from the build environment by disasters; evaluation of waste streams as resources for precious and critical metals to offset treatment costs).
– Bureau of Indian Affairs (effects of solid wastes on Indian lands).
– Bureau of Land Management (effects of solid wastes on public lands):
 Sale or lease of land for solid waste disposal sites. 43 U.S.C. 869 *et seq.* (for sale, 43 CFR Part 2740; for lease, 43 CFR Part 2912).
– National Park Service (effects of solid wastes on National Park System areas). Solid waste disposal sites in units of the National Park System. 54 U.S.C. 100903 (40 CFR Part 6).
– Office of Surface Mining Reclamation and Enforcement (surface coal mining and reclamation operation wastes; mine wastes; mineral processing wastes; tailings stabilization; impoundment structures; municipal solid wastes; recycling).

Department of Labor

– Mine Safety and Health Administration (mine waste control).

Department of Transportation

– Maritime Administration (destruction/treatment of wastes at sea).
– Pipeline and Hazardous Materials Administration (transport of hazardous wastes):
 Hazardous materials regulations. (49 CFR Part 171 *et seq.*).

Environmental Protection Agency (solid wastes; hazardous waste; resource conservation and recovery; removal and remedial actions; environmental effects):

 Solid wastes in general. 42 U.S.C. 6901 *et seq.* (40 CFR Parts 239-282); 42 U.S.C. 9601 *et seq.* (40 CFR Part 300 *et seq.*).
 Permits for disposal of sewage sludge. 33 U.S.C. 1345 (40 CFR Parts 122-125).
 Solid Waste Disposal Act permits. 42 U.S.C. 6901 *et seq.* (40 CFR Parts 122-124, 270, and 271).
 Criteria for classification of solid waste disposal facilities and practices. 42 U.S.C. 6907(a)(3) and 6944(a), 33 U.S.C. 1345 (40 CFR Part 257).
 Identification and listing of hazardous wastes. 42 U.S.C. 6921 (40 CFR Part 261).
 Standards applicable to generators and transporters of hazardous waste, and for owners and operators of hazardous waste treatment, storage, and disposal facilities. 42 U.S.C. 6922-6924 (40 CFR Parts 260-273).
 Permits for hazardous waste treatment, storage, and disposal facilities. 42 U.S.C. 6925 (40 CFR Parts 124 and 270-272).
 Preliminary notification of hazardous waste activities. 42 U.S.C. 6930 (40 CFR Parts 260-262).
 Removal and remedial actions taken in response to the release or threatened release of hazardous substances. 42 U.S.C. 9601 (23) and (24) (40 CFR Part 300).
 National Contingency plan for the release of oil and hazardous substances into the environment. 42 U.S.C. 9605 (40 CFR Part 300).
 Notification requirements for the release of hazardous substances into the environment. 42 U.S.C. 9605 (40 CFR Parts 300-302).

Assistance for construction of solid waste disposal facilities. 42 U.S.C. 6981 *et seq.* (40 CFR Parts 35-46).

General Services Administration (wastes in public buildings).

Nuclear Regulatory Commission (radioactive waste disposal):

For jurisdictional responsibilities, see I.E. – Radiation.

Tennessee Valley Authority (coal combustion products).

D. Noise

Department of Agriculture

– Rural Housing Service, Rural Business-Cooperative Service (noise in relation to housing, community, and business loan programs, and farmer loan programs).

– Forest Service (noise effects on National Forests and Grasslands).

– Rural Utilities Service (electric generating facility, powerline, and substation noise).

Department of Commerce

– National Oceanic and Atmospheric Administration (effects of noise on marine mammals, fish, invertebrates, and sea turtles).

Department of Defense

– Department of the Air Force (military aircraft noise).

– Department of the Army (noise from rotary wing aircraft and other military vehicles).

Department of Health and Human Services

– Public Health Service (effects of noise on health).

Department of Housing and Urban Development

– Office of Environment and Energy:

Noise abatement and control. (24 CFR Part 51, Subpart B).

Siting of HUD assisted projects in runway clear zones (civil airports) and clear zones and accident potential zones (military airfields). (24 CFR Part 51, Subpart D).

Department of Interior

– Fish and Wildlife Service (effects of noise on ESA-listed species and critical habitat, National Wildlife Refuge System areas, migratory birds and other fish and wildlife resources).

– Geological Survey (evaluation of noise pollution as an attractive nuisance to wildlife; effects of noise on marine mammals, waterfowl, fish, and other aquatic resources).

– Bureau of Indian Affairs (noise effects on Indian lands).

– Bureau of Land Management (noise effects on public lands; noise abatement and control).

– Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement (effects of noise on the marine environment, including marine mammals, fish, and sea turtles, due to OCS oil and gas activities and compliance verification and enforcement of limitations).

– National Park Service (effects of noise on National Parks system areas, including off-road vehicular noise; effects of noise and vibration on historic, archeological, and architectural sites, and recreational resources). 54 U.S.C. 300101 *et seq.*

– Bureau of Reclamation (effects of noise on reclamation project lands).

– Office of Surface Mining Reclamation and Enforcement (mine noise, blasting and vibration; noise from surface coal mining and reclamation operations, and from the use of explosives).

Department of Labor

– Mining Safety and Health Administration (noise in mining operations).

– Occupational Safety and Health Administration (noise in the workplace):

Occupational noise exposure. 29 U.S.C. 655 *et seq.* (29 CFR Part 1910.95).

Department of Transportation

– Federal Aviation Administration (aircraft noise and land use compatibility):

Airport noise compatibility planning. 49 U.S.C. 1341, 1348, 1354, 1421, 1431, 1655, and 2101-2104 (14 CFR Part 150).

Noise standards: Aircraft type and airworthiness certification. 49 U.S.C. 1354, 1421, 1423, 1431, and 1655 (14 CFR Part 36).

Notice and Approval of Airport Noise and Access Restrictions (14 CFR Part 161) 49 U.S.C. 106(g), 47523-47527, 47533.

Noise standards: Aircraft type and airworthiness certification.

Operating noise limits. 49 U.S.C. 1344 *et seq.*; 1421 *et seq.*, and 1655 (14 CFR Part 91, Subpart I).

– Federal Highway Administration (traffic and motor vehicle noise):

Procedures for abatement of highway traffic and construction noise. 23 U.S.C. 109 (23 CFR Part 772).

– Federal Railroad Administration (railroad noise):

Railroad noise emission compliance regulation. 42 U.S.C. 4901 *et seq.* (49 CFR Part 210).

Noise standards for railroad employees. (49 CFR Parts 228-229).

– Federal Transit Administration (urban transportation system noise).

Advisory Council on Historic Preservation (effects of noise and vibration on historic districts, buildings and monuments).

Consumer Products Safety Commission (hazardous noise from consumer products):

Consumer products regulations. 15 U.S.C. 1261 *et seq.* and 2051 *et seq.* (16 CFR Part 1000 *et seq.*).

National Aeronautics and Space Administration (advanced technology for reduction of aircraft noise).

E. Radiation

Department of Agriculture

– Agricultural Research Service (effects of irradiation on insects and microorganisms in food).

– Forest Service (disposal of radioactive materials in National forests and Grasslands; electromagnetic radiation from powerlines and radio transmission systems).

– Rural Utilities Service (electromagnetic radiation from high voltage sources).

Department of Commerce

– National Institute of Standards and Technology (radiation measurements, standards, methods and data).

– National Oceanic and Atmospheric Administration (electromagnetic radiation from radar systems and telecommunications).

Department of Defense

– Army Corps of Engineers (investigation, health physics, and remediation from Formerly Utilized Sites Remedial Action Program (FUSRAP)).

Department of Energy

– Office of Nuclear Energy (nuclear energy; storage and disposal of commercial high-level radioactive waste and spent nuclear fuel).

– Office of Environmental Management (storage and disposal of Defense nuclear waste).

– Office of Environment, Health, Safety and Security (health effects of radiation).

– National Nuclear Security Administration (actions that involve the export of nuclear technology under 40 CFR part 812 and Possession of Special Nuclear Materials under Chapter 6 of the Atomic Energy Act. (42 U.S.C 2071-78).

Department of Health and Human Services

– Food and Drug Administration (effects of radiation on health and safety; contamination of food with radioactive materials).

– National Institutes of Health (effects of radiation on health).

Department of Homeland Security

– Federal Emergency Management Agency (Radiological protection and response; Radiological Emergency Preparedness Program related to commercial nuclear power plants (NPPs)).

Department of Housing and Urban Development

– Office of Environment and Energy

Department of the Interior

– Fish and Wildlife Service (effects of radiation on National Wildlife Refuges, ESA-listed species and critical habitat, migratory birds and other fish and wildlife resources).

– Geological Survey (effects of radioactive waste disposal; assessment of radiological mineral resources; analysis, environmental transport and fate, and toxicological hazards of radionuclides in mining/milling wastes, waters, soils, sediments, dusts, and vegetation; and uranium resource mineral-environmental assessment).

– Bureau of Indian Affairs (effects of radiation on Indian lands).

– Bureau of Land Management (effects of radiation on public lands):

– National Park Service (effects of radiation on National Park System areas). 54 U.S.C. 306108.

Department of Labor

– Mining Safety and Health Administration (worker protection from radiation exposure in mining).

– Occupational Safety and Health Administration (worker protection from exposure to sources of radiation not covered by other Federal agencies):

Ionizing and nonionizing radiation. 29 U.S.C. 655 *et seq.* (29 CFR Parts 1910.96 and 1910.97).

Department of Transportation

– Federal Motor Carrier Safety Administration (radioactive material transportation in interstate commerce):

Hazardous materials tables and communications regulations. (49 CFR Part 172).

Transportation of hazardous materials – driving and parking rules. (49 CFR Part 397).

– Pipeline and Hazardous Materials Transportation (transportation of radioactive materials):

Hazardous materials regulations. 49 U.S.C. 1801 *et seq.* (49 CFR Part 171 *et seq.*).

Consumer Product Safety Commission (radiation from consumer products and household substances):

Consumer products and household substances regulations. 15 U.S.C. 1261 *et seq.*; 2051 *et seq.*, and 2080 (16 CFR Part 1000 *et seq.*).

Environmental Protection Agency (radiation protection standards and guidance; radioactive air emissions; ocean disposal of radioactive waste; radiation limits for drinking water; radiation monitoring):

Radiation protection programs. 42 U.S.C. 2011 *et seq.* (40 CFR Part 190 *et seq.*).

Standards for the uranium fuel cycle. 42 U.S.C. 2011 *et seq.* (40 CFR Part 190).

Standards for uranium mill tailings. 42 U.S.C. 2022. (40 CFR Part 192).

Radiation standards for drinking water. 42 U.S.C. 300f *et seq.* (40 CFR Part 141).

Guidance to other Federal agencies for environmental radiation standards. 42 U.S.C. 2021(h).

Nuclear Regulatory Commission (radioactive wastes, radiation effects in general):

Standards for protection against radiation. 42 U.S.C. 2073 *et seq.*, and 5841 *et seq.* (10 CFR Part 20).

Licensing of byproduct material. 42 U.S.C. 2014 *et seq.*, and 5841 *et seq.* (10 CFR Parts 30-33 and 35).

Licensing and radiation safety requirements for radiography. 42 U.S.C. 2111 *et seq.* and 5841 *et seq.* (10 CFR Part 34).

Licensing of source material. 42 U.S.C. 2014 *et seq.* and 5841 *et seq.* (10 CFR Part 40).

Licensing of production and utilization facilities. 42 U.S.C. 2073 *et seq.* and 5841 *et seq.* (10 CFR Parts 50, 51 and 55).

Disposal of high level radioactive waste. 42 U.S.C. 2021 *et seq.* and 5842 *et seq.* (10 CFR Parts 60 and 61).

Licensing of special nuclear material. 42 U.S.C. 2014 *et seq.* and 5841 *et seq.* (10 CFR Part 70).

Packaging and transportation of radioactive material. 42 U.S.C. 2073 *et seq.* and 5841 *et seq.* (10 CFR Part 71).

Licensing for storage of spent fuel. 42 U.S.C. 2021 *et seq.*, and 5872 *et seq.* (10 CFR Part 72).

Reactor site criteria. 42 U.S.C. 2133 *et seq.* and 5841 *et seq.* (10 CFR Part 100).

Export and import of nuclear material. 42 U.S.C. 2073 *et seq.* and 5841 (10 CFR Part 110).

Licenses for Department of Energy demonstration reactors. 42 U.S.C. 5842 (1) and (2).

Licenses for receipt and long-term storage of high-level radioactive wastes at Department of Energy facilities. 42 U.S.C. 5842 (3) and (4).

Tennessee Valley Authority (nuclear power plant planning; radiation monitoring).

F. Hazardous Substances

(1) Toxic, Explosive, and Flammable Materials

Department of Agriculture

– Agricultural Marketing Services (toxic materials and consumer protection).

– Animal and Plant Health Inspection Service (toxic materials in the control of plant pests, noxious weeds, animal diseases, and vectors).

– Food Safety and Inspection Service (toxic materials and consumer protection).

– Forest Service (effects of toxic materials on National Forests and Grasslands).

Department of Commerce

– National Institute of Standards and Technology (toxic material measurements, standards, methods and data).

– National Oceanic and Atmospheric Administration (toxic materials in coastal and marine resources management and protection; ocean pollution research and monitoring).

Department of Defense (toxic materials in military operations).

– Army Corps of Engineers (investigation and remediation of hazardous wastes from Formerly Used Defense Sites (FUDS); investigation and remediation of military munitions from FUDS; centers of expertise in rapid response to hazardous toxic and radioactive waste and military munitions).

Department of Health and Human Services

– Centers for Disease Control and Prevention (toxic materials and health issues).

– Food and Drug Administration (toxic materials and contamination of food).

– National Institutes of Health (toxic materials and health issues).

Department of Homeland Security

- Coast Guard (transportation of toxic materials by vessel; discharges to navigable waters):
 - Transportation of hazardous materials by vessel. 46 U.S.C. 170, 375, 391(a) and 416(j); 49 U.S.C. 1655, 1803, 1804 and 1808(j); 50 U.S.C. 191 (33 CFR Parts 151 *et seq.* and 160 *et seq.* (46 CFR Chapter I).
 - Hazardous substance discharge in navigable waters. 33 U.S.C. 1321 (33 CFR Parts 25 and 151 *et seq.*; 46 CFR Part 542 *et seq.*).
- Federal Emergency Management Agency (evacuations and relocations resulting from hazardous materials released into the environment):
 - Temporary evacuation and housing and permanent relocation due to hazardous substances pollution under CERCLA. 42 U.S.C. 9604 (a)(1) and 9607 (23) and (24).

Department of Housing and Urban Development

- Office of Environment and Energy. (24 CFR Part 51, Subpart C – Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of and Explosive or Flammable Nature).

Department of the Interior

- Fish and Wildlife Service (effects of toxic materials, including lead shot, on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources).
- Geological Survey (effects of the disposal of toxic wastes; detection of toxic substances in the food chain and in aquaculture drugs and pesticides; analysis, environmental transport and fate, and toxicological/infectious hazards or solid and liquid toxic materials).
- Bureau of Indian Affairs (toxic materials on Indian lands).
- Bureau of Land Management (toxic materials on public lands).
- Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement (effects of toxic/explosive materials from outer continental shelf mineral, including oil and gas, renewable energy, and marine mineral operation and compliance verification and enforcement of limitations):
 - Discharges from outer continental shelf mineral, including oil and gas, operations. 43 U.S.C. 1331 *et seq.* (30 CFR Part 550).
- Bureau of Ocean Energy Management regulates oil spill financial responsibility for offshore facilities (30 CFR 553).
- Bureau of Safety and Environmental Enforcement approves and identifies requirements for Oil Spill Response Plans for offshore facilities (30 CFR 250).
- National Park Service (effects of toxic materials on National Park System areas). 54 U.S.C. 306108.
- Bureau of Reclamation (effects of toxic materials on water storage and delivery projects).
- Office of Surface Mining Reclamation and Enforcement (toxic materials from surface coal mining and reclamation wastes; disposal methods for selected milling and mine wastes).

Department of Labor

- Mining Safety and Health Administration (toxic materials in mining).
- Occupational Safety and Health Administration (toxic materials in the workplace):
 - Hazardous and toxic materials and substances. 29 U.S.C. 655 *et seq.* (29 CFR Part 1910, Subparts H and Z).

Department of Transportation

- Federal Motor Carrier Safety Administration (hazardous material transportation in interstate commerce):
 - Hazardous materials tables and communications regulations. (49 CFR Part 172).
 - Transportation of hazardous materials – driving and parking rules. (49 CFR Part 397).
- Federal Railroad Administration (railroad transport of hazardous materials).
- Maritime Administration (port, coastal and ocean pollution from hazardous materials):
 - Merchant vessels, polluting discharges, dumping, and destruction/treatment of wastes at sea. 46 U.S.C. 1101 *et seq.*
- Pipeline and Hazardous Materials Safety Administration (hazardous cargo; hazardous materials in pipelines):
 - Transportation of hazardous materials. 49 U.S.C. 1801 *et seq.* (49 CFR Part 100-199).
 - Approval for shipments of Class A explosives. 49 U.S.C. 1707 (7).
 - Permits for facilities to handle hazardous materials. 49 U.S.C. 1801 *et seq.*

Consumer Product Safety Commission (toxic consumer products and hazardous household substances):

- Consumer product and household substances regulations. 15 U.S.C. 1261 *et seq.*, 1471 *et seq.*, and 2051 *et seq.* (16 CFR Part 1000 *et seq.*).

Environmental Protection Agency (hazardous material pollution control and environmental effects):

Permits for the treatment, storage and disposal of hazardous wastes. 42 U.S.C. 6901 *et seq.* and 6925 (40 CFR Parts 122-124, and 270-272).

Criteria for classification of hazardous waste disposal facilities and practices. 42 U.S.C. 6907(a)(3) and 6944(a); 33 U.S.C. 1345 (40 CFR Part 257).

Identification and listing of hazardous waste. 42 U.S.C. 6921 (40 CFR Part 261).

Standards applicable to generators and transporters of hazardous wastes and for owners and operators of hazardous waste treatment, storage and disposal facilities. 42 U.S.C. 6901 *et seq.* (40 CFR Parts 260-273).

Preliminary notification of hazardous waste activities. 42 U.S.C. 6930 (40 CFR Parts 260-262).

National Emission Standards for Hazardous Air Pollutants (NESHAP). 42 U.S.C. 7412(c) (40 CFR Part 61).

Hazardous substances in water. 33 U.S.C. 1251 *et seq.* (40 CFR Parts 116 and 117).

Toxic effluent standards. 33 U.S.C. 1251 *et seq.* (40 CFR Part 129).

Control of toxic substances in general. 15 U.S.C. 2601 *et seq.* (40 CFR Part 702 *et seq.*).

Regulation of hazardous chemical substances and mixtures. 15 U.S.C. 2605 (40 CFR Part 750).

Reporting of toxic substances inventory and retention of information. 15 U.S.C. 2607 (40 CFR Parts 710, 716, 761, 766, and 770).

Testing of chemical substances and mixtures. 15 U.S.C. 2603.

(2) Food Additives, Human and Veterinary (Pharmaceuticals, and Contamination of Food Supply)

Department of Agriculture

- Agricultural Research Service (detection of additives and contaminants in food).
- Agricultural Marketing Service (food quality standards).
- Food Safety and Inspection Service (contamination of meat and poultry products).

Department of Commerce

- National Oceanic and Atmospheric Administration (seafood quality).

Department of Health and Human Services

- Food and Drug Administration (effects of food additives, human and veterinary pharmaceuticals, and contamination to the food supply on human health and the environment).

Department of the Interior

- Fish and Wildlife Service (effects of contaminated food on ESA-listed species and other federally protected fish and wildlife).
- Geological Survey (detection and effects of aquaculture drugs and pesticides; assessment of contaminant uptake via food chain by native population subsistence hunters; specialized tests to model potential uptake of organic or inorganic contaminants).

Environmental Protection Agency (contamination of the environment and food from pesticide use and other toxic materials).

(3) Pesticides

Department of Agriculture

- Agricultural Research Service (biological controls; pesticides in food and fiber production).
- Animal and Plant Health Inspection Service (pesticides in the control of animal and plant pests and exotic noxious weeds).
- Food Safety and Inspection Service (pesticide residues and consumer protection).
- Forest Service (pesticides in the control of animal and plant pests and invasive species; pesticide use on National Forests and Grasslands).
- Natural Resources Conservation Service (pesticides in conservation systems; watershed resource protection).

Department of Commerce

- National Oceanic and Atmospheric Administration (effects of pesticides on marine life, the coastal zone, and seafood quality; ocean pollution research and monitoring).

Department of Defense

- Armed Forces Pest Management Board (pesticide use on military lands, facilities and equipment; control of disease vectors).

Department of Health and Human Services

- Centers for Disease Control and Prevention (effects of pesticides on health).
- Food and Drug Administration (pesticide contamination of food).

Department of Homeland Security

- Coast Guard (transportation of pesticides by vessel):

Permits for transportation of hazardous substances by vessel. 46 U.S.C. 170 and 391a (33 CFR Parts 151 *et seq.* and 160 *et seq.*; 46 CFR Chapter I).

Department of the Interior

- Fish and Wildlife Service (pesticide use on National Wildlife Refuge and National Fish Hatchery System lands; effects of pesticides on ESA-listed species and critical habitat, migratory birds and other fish and wildlife resources).
- Geological Survey (detection of pesticides in the food chain; analysis, environmental transport and fate, and toxicological hazards of pesticides in water and biological systems; effects of pesticides on endangered species and their critical habitats, and other fish and wildlife resources; effects of acid mine drainage).
- Bureau of Indian Affairs (pesticide use on Indian lands).
- Bureau of Land Management (pesticide use on public lands).
- Bureau of Reclamation (pesticide use on irrigated lands and other project lands, facilities and rights-of-way).
- National Park Service (pesticide use in National Park System areas).

Department of Labor

- Occupational Safety and Health Administration (worker exposures during manufacture of pesticides):
 - Hazardous and toxic materials and substances. 29 U.S.C. 655 *et seq.* (29 CFR Part 1910, Subparts H and Z).

Department of Transportation

- Federal Motor Carrier Safety Administration:
 - Hazardous materials tables and communications regulations. (49 CFR Part 172).
- Federal Railroad Administration (transport of pesticides by railroads).
- Pipeline and Hazardous Materials Safety Administration: (transport of pesticides):
 - Transportation of hazardous materials. 49 U.S.C. 5101 *et seq.* (49 CFR Part 171 *et seq.*).

Environmental Protection Agency (pollution control and environmental effects of pesticides):

- Pesticide programs in general. 7 U.S.C. 136 *et seq.*, 21 U.S.C. 346a (40 CFR Part 150 *et seq.*).
- Certification of pesticide applicators. 7 U.S.C. 136i (40 CFR Part 171).
- Registration of pesticides. 7 U.S.C. 136a (40 CFR Parts 152-162).
- Experimental pesticide use permits. 7 U.S.C. 136c (40 CFR Part 172).
- Establishment of pesticide tolerances. 21 U.S.C. 346a (40 CFR Part 180).
- Pesticide disposal and transportation. 7 U.S.C. 136q (40 CFR Part 165).
- Worker protection standards for agricultural pesticides. 7 U.S.C. 136w-8 (40 CFR Part 170).
- Emergency exemptions for pesticides use. 7 U.S.C. 136p (40 CFR Part 166).

Tennessee Valley Authority (pesticide use on public lands and waters in Tennessee Valley region).

II. ENERGY

G. Electric Power (Development, Generation, Transmission, and Use)

Department of Agriculture

- Rural Business-Cooperative Service (small hydro, solar, and wind projects).
- Rural Utilities Service (electric generation, transmission and distribution).
- Forest Service (power development in National Forests and Grasslands):
 - Permits, easements, and leases for power transmission, road, and hydro developments. 16 U.S.C. 522 *et seq.*; 43 U.S.C. 1761 (36 CFR Part 251.50 *et seq.*).
 - Permits for commercial use of existing roads. 16 U.S.C. 537 (36 CFR Part 212).
 - Consultations regarding power developments on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*
 - Electrical generation and transmission projects. 7 U.S.C. 901 *et seq.* (7 CFR Part 1700 *et seq.*).

Department of Commerce

- National Oceanic and Atmospheric Administration (coastal energy facility planning and siting):
 - Approval of licenses for siting, design, and operation of ocean-thermal energy facilities. 42 U.S.C. 9101 *et seq.* (15 CFR Part 981).

Department of Defense

- Army Corps of Engineers (operations and management of hydroelectric projects; effects of power development and transmission; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):
 - For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

– Office of Electricity Delivery and Energy Reliability (cross-border electricity transmission; reliability and security; grid modernization):

Authorization to transmit electric energy to a foreign country. 16 U.S.C. 824a(e) (10 CFR Parts 205.300-205.309).

Temporary Generation, Transmission, or Interconnection During Emergency (advising Office of the Secretary). 16 U.S.C. 824a(c).

Presidential permits to construct, operate, maintain, or connect electricity transmission facilities that cross an international border. Executive Order No. 10485 (as amended).

– Bonneville Power Administration (power marketing in the Pacific Northwest).

– Southeastern Power Administration (power marketing in certain southeastern States).

– Southwestern Power Administration (power marketing and electric transmission systems in certain southwestern States).

– Western Area Power Administration (power marketing and electric transmission systems in certain western States).

Department of Housing and Urban Development

– Office of Environment and Energy

Department of the Interior

– Fish and Wildlife Service (effects of power development, including transmission line and tower construction, on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources):

Easements/permits for transmission line rights-of-way across National Wildlife Refuge and National Fish Hatchery System land. For refuges, 16 U.S.C. 668dd; for hatcheries, 43 U.S.C. 931c and d (50 CFR Part 29.21).

Permits for rights-of-way on National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460(k)-3, and 742(f) (50 CFR Part 96).

For additional jurisdictional responsibilities, see IV.W. – Water Resources Development and Regulation.

– Geological Survey (geologic and hydrologic siting constraints for power developments; National Water Summary; effects of power development, including transmission line and tower construction, on endangered species and other fish and wildlife resources; biological effects and exposure to humans of byproducts from electricity generation on the environment).

– Bureau of Indian Affairs (power development on Indian lands):

Approval of leases and permits for Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477, and 635 (25 CFR Part 162).

Rights-of-way over Indian lands. 25 U.S.C. 311-321 and 323-328 (25 CFR Part 169).

Specific power systems. (25 CFR Parts 175-177).

– Bureau of Land Management (power development on public lands):

Easements/permits for rights-of-way. 30 U.S.C. 185 and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 2800-2887).

Exchange of Federal lands to facilitate energy development. 43 U.S.C. 1716 (43 CFR Parts 2200-2270).

– Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement (Leasing of the outer continental shelf for renewable energy generation, including wind, wave, and tidal, and compliance verification and enforcement of safety, efficiency, and environmental standards; 43 U.S.C. 1337; 30 CFR part 585).

– National Park Service (effects of power development on National Park System lands; natural and historic landmarks; and on natural resources, historic archeologic and architectural sites; and on visitor use and enjoyment):

Rights-of-way permits for new or upgraded facilities located within units of the National Park System land. 54 U.S.C. 100902 (36 CFR Part 14).

Special Use Permits for construction and maintenance of pre-existing facilities. (36 CFR Parts 1 and 5).

Easements for rights-of-way across National Park system land. 54 U.S.C. 100902 (36 CFR Parts 7 and 14) and 54 U.S.C. 306108.

Consultations about extent to which proposed recreational developments at hydroelectric projects conform to and are in accord with the Statewide Comprehensive Outdoor Recreation Plans. 16 U.S.C. 460.

Consultations regarding power developments on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Review of air pollution emissions from proposed new and modified power plants on air quality and air quality related values (e.g., visibility and ecosystem effects) of units of the National Park System under the Clean Air Act.

– Bureau of Reclamation (hydroelectric power development in the 17 contiguous western states, impact of power development on State water laws; analysis of cost sharing).

Easements/permits for powerline rights-of-way. 43 U.S.C. 3871.

Department of Labor

– Occupational Safety and Health Administration (workers safety and health issues):

Construction, transmission and distribution facilities. 29 U.S.C. 655 *et seq.* (29 CFR Part 1926, Subpart V).

Department of Transportation

– Federal Highway Administration (highways and electric utility facilities):

Relocation and accommodation of utility facilities on highway rights-of-way. 23 U.S.C. 109(1), 116 and 123 (23 CFR Part 645).

Advisory Council on Historic Preservation (effects of power developments on historic properties).

Environmental Protection Agency (pollution control and environmental effects of power development):

For jurisdictional responsibilities, see I.A. – Air Quality, I.B. – Water Quality, and I.C. – Waste Disposal on Land.

Federal Energy Regulatory Commission (hydroelectric power projects, 16 U.S.C. 791a-823d; electric transmission; electric supply; facility siting, 16 U.S.C. 824a-824i):

Regulation of interconnection of electric transmission facilities and regulation of enlargement of electric transmission facilities. 16 U.S.C. 824a and 824i (18 CFR Part 32).

Application for order directing the establishment of physical connection facilities. 16 U.S.C. 824a, and 824i.

Regulation of the siting for electric transmission facilities under limited circumstances (“backstop” siting authority). 16 U.S.C. 824p.

Regulation of the development of water power including the licensing of non-Federal hydroelectric power projects, and the licensing of marine and hydrokinetic projects (projects that generate electricity from waves or directly from flow of water in ocean currents, tides or inland waterways).

Withdrawal of Federal lands for power and powersite development purposes. 16 U.S.C. 818 (43 CFR Part 2344 *et seq.*).

International Boundary and Water Commission, United States Section (hydroelectric power installations on the Rio Grande).

Nuclear Regulatory Commission (nuclear power development in general):

Licensing of production and utilization facilities. 42 U.S.C. 2073 *et seq.*, and 5841 *et seq.* (10 CFR Parts 50 and 51).

Nuclear power reactor operators' licenses. 42 U.S.C. 2137 *et seq.* and 5841 *et seq.* (10 CFR Part 55).

Reactor site criteria. 42 U.S.C. 2133 *et seq.* and 5841 *et seq.* (10 CFR Part 100).

For other jurisdictional responsibilities, see I.E. – Radiation.

Tennessee Valley Authority (power development in the Tennessee Valley Region).

H. Oil and Gas (Development, Extraction, Refining, Transport and Use)

Department of Agriculture

– Forest Service (effects of oil and gas development on National Forests and Grasslands):

Oil and gas operations on National Forest System lands. (36 CFR 228, Subpart E).

Permits and rights-of-way on National Forest System lands. 16 U.S.C. 471-472, 478, 495, 497-498, 528, 531-538, 551, 572, and 580 (36 CFR Parts 212, 251 and 261).

Department of Commerce

– National Oceanic and Atmospheric Administration (effects of oil and gas development and coastal and marine resources, management, and protection).

Department of Defense

– Army Corps of Engineers (effects of oil and gas development and transmission; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects).

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

– Office of Fossil Energy (natural gas imports and exports; LNG terminals; Presidential permits for natural gas import and export facilities that cross an international border):

Authorization, by order, to export natural gas from the United States or import gas from a foreign country; includes liquefied natural gas (LNG). 15 U.S.C. 717b (10 CFR Part 590).

Authority to approve or deny an application for the siting, construction, expansion, or operation of LNG terminals located onshore or in state waters. 15 U.S.C. 717b(e). Subsequently delegated to FERC.

Presidential permits to construct, operate, maintain, or connect natural gas import and export facilities that cross an international border. Executive Order 10485 (as amended). Subsequently delegated to FERC.

Department of Homeland Security

- Coast Guard (oil and gas transport by vessel):
 - Tank vessel regulation. 46 U.S.C. 391(a) (33 CFR Part 157).
 - Ports and waterways safety. 33 U.S.C. 1221 (33 CFR Part 160 *et seq.*).
 - Construction and alteration of bridges for pipelines over navigable waters. 33 U.S.C. 491 *et seq.*, 511 *et seq.*, 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).
 - Outer continental shelf structures. 43 U.S.C. 1331 (33 CFR Part 140 *et seq.*).

Department of the Interior

- Fish and Wildlife Service (effects of oil and gas development on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources):
 - Permits for oil and gas pipeline rights-of-way across National Wildlife Refuge and National Fish Hatchery Systems lands. For refuges, 16 U.S.C. 668dd; for hatcheries, 43 U.S.C. 931c and d (50 CFR Part 29.21).
 - Permits for rights-of-way across National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460(k)-3, and 742(f) (50 CFR Part 96).
- Geological Survey (oil and gas resources in general; effects of oil and gas development on species and their habitat and on land and water resources; impacts of unconventional oil and gas exploration and practices; induced seismicity from wastewater injection; analysis, environmental transport and fate, and toxicological hazards of crude oil, petroleum products, produced waters, and other byproducts from or chemicals used in the extraction of crude oil, tar sands, and oil shale; geologic controls on characteristics of potential environmental and health concern of crude oil, oil shale, tar sands, and produced waters; development of specialized methods to measure, analyze, model, remotely sense, and map the transport, fate, biological effects and exposures to humans of crude oil, petroleum products, and byproducts from oil and gas production on the environment; helium conservation).
- Bureau of Indian Affairs (oil and gas development on Indian lands):
 - Leases and permits on Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477, and 635 (25 CFR Part 162).
 - Rights-of-way over Indian lands. 25 U.S.C. 311-321 and 323-328 (25 CFR Part 169).
 - Mining leases (including oil and gas) on Indian lands. 25 U.S.C. 376, 396, 476-477, and 509 (25 CFR Parts 211-215 and 226-227).
- Bureau of Land Management (oil and gas development on public lands)
 - Leases for oil and gas deposits:
 - Public domain lands. 30 U.S.C. 181 *et seq.*, 43 CFR Parts 3100 *et seq.* and 3160.
 - Acquired lands. 30 U.S.C. 351-359 (43 CFR Parts 3100 *et seq.* and 3160).
 - In and under railroad and other rights-of-way acquired under laws of the United States. 30 U.S.C. 301-306 (43 CFR Part 3100).
 - Indian lands. 25 U.S.C. 396a *et seq.* (25 CFR Parts 211, 213, 226 and 227).
 - Leases and land exchanges for oil shale, native asphalt, solid and semisolid bitumen and bituminous rock. For leases, 30 U.S.C. 241 (43 CFR Part 3500); for exchanges, 43 U.S.C. 1716 (43 CFR Parts 2200-2270).
 - Easements/permits for oil and gas pipeline rights-of-way. 30 U.S.C. 185 and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 2800-2887).
 - Easements/leases/permits for use, occupancy and development of public lands. 43 U.S.C. 1732 (43 CFR Subchapters 2000 and 3000).
 - Disposal of government royalty oil (non-OCS oil). 30 U.S.C. 189, 192, and 359 (30 CFR Part 208).
 - Exchange of non-OCS Federal lands with oil and gas deposits. 43 U.S.C. 1716 (43 CFR Parts 2200-2207).
- Bureau of Ocean Energy Management (oil and gas development on the Outer Continental Shelf):
 - Leases for minerals and renewable energy on the outer continental shelf. 43 U.S.C. 1331-1343 (30 CFR Parts 550, 556, 560, 581, 585).
 - Approves plans authorizing exploration and development activities on Federal leases on the outer continental shelf. 43 U.S.C. 1331 *et seq.* (30 CFR Parts 550 Subpart B).
 - Easements/rights-of-way for gathering pipelines, artificial islands, platforms, and other fixed structures on any Federal or State outer continental shelf oil and gas lease. 43 U.S.C. 1334-1335 (30 CFR Parts 550).
 - Permits for geological and geophysical exploration on the outer continental shelf. 43 U.S.C. 1334 and 1340 (30 CFR Parts 551, 580).
- Bureau of Safety and Environmental Enforcement (enforcement of post-lease activities related to oil and gas development on the Outer Continental Shelf, and permitting of oil and gas pipelines, wells, and platforms/structures on the outer continental shelf):

Requirements and approval of Deepwater Operation Plans (30 CFR Subpart B) for non-conventional production and completion technologies.

Requirements for pollution prevention and control during outer continental shelf operations. (30 CFR Part 250, Subpart C).

Permits and requirements for drilling operations on outer continental shelf oil and gas leases (43 U.S.C. 1351; 30 CFR Part 250, Subpart D), well completion operations (30 CFR Part 250 Subpart E), well workover operations (30 CFR Part 250, Subpart F), and well operations and equipment. (30 CFR Part 250, Subpart G).

Requirements for oil and gas production safety systems. (30 CFR Part 250, Subpart H).

Permits and requirements for the installation, modification, and repair of oil and gas platforms and structures on the outer continental shelf. (30 CFR Part 250, Subpart I).

Easements for rights-of-way (ROW) for “common carrier” oil and gas pipelines and permits for ROW and Lease Term pipelines on the outer continental shelf. (30 CFR Part 250, Subpart J).

Requirements for oil and gas production (30 CFR 250 Subpart K), measurement (30 CFR 250 Subpart L), and unitization. (30 CFR 250 Subpart M).

Requirements to notify BSEE of incidents (30 CFR 250.188 and 30 CFR 254.46); authority to conduct investigations, inspections, and process Civil Penalties (30 CFR 250 Subpart N).

Well Control and Production Safety Training. (30 CFR 250 Subpart O).

Sulphur Operations. (30 CFR 250 Subpart P).

Permits and requirements for well, pipeline, and structure decommissioning activities. (30 CFR Part 250, Subpart Q).

– National Park Service (effects of internal and external oil and gas development on units of the National Park System; natural and historic landmarks; and on natural and cultural resources, visitor health, safety, use and enjoyment):

Permits for nonfederal oil and gas operations on National Park system areas. 54 U.S.C. 100101 (36 CFR Part 9) and 54 U.S.C. 306108.

Access to nonfederal oil and gas rights located in or adjacent to National Park System units in Alaska. 16 U.S.C. 1110(b) (43 CFR Part 36).

Evaluation of the impact of Federal, state and private oil and gas development outside park boundaries on the full range of resources and values of units of the National Park System and other nationally significant areas under the NPS umbrella like National Historic Trails, National Scenic Rivers, National Natural Landmarks, and National Historic Landmarks.-

– Bureau of Reclamation (effects of oil and gas development on water storage and delivery systems):

Easements/permits for pipeline rights-of-way. 43 U.S.C. 3871.

Department of Labor

– Occupational Safety and Health Administration (general worker safety and health issues):

Oil and gas well drilling. 29 U.S.C. 655 *et seq.* (29 CFR Part 1910.270).

Department of State (international aspects of oil and gas development):

Facilities for export/import of petroleum and petroleum products. E.O. 11423, as amended.

Department of Transportation

– Maritime Administration (effects of oil and gas development on port, coastal and ocean pollution):

Merchant vessels, including liquefied natural gas vessels. 42 U.S.C. 1101 *et seq.* (46 CFR Part 250 *et seq.*).

Port operations, including loading/unloading of liquefied natural gas vessels. 42 U.S.C. 867 (46 CFR Part 346 *et seq.*).

– Federal Highway Administration (pipelines and highway rights-of-way):

Relocation and accommodation of pipelines on highway rights-of-way. 23 U.S.C. 109(1), 116, and 123 (23 CFR Part 645).

– Federal Railroad Administration (railroad transport of oil and gas).

– Pipeline and Hazardous Materials Safety Administration (pipeline safety; oil and gas shipments; natural gas marine terminals):

Pipeline safety for the transportation of hazardous liquids (petroleum products and anhydrous ammonia) and natural gas. 49 U.S.C. 60101 *et seq.* (49 CFR Parts 190-199).

Advisory Council on Historic Preservation (effects of oil and gas development on historic properties):

Environmental Protection Agency (pollution control and environmental effects of oil and gas development):

For jurisdictional responsibilities, see I.A. – Air Quality, I.B. – Water Quality, and I.C. – Waste Disposal on Land.

Federal Energy Regulatory Commission (siting, transportation, and storage, of natural gas and related facilities):

Authorizations for natural gas facilities (underground storage fields, Liquefied Natural Gas import and export facilities, and siting, construction and operation of natural gas pipeline facilities); abandonment of facilities and curtailment of natural gas service. 15 U.S.C. 717 *et seq.* (18 CFR Part 152 *et seq.*).

Authorization compelling the expansion, improvement or connection of natural gas facilities. 15 U.S.C. 717f(a) (18 CFR Part 156).

I. Coal (Development, Mining, Conversion, Processing, Transport and Use)

Department of Agriculture

– Forest Service (effects of coal development on National Forests and Grasslands):

Permits and rights-of-way on National Forest System lands. 16 U.S.C. 471-472, 478, 495, 497-498, 525, 528, 531-538, 551, 572, and 580 (36 CFR Parts 212, 251, and 261).

Coal leasing. 30 U.S.C. 201-352.

Surface coal mining operations. 30 U.S.C. 1272.

– Rural Utilities Service (coal development in relation to rural electrification):

Financial assistance for purchase of coal mines and mining facilities (under certain circumstances). 7 U.S.C. 901 *et seq.* (7 CFR Part 1710 *et seq.*).

Department of Commerce

– National Oceanic and Atmospheric Administration (atmospheric dispersion of effluents; acid rain; management and protection of coastal and marine resources; air and water pollution from mining; offshore and coastal mining; port planning).

Department of Defense

– Army Corps of Engineers (effects of coal development; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

– Office of Fossil Energy (clean coal research, coal liquefaction projects, advanced carbon capture and storage technologies, and emerging coal technologies). See generally 42 U.S.C. 7151.

Department of Homeland Security

– Coast Guard (vessel transport of coal):

Construction and alterations of bridges and causeways over navigable waters. 33 U.S.C. 491 *et seq.*; 511 *et seq.*; 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).

Ports and waterways safety. 33 U.S.C. 1221 (33 CFR Part 160 *et seq.*).

Department of the Interior

– Fish and Wildlife Service (effects of coal development on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, and other fish and wildlife resources):

Permits for use of National Wildlife Refuge and National Fish Hatchery System lands. For refuges, 16 U.S.C. 668 dd and ee; for hatcheries, 43 U.S.C. 931 c and d (50 CFR Parts 25.41 and 29.21).

Permits for rights-of-way across National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460(k-3), and 742(f) (50 CFR Part 96).

– Geological Survey (coal resources in general; hydrologic effects of coal mining and reclamation; effects of coal development on endangered species and other fish and wildlife resources; analysis, environmental transport and fate, and toxicological hazards of coal, coal fly ash, coal washing byproducts; development of specialized methods to measure, analyze, model, remotely sense, and map the transport, fate, biological effects and exposures to humans of coal, coal fly ash, coal washing byproducts on the environment).

– Bureau of Indian Affairs (coal development on Indian lands):

Leases and permits on Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477, and 635 (25 CFR Part 162).

Rights-of-way over Indian lands. 25 U.S.C. 311-321, and 328 (25 CFR Part 169).

Mining leases on Indian lands. U.S.C. 356, 396, 476-477, and 509 (25 CFR Parts 211-215 and 226-227).

Surface exploration and reclamation. 25 U.S.C. 355, 396, 473 and 501-502 (25 CFR Part 216).

– Bureau of Land Management (coal development on public lands):

Exploration licenses for coal deposits on unleased lands. 30 U.S.C. 181 and 201(b) (43 CFR Part 3400).

Leases/permits for recovery of coal deposits. 30 U.S.C. 181 *et seq.*, 201b and 202a; 43 U.S.C. 1701 *et seq.* (43 CFR Parts 3400 and 3480).

Easements/lease/permits for use, occupancy and development of public lands. 43 U.S.C. 1732 (43 CFR Subchapters 2000 and 3000).

Permits to mine coal for domestic needs. 30 U.S.C. 208 (43 CFR Part 3440).

Easements/permits for rights-of-way. 30 U.S.C. 185 and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 2800-2887).

Exchange of Federal lands with coal or uranium deposits. 43 U.S.C. 1716 (43 CFR Parts 2200-2270).

– National Park Service (effects of coal development on National Park System areas; natural and historic landmarks; and on natural and cultural resources, visitor health, safety, use and enjoyment):

Permits for surface coal mining operations on any lands within the boundaries of a NPS unit where there are valid existing rights. 30 U.S.C. 1201 *et seq.*

Determination of areas external to NPS boundaries as unsuitable for surface mining. 30 U.S.C. 1272(e).

– Bureau of Reclamation (effects of coal development on water storage and delivery projects):

Easement/permits for access rights-of-way. 43 U.S.C. 3871.

– Office of Surface Mining Reclamation and Enforcement (surface coal mining and reclamation; general effects of surface coal mining operations; subsidence prediction and control):

Identification of certain lands considered unsuitable for surface coal mining operations. 30 U.S.C. 1272 (30 CFR Chapter 7, Subchapter F).

Permits for coal exploration operations on Federal lands within an approved mining permit area, and, if there is no approved State Coal Mining Regulatory Program, on non-Federal and non-Indian lands. 30 U.S.C. 1262 (30 CFR Chapter VII and 43 CFR Part 3400).

Permits for surface coal mining and reclamation operations (includes underground mines with surface effects) on Federal lands except the States may do this when there is both an approved State Coal Mining Regulatory Program and a Cooperative Agreement between the State and the Secretary of the Interior. 30 U.S.C. 1256, 1267, 1266, 1271, and 1273 (30 CFR Chapter VII).

Permits for surface coal mining and reclamation operations (includes underground mines with surface effects) on non-Federal lands in those States where there is no approved State Coal Mining Regulatory Program. 30 U.S.C. 1256-1262 (30 CFR Chapter VII).

Permits for surface coal mining and reclamation operations (includes underground mines with surface effects) on Indian lands. 30 U.S.C. 1300 (30 CFR Chapter VII and 25 CFR Part 216).

Grants for reclamation of abandoned mined lands. 30 U.S.C. 1231-1235 and 1237-1243 (30 CFR Chapter VII).

Department of Labor

– Mining Safety and Health Administration (safety and health issues in mining operations; mining technology health and safety).

– Occupational Safety and Health Administration (worker safety and health issues):

Coal tar pitch volatiles. 29 U.S.C. 655 *et seq.* (29 CFR Part 1910.1002).

Department of State (international aspects of coal development):

Facilities for export/import of coal. E.O. 11423, as amended.

Department of Transportation

– Federal Highway Administration (coal haul roads; effects of railroad coal transport on roads and streets).

– Federal Railroad Administration (railroad transport of coal).

– Maritime Administration (bulk shipping of coal and other minerals in the inland waterways, domestic oceans, Great Lakes, and U.S. foreign trade).

Advisory Council on Historic Preservation (effects of coal development on historic properties).

Environmental Protection Agency (pollution control and environmental effects of coal development):

For jurisdictional responsibilities, see I.A. – Air Quality, I.B. – Water Quality, and I.C. – Waste Disposal on Land.

Tennessee Valley Authority (coal development in the Tennessee Valley region).

J. Uranium (Exploration, Mining, Transport and Use)

Department of Agriculture

– Forest Service (uranium in National Forests and Grasslands):

Permits and rights-of-way on National Forest System lands. 16 U.S.C. 471-472, 478, 495, 497-498, 525, 528, 531-538, 551, 572, and 580 (36 CFR Parts 212, 251, and 261).

Surface use of public domain lands under U.S. mining laws. 16 U.S.C. 478 and 551 (36 CFR Part 228).

Mineral development on acquired lands. For solid (hardrock) minerals, 16 U.S.C. 520 (43 CFR Part 3500); for phosphate, sodium, potassium and sulphur, 30 U.S.C. 351 *et seq.*

Department of Commerce

– National Oceanic and Atmospheric Administration (air and water pollution from mining; offshore and coastal mining; port planning; management and protection of coastal and marine resources):

Approval of licenses for deep seabed hard mineral exploration and development. 30 U.S.C. 1401 *et seq.* (15 CFR Part 970).

Department of Defense

– Army Corps of Engineers (effects of uranium; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

- Office of Environment, Health, Safety and Security.
- Office of Nuclear Energy (nuclear energy in general).
- National Nuclear Security Administration.

Department of Homeland Security

– Coast Guard (vessel transport of minerals):

Construction and alterations of bridges and causeways over navigable waters. 33 U.S.C. 491 *et seq.*, 511 *et seq.*, 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).

Ports and waterways safety. 33 U.S.C. 1221 (33 CFR Part 160 *et seq.*).

Department of the Interior

– Fish and Wildlife Service (effects of uranium mining on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources):

Easements/permits on National Wildlife Refuge and National Fish Hatchery System land. 16 U.S.C. 668 *et seq.*; 43 U.S.C. 931 c and d (50 CFR Parts 25.41 and 29.21).

Permits for rights-of-way across National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460(k-3) and 742(f) (50 CFR Part 96).

– Geological Survey (uranium resources in general; coal, oil and gas resources estimates; effects of petroleum products on water resources; effects of uranium mining on endangered species and other fish and wildlife resources; analysis, environmental transport and fate, and toxicological hazards of uranium mine wastes and mill tailings; bioaccessibility tests to model potential uptake of uranium and other elemental toxicants from uranium mine wastes and mill tailings; ore genesis; assessments of distribution and availability on the landscape; natural and human-influenced transport via air and water; bioaccumulation and impacts on organisms).

– Bureau of Indian Affairs (uranium on Indian lands):

Leases and permits on Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477, and 635 (25 CFR Part 162).

Rights-of-way over Indian lands. 25 U.S.C. 311-321, and 323-328 (25 CFR Part 169).

Mining leases on Indian lands. 25 U.S.C. 356, 396, 476-477, and 509 (25 CFR Parts 211-215 and 226-227).

Surface exploration and reclamation. 25 U.S.C. 355, 396, 473, and 501-502 (25 CFR Part 216).

– Bureau of Land Management (uranium on public lands):

Exchange of Federal lands with coal or uranium deposits. 43 U.S.C. 1716 (43 CFR Parts 2200-2270).

Leases for uranium exploration and mining. 30 U.S.C. 181, 351-359, and 1201 *et seq.* (43 CFR Parts 3500-3800).

Approval of plan of operations in connection with uranium leases. 30 U.S.C. 22 *et seq.*, 30 U.S.C. 181 *et seq.*, and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 3570 and 3802).

Easements/leases/permits for use, occupancy and development of public lands. 43 U.S.C. 1732 (43 CFR Subchapter 2000 and 3000).

Exploration licenses to explore for uranium and other leasable minerals on unleased lands. 30 U.S.C. 181 *et seq.* and 201(b) (43 CFR Parts 3400 and 3480).

Leases, permits and licenses for mining in Wild and Scenic River System areas. 16 U.S.C. 1280 (each area has special Federal Regulations).

Concurrence for mining use of public lands withdrawn or reserved for power development or for a power site. 30 U.S.C. 621 (43 CFR Part 3730).

Easements/permits for rights-of-way. 30 U.S.C. 185 and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 2800-2900).

– National Park Service (effects of uranium mining on units of the National Park System; natural and historic landmarks; and on natural and cultural resources, visitor health, safety, use and enjoyment):

Permits for operations within NPS units 54 U.S.C. 100731-100737 (36 CFR Part 9, Subpart A).

Leases, permits and license for mining on National Park System lands involved in Wild and Scenic River Systems. 16 U.S.C. 1280.

– Bureau of Reclamation (effects of uranium mining on water storage and delivery projects):

Easements/permits for access, pipeline, and other rights-of-way. 43 U.S.C. 3871.

Department of Labor

- Mining Safety and Health Administration (safety and health issues in mining operations).
- Occupational Safety and Health Administration (general worker safety and health issues):
 - General industrial, and construction standards. 29 U.S.C. 655 *et seq.* (29 CFR Parts 1910 and 1926).

Department of State (international aspects of uranium mining):

Facilities for export/import of minerals. E.O. 11423, as amended.

Advisory Council on Historic Preservation (effects of uranium mining on historic properties).

Environmental Protection Agency (pollution control and environmental effects of uranium mining):

For jurisdictional responsibilities, see I.A. – Air Quality, I.B. – Water Quality, I.C. – Waste Disposal on Land, and I.E. – Radiation.

Nuclear Regulatory Commission (nuclear power development in general):

Licensing uranium milling operations. 42 U.S.C. 2091 *et seq.* (10 CFR Part 40).

Tennessee Valley Authority (uranium mining and milling).

K. Geothermal Resources (Development, Transmission, and Use)

Department of Agriculture

- Rural Utilities Service (funding for geothermal power generation)
- Forest Service (effects of geothermal resource development on National Forests and Grasslands):

Leases for geothermal resource developments. 30 U.S.C. 1014.

Permits and rights-of-way on National Forest System lands. 16 U.S.C. 471-472, 478, 495, 497-498, 525, 538, 531-538, 551, 572, and 580 (36 CFR Parts 212, 251, and 261).

Department of Commerce

- National Oceanic and Atmospheric Administration (air and water pollution from geothermal development).

Department of Defense

- Army Corps of Engineers (effects of geothermal development; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

- Office of Energy Efficiency and Renewable Energy (research, development, demonstration and commercial application of geothermal energy sources).

Department of the Interior

- Fish and Wildlife Service (effects of geothermal development on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources):

Easements/permits on National Wildlife Refuge and National Fish Hatchery System land. For refuges, 16 U.S.C. 668 *et seq.*; for hatcheries, 43 U.S.C. 931 c and d (50 CFR Parts 25.41 and 29.21).

Permits for rights-of-way across National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460(k-3), and 742(f) (50 CFR Part 96).

- Geological Survey (geothermal resources in general; effects of geothermal development on endangered species and other fish and wildlife resources; basic geothermal science; mapping of geothermal fields; estimating geothermal potential; evaluating impacts of geothermal development on water resources and seismicity; impacts of wind and solar energy developments on plants and animals, with focus on threatened and endangered species; mitigation measures to reduce impacts to sensitive species).

- Bureau of Indian Affairs (geothermal development on Indian lands):

Leases and permits on Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477, and 635 (25 CFR Part 162).

Rights-of-way over Indian lands, 25 U.S.C. 311-321 and 323-328 (25 CFR Part 169).

- Bureau of Land Management (geothermal development on public lands):

Permits for geothermal resources exploration. 30 U.S.C. 1023 (43 CFR Part 3260).

Leases for geothermal resources recovery. 30 U.S.C. 1001-1025 (43 CFR Parts 3200-3250, 3260, and 3280).

Licenses for geothermal power plants. 30 U.S.C. 1001-1025 (43 CFR Part 3250).

Easements/leases/permits for use, occupancy and development of public lands. 43 U.S.C. 1732 (43 CFR Subchapters 2000 and 3000).

Easements/permits for rights-of-way. 30 U.S.C. 185 and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 2800-2900).

– National Park Service (effects of geothermal development on units of the National Park System; natural and historic landmarks; and on natural and cultural resources, visitor health, safety, use and enjoyment). Energy Policy Act 2005 (42 U.S.C. 3201 *et seq.*) and Energy Independence and Security Act of 2007 (42 U.S.C. 17001 *et seq.*)

Determination of significant thermal features within NPS units; Determination of adverse effects of geothermal leasing external to NPS units on significant thermal features within NPS units. 30 U.S.C. 1001-1028.

– Bureau of Reclamation (alternative energy studies; coordination of geothermal operations with hydroelectric generation):
Easements/permits for access, pipeline, and other rights-of-way. 43 U.S.C. 3871.

Department of Labor

– Occupational Safety and Health Administration (worker safety and health issues):

General industrial and construction standards. 29 U.S.C. 655 *et seq.* (29 CFR Parts 1910 and 1926).

Advisory Council on Historic Preservation (effects of geothermal development on historic properties).

Environmental Protection Agency (pollution control and environmental effects of geothermal development):

For jurisdictional responsibilities, see I.A. – Air Quality, I.B. – Water Quality, and I.C. – Waste Disposal on Land.

L. Solar, Wind, and Biomass

Department of Agriculture

– Agricultural Research Service (utilization of biomass, wastes, solar, and wind energy sources in agricultural production).

– Rural Business Service (small hydro, solar, and wind projects).

– Rural Utilities Service (funding for solar, wind, biomass generation).

– Forest Service (uses and rights-of-way on National Forests and Grasslands):

Permits and rights-of-way on National Forest System lands. 16 U.S.C. 471-472, 478, 495, 497-498, 525, 528, 531-538, 551, 572 and 580 (36 CFR Parts 212, 251 and 261).

Biomass and bioenergy research and development.

– Office of Energy (general energy policies related to agriculture):

Solar and wind energy facility siting, 16 U.S.C. 470 (36 CFR Part 200).

Department of Commerce

– National Oceanic and Atmospheric Administration (coastal and offshore energy facility planning and siting; basic weather data and research):

Approval of licenses for siting, design, and operation of ocean-thermal energy facilities, 42 U.S.C. 9101 *et seq.* (15 CFR Part 981).

Department of Defense

– Army Corps of Engineers (effects of solar, wind, and biomass energy development and transmission; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

– Office of Energy Efficiency and Renewable Energy (research, development, demonstration and commercial application programs on renewable solar, wind, and biomass resources).

Department of Housing and Urban Development

– Office of Environment and Energy

Department of the Interior

– Fish and Wildlife Service (effects of alternative energy development on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources).

– Geological Survey (geology and hydrologic siting constraints for alternative energy development; effects of alternative energy development).

– Bureau of Indian Affairs (alternative energy development on Indian lands).

– Bureau of Land Management (alternative energy development on public lands):

Licenses for synthetic liquid fuel facilities. 30 U.S.C. 323.

Solar energy facility siting. 43 U.S.C. 1761.

– Bureau of Ocean Energy Management (renewable energy on the outer continental shelf; 43 U.S.C. 1337 (30 CFR Part 585).

– National Park Service (effects of external alternative energy development on units of the National Park System; natural and historic landmarks; and on natural and cultural resources, visitor health, safety, use and enjoyment.). Energy Policy Act 2005 (42 U.S.C. 3201 *et seq.*) and Energy Independence and Security Act of 2007 (42 U.S.C. 17001 *et seq.*).

– Bureau of Reclamation (alternative energy studies; coordination of operations with hydroelectric generation).

Department of Labor

– Occupational Health and Safety Administration (worker safety and health issues):

General industrial and construction standards. 29 U.S.C. 655 *et seq.* (29 CFR Parts 1910 and 1926).

Advisory Council on Historic Preservation (effects of alternative energy development on historic properties).

Environmental Protection Agency (pollution control and environmental effects of alternative energy development):

For jurisdictional responsibilities, see I. – Pollution Control.

M. Energy Conservation

Department of Agriculture

– Rural Development Cooperative Extension Service (rural family energy conservation).

– Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service (energy conservation in relation to agency funded projects).

– Forest Service (energy conservation in National Forests and Grasslands).

– Office of Energy (general agricultural energy policies).

– Rural Utilities Service (energy conservation in relation to power development in rural areas, energy efficiency and conservation financing for existing facilities).

Department of Commerce

– National Bureau of Standards (energy efficiency objectives and standards).

– National Oceanic and Atmospheric Administration (heating fuel usage forecasting; weather forecasting in relation to energy conservation).

Department of Energy

– Office of Energy Efficiency and Renewable Energy (energy efficiency of transportation, buildings, appliances, equipment, and industrial systems; assistance programs for energy planning and conservation).

Energy conservation standards for new federal buildings. 42 U.S.C. 6834 (10 CFR Parts 433 and 435).

Energy conservation standards for consumer products and commercial and industrial equipment. 42 U.S.C. 6291 *et seq.* (10 CFR Parts 430 and 431).

– Bonneville Power Administration (energy conservation studies in the Pacific Northwest):

Regional planning and conservation. 16 U.S.C. 839 *et seq.*

Department of Housing and Urban Development

– Office of Environment and Energy

Department of the Interior

– Fish and Wildlife Service (energy conservation in National Wildlife Refuge and National Fish Hatchery System areas, and effects of energy conservation projects on ESA-listed species and critical habitat).

– Bureau of Indian Affairs (energy conservation on Indian lands).

– Bureau of Land Management (energy conservation on public lands).

– National Park Service (energy conservation in National Park System areas; effects of energy conservation on historic, archeological, and architectural sites, and on park and recreation values). Energy Policy Act 2005 (42 U.S.C. 13201 *et seq.*) and Energy Independence and Security Act of 2007 (42 U.S.C. 17001 *et seq.*).

– Bureau of Reclamation (energy conservation in relation to hydroelectric power development, and water storage and delivery systems).

Department of Transportation

– Federal Aviation Administration (aircraft technologies that reduce aircraft fuel burn, emissions, and noise, and sustainable alternative jet fuels).

– Federal Highway Administration (energy conservation in relation to highway systems).

– National Highway Traffic Safety Administration (fuel economy standards for motor vehicles):

Fuel economy standards. 15 U.S.C. 2001 *et seq.* (49 CFR Parts 525-527, 531, 533, and 537).

– Office of the Secretary, Research and Technology: National Transportation Systems Center (energy conservation and transportation systems in general, advanced vehicle technologies).

– Federal Transit Administration (energy conservation in relation to urban transportation systems).

Advisory Council on Historic Preservation (effects of energy conservation on historic properties).

Tennessee Valley Authority (energy conservation in general).

III. LAND USE

N. Land Use Planning, Regulation, and Development

Department of Agriculture

- Agricultural Research Service (effects of agricultural practices on resource quality and off-farm pollution).
- Agricultural Stabilization and Conservation Service (federally subsidized agricultural conservation and land use programs).
- Economic Research Service and National Agricultural Statistics Service (data on natural resources; analysis of the economic impacts of agriculturally related pollution and resource degradation; interactions of environmental programs with other Federal farm policy objectives).
- Cooperative Extension Service (rural and community development).
- Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service (farmland protection; rural and community development).
- Forest Service (land use planning and the effects of adjacent land uses on National Forests and Grasslands) 16 U.S.C. 1604 (36 CFR 219).

Coordination with other public planning efforts. (36 CFR Part 219.7).

- Natural Resources Conservation Service (land use data; soil and water resource condition data, prime and unique farm land information, and related natural resources data; resource management technology and technical planning assistance for watershed protection):

Soil, water, and related resource data. 7 U.S.C. 1010a.

Farmland Protection Policy Act. Secretary's Memorandum 9500-2, Statement on Land Use Policy.

Department of Commerce

- National Oceanic and Atmospheric Administration (management and protection of coastal and marine resources).

Department of Defense

- Army Corps of Engineers (flood risk management, hurricane and storm damage reduction, ecosystem restoration, navigation planning, emergency streambank erosion protection, watershed planning, effects of various land uses in flood plains, aquatic habitats including streams and wetlands, coastal areas or associated with port activities):

For jurisdictional responsibilities, see I.B. – Water Quality.

- Department of the Air Force (land use around military airfields).

Department of Homeland Security

- Coast Guard (effects of bridges on land use):

Permits for bridges and causeways over navigable waters. 33 U.S.C. 491 *et seq.*, 511 *et seq.*, 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).

- Federal Emergency Management Agency (Public Assistance; Hazard Mitigation Assistance; Grant Programs Directorate, Preparedness Grants).

Department of Housing and Urban Development

- Office of Environment and Energy

Department of the Interior

- Fish and Wildlife Service (effects of land use on ESA-listed species and their critical habitats, migratory birds and other fish and wildlife resources, and components of the National Wildlife Refuge and National Fish Hatchery Systems):

Approval of conversion of use for State lands acquired, developed or improved with grants under the: (1) Pittman-Robertson Act, (2) Dingell-Johnson Act, (3) Endangered Species Act and/or (4) Anadromous Fish Conservation Act. For (1), 16 U.S.C. 669 (50 CFR Parts 80.4 and 80.14); for (2), 16 U.S.C. 777 (50 CFR Parts 80.4 and 80.14); for (3), 16 U.S.C. 1535; for (4), 16 U.S.C. 757(a) and (b).

Consultation regarding any Federal actions that may directly or indirectly affect a designated coastal barrier. 16 U.S.C. 3501 (advisory guidelines: 48 FR 45664 of Oct. 6, 1983).

Consultation concerning the protection of fish and wildlife refuges, which may be impacted by transportation projects. 49 U.S.C. 303.

For jurisdictional responsibilities, see III.O. – Federal Land Management.

- Geological Survey (land use planning; geologic and hydrologic hazards; flood studies; geologic, topographic, land use, and photographic mapping; effects of land use; wildland-urban interface fire risk and impacts; wildlife corridors; water quality monitoring and projections; groundwater aquifer research and modeling; water quality and water quantity monitoring and projections; innovative new remote sensing technologies to detect, map, and interpret land use change and its environmental impacts; project future changes associated with droughts and other climate change impacts and adaptation).
- Bureau of Indian Affairs (effects of land uses on Indian lands):

Approval of leases and permits on Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477 and 635 (25 CFR Part 162).

Sale of Indian land. 25 U.S.C. 293-294, 355, 372-73, 378-79, 385-386, 404-405, 463-464, 483 and 608 (25 CFR Parts 152 and 159-160).

Rights-of-way over Indian lands. 25 U.S.C. 311-321 and 323-328 (25 CFR Part 169).

Permits concessions and leases on lands withdrawn or acquired in connection with Indian irrigation projects. 25 U.S.C. 390 (25 CFR Part 173).

For jurisdictional responsibilities on Federal lands administered by Bureau of Indian Affairs, see III.O. – Federal Land Management.

– Bureau of Land Management (effects of land uses on public lands):

For jurisdiction responsibilities on Federal lands administered by the Bureau of Land Management, see III.O. – Federal Land Management.

– National Park Service (effects of land uses on National Park System areas; National Trails System; Wild and Scenic River System; natural and historic landmarks; park and recreation areas and values; and historic, archeological and architectural sites):

Approval of a conversion to a non-designated use for State and local lands acquired or developed, in whole or in part, with a Land and Water Conservation Fund Act grant. 54 U.S.C. 200101 *et seq.*

Assistance to State and local agencies, through an Urban Park and Recreation Recovery Act grant, for the development and/or improvement of park and recreation areas. 54 U.S.C. 200502 (36 CFR Part 69).

Approval of a conversion to other than public recreation uses for State and local areas developed or improved with an Urban Park and Recreation Recovery Act grant. 54 U.S.C. 200502 (36 CFR Part 69).

Consultations regarding land uses and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Permits for use of National Historic and National Scenic Trails administered by the National Park Service. 16 U.S.C. 1246.

Approval of a conversion to a non-designated use for lands deeded by the Federal government to State and local entities as park demonstration areas, as recreation areas, as wildlife conservation preserves and refuges and as historic monuments and properties under: (1) Recreation Demonstration Act of 1942 and (2) Federal Property and Administrative Services Act of 1949. For (1), 16 U.S.C. 459 (r-t); for (2), 40 U.S.C. 484(k)(2) (41 CFR Part 101-47).

Approval of a conversion to a non-designated use of abandoned railroad rights-of-way acquired by State and local governments under Section 809(b) of the Railroad Revitalization and Regulatory Reform Act of 1976. 49 U.S.C. 1(a) (36 CFR Part 64).

Consultation concerning the protection of park, recreation, and cultural resources which may be impacted by transportation projects, 23 U.S.C. 138 and 49 U.S.C. 303.

Application of NPS general and special regulations to various activities for the conservation of park system resources and values (36 CFR Parts 1 through 7, 9, and 13).

Approval of a conversion to other than historic preservation uses for State and local areas acquired with an American Battlefield Protection Act as amended grant. 54 U.S.C. 308101 *et seq.*

Approvals and consultation for those properties under easement or covenant assisted by grants (or subgrants) provided under the National Historic Preservation Act (e.g., National Center for Preservation Technology and Training grants, Save America's Treasures grants, Maritime Preservation grants, Japanese American Confinement Site grants, etc.). 54 U.S.C. 300101 *et seq.*

Excavation or removal of archeological resources from tribal or federal land. Archeological Resources Protection Act (16 USC 470aa-470mm) (43 CFR 7.6-7.11) as related to tribes and federal land owners.

Land-affecting activities carried out by National Heritage Areas under the auspices of National Park Service financial assistance.

Activities carried out by official State, Tribal, and local government partners under the Secretary of the Interior's property-affecting "Standards" such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc. (36 CFR Part 61).

For other jurisdictional responsibilities of the National Park Service, see III.O. – Federal Land Management.

– Bureau of Reclamation (effects of land use on Federal water storage and distribution projects; planning for water development projects; basin-wide water studies and land use aspects of the National Water Summary):

Sale of farm units on Federal irrigation projects. (Statutory authority appears in individual project authorizations.)

Administration of excess lands and residency requirements. 43 U.S.C. 371.

– Office of Surface Mining Reclamation and Enforcement (land use and surface coal mining and reclamation operations):

For jurisdictional responsibilities, see II.I. – Coal.

Department of Transportation

- Office of the Secretary (general effects of transportation projects on land use):
 - Approval of transportation programs or projects that require the use of or have significant impacts on park and recreation areas, fish and wildlife refuges, and historic sites. 49 U.S.C. 303.
 - Coordinating federal housing, transportation, water, and other infrastructure programs through the Partnership for Sustainable Communities.
- Federal Aviation Administration (airport land use compatibility):
 - Notice of proposed construction or alteration 14 CFR Part 77.9.
 - Objects affecting navigable airspace. 14 CFR Part 77.
- Federal Highway Administration (effects of highways on land use):
 - Approval of highway projects and programs. 23 U.S.C. 101-156, generally, and 23 U.S.C. 201-219.
 - Land use impacts of highway projects and programs and considering land use in transportation planning. 23 U.S.C. 134, 135; 49 U.S.C. 5303, 5304; and 23 U.S.C. 139.
 - Consultations, in cooperation with the Federal Transit Administration, with State and local officials and tribes concerning public transportation related systems; considering land use in transportation planning. 23 U.S.C. 105(d) and 134(a); 49 U.S.C. 1604(g) (23 CFR Part 450).
 - Regulation of highway-related land use. For highway beautification – 23 U.S.C. 131 (23 CFR Part 750); for junkyard control and acquisition – 23 U.S.C. 136 (23 CFR Part 751); for landscape and roadside development – 23 U.S.C. 131 and 319 (23 CFR Part 752); for fringe and corridor parking facilities – 23 U.S.C. 137; for protection of parklands, recreation areas, wildlife refuges, and historic sites – 23 U.S.C. 138 (23 CFR Part 771).
- Federal Transit Administration:
 - Considering and considering land use in transportation planning, (49 U.S.C. 5303, 5304; 23 U.S.C. 134, 135 and 23; CFR Part 450).
 - Transit oriented development.

Advisory Council on Historic Preservation (effects of land use planning on historic properties).

Environmental Protection Agency (effects of land use on pollution control and environmental quality):

For jurisdictional responsibilities see I.A. – Air Quality, I.B. – Water Quality, and I.C. – Waste Disposal on Land.

Federal Energy Regulatory Commission (effects of power projects on land use):

Regulation of development of water resources. 16 U.S.C. 791-825(r) (18 CFR Parts 4-25, 36, 131 and 141).

International Boundary and Water Commission, United States Section (land use along international boundary with Mexico).

Approval of Public Convenience and Necessity Certificate for new railroad lines. 49 U.S.C. 10901.

National Aeronautics and Space Administration (remote sensing of land use and land cover).

National Capital Planning Commission (land use in the National Capital Region):

Approval of land-use plans and construction in National Capital Region. 40 U.S.C. 74a (DC Code 9-404, DC Code 8-102); 40 U.S.C. 122 (DC Code 8-111, DC Code 5-432).

Tennessee Valley Authority (land use planning on public lands in Tennessee Valley region; assistance to local planning organizations).

O. Federal Land Management

Department of Agriculture

- Forest Service (National Forests and Grasslands management, including fire management):
 - National Forest System Land and Resource Management Plans. 16 U.S.C. 1604 and 1613 (36 CFR Part 219).
 - Special use permits, archeological permits, leases and easements. 16 U.S.C. 497 and 580(d); 43 U.S.C. 1761 and 48 U.S.C. 341 (36 CFR Parts 251 and 261).
 - Easement and road rights-of-way on National Forests and other lands. 16 U.S.C. 533 (36 CFR Part 212.10).
 - Permits for commercial use of existing roads. 16 U.S.C. 537 (36 CFR Part 212).
 - Bankhead-Jones Farm Tenant Act, Title III permits on National Grasslands. 7 U.S.C. 1010-12 (36 CFR Part 213.3).

Department of Commerce

- National Oceanic and Atmospheric Administration (consistency of Federal land uses with coastal zone management programs).

Department of Defense (overall management of Department of Defense lands).

- Department of the Army (management of Army lands):

Permits and leases for use of Army reservations.

- Army Corps of Engineers (management of water resources development projects of the Army Corps of Engineers)

Permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects of the Army Corps of Engineers

Army Corps of Engineers manages 12 million acres of public lands and waters nationwide; 400 lakes in 43 states; and 55,390 miles of shoreline.

- Department of the Air Force (management of Air Force lands)
Permits and leases for use of Air Force reservations.
- Department of the Navy (management of Navy and Marine Corps lands):
Permits and leases for uses of naval reservations.

Department of the Interior

- Fish and Wildlife Service (effects of Federal land management on ESA-listed species and critical habitat, migratory birds and other fish and wildlife resources, management of National Wildlife Refuge and National Fish Hatchery System areas):

Easements/permits for right-of-way across National Wildlife Refuge and National Fish Hatchery System land. For refuges, 16 U.S.C. 668dd *et seq.*; for hatcheries, 43 U.S.C. 931 c and d (50 CFR Parts 25.41 and 29.21).

Permits for rights-of-way across National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460k-3 and 742(f) (50 CFR Part 96).

Permits for off-road vehicular use on National Wildlife Refuge System areas. E.O. 11644 (50 CFR Part 26.34).

Consultation concerning the protection of fish and wildlife refuges which may be impacted by transportation projects. 49 U.S.C. 303.

- Geological Survey (Federal land mineral resource potential; wilderness reviews, land-use planning; geologic and hydrologic hazards; flood studies; geologic, topographic, land use, and photographic mapping; effects of Federal land management; wildland-urban interface fire risk and impacts; fire ecology; wildlife corridors; water quality and quantity monitoring and projections; groundwater and aquifer research and monitoring; climate change impacts and adaptation; zoonotic diseases and human health; impacts of border activities on physical and biological resources; potential exposures of workers on and visitors to Federal lands to geologically sourced and anthropogenic contaminants).
- Bureau of Indian Affairs (effects of Federal land management on Indian lands; management of Bureau of Indian Affairs lands)
Sale of Federal land purchased for Indian administrative uses. 25 U.S.C. 293.
Rights-of-way over Federal lands under BIA jurisdiction. 25 U.S.C. 323-328 (25 CFR Part 160).
Leases for mining, oil and gas, coal, farming and other uses on Federal lands under BIA jurisdiction. 5 U.S.C. 301 and 25 U.S.C. 393 *et seq.* (25 CFR Part 162).
For the trust responsibilities of the Bureau of Indian Affairs for Indian lands, see PART III. A. – Land Use Planning, etc.
- Bureau of Land Management (management of Federal lands):
Easements/permits for rights-of-way. 43 U.S.C. 9 and 1701 *et seq.* (43 CFR Parts 2800-2900).
Special land-use permits for habitation, occupation and other purposes. 43 U.S.C. 1732(b) (43 CFR Part 2920).
Conditions and standards for off-road vehicle use on BLM lands. 43 U.S.C. 1201; E.O. 11644 (43 CFR Part 8340).
Permits for off-road vehicular use special events, i.e., tours and competitions. 43 U.S.C. 1701 *et seq.*, and 16 U.S.C. 460(1-6a) (43 CFR Part 8372).
Exchange of Federal lands for other property. 43 U.S.C. 1716 (43 CFR Parts 2200-2270).
Leases/transfers of public lands for a public airport. 43 U.S.C. 1201 and 49 U.S.C. 1115 (43 CFR Part 2640).
Sales/leases of Federal land to State and local agencies and non-profit groups for recreational and public purposes. 43 U.S.C. 869 *et seq.* for sales – 43 CFR Part 2740; for leases – 43 CFR Part 2912).
Permits for commercial recreational use of public lands. 43 U.S.C. 1701 *et seq.* (43 CFR Part 8370).
- National Park Service (management of National Park System areas; units of the National Wild and Scenic Rivers System; National Trails System):
Permits, leases, and easements of rights-of-way and other uses of National Park System areas. 54 U.S.C. 100902 (rights of way), 54 U.S.C. 103104 (permits for cost recovery) (36 CFR Parts 9 and 14).
Permits for commercial operations on National Park System areas. 54 U.S.C. 101911-101921 (concessions), 54 U.S.C. 102102 (leasing) (36 CFR Parts 7, 14, 50 and 51).
Permits for off-road vehicular use in National Park System areas. E.O. 11644 (36 CFR Part 7).
Consultations regarding use of and effect on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*
Permits for use of National Historic and National Scenic Trails administered by the National Park Service. 16 U.S.C. 1246.
Application of NPS general and special regulations to various activities for the conservation of park system resources and values (36 CFR Parts 1 through 7, 9, and 13).

Consultation concerning the protection of park, recreation, and cultural resources which may be impacted by transportation projects. 49 U.S.C. 303.

Activities conducted pursuant to Federal Agency Historic Preservation Responsibilities under the National Historic Preservation Act. 54 U.S.C. 306101 *et seq.* (e.g., Sections 106, 110, 111, 112, etc.).

Activities conducted pursuant to the Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs. 63 Federal Register 72, Page 20496, April 24, 1998.

Activities carried out under the Secretary of the Interior's property-affecting "Standards" such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc.

Activities conducted pursuant to the Native American Graves Protection and Repatriation Act, as amended. 25 U.S.C. 3001 *et seq.*

Excavation or removal of archeological resources from tribal or federal land. Archeological Resources Protection Act (16 USC 470aa-470mm) (43 CFR 7.6-7.11) as related to tribes and federal land owners.

Consultation on Indian lands or regarding policy for such lands, as per Executive Order 13175, Consultation and Coordination with Indian Tribal Governments.

Damage assessment and restoration of human caused injuries to natural cultural, and facility park resources. Authority to seek costs and damages from liable parties for injuries to park resources. 54 U.S.C. 100721 *et seq.*

– Bureau of Reclamation (management of public water storage and delivery projects and recreational developments; irrigation; and impacts of Federal land management of State water planning):

Sale or lease of project lands to a governmental entity or a non-profit group for recreational or other public purposes. 43 U.S.C. 869.

Lease of project lands for commercial recreational developments. 43 U.S.C. 391 *et seq.*

Department of Transportation

– Office of the Secretary (effects of transportation projects on Federal land):

Approval of transportation programs and projects which use a publicly owned park and recreation area, wildlife or waterfowl refuge, or any historic site. 49 U.S.C. 303.

– Federal Highway Administration (construction and management of Federal Lands Highways, including forest highways and National Park Service roads and parkways):

Federal Lands Transportation Program and Federal Lands Access Program. 23 U.S.C. 203.

Approval of highway projects which use a publicly owned park and recreation area, wildlife or waterfowl refuge, or any historic site, 23 U.S.C. 138 (23 CFR Part 774) and 49 U.S.C. 303.

Advisory Council on Historic Preservation (effects of Federal land management on historic properties).

Environmental Protection Agency (effects of Federal land management on pollution control and environmental quality; pesticide use and integrated pest management on public lands):

Underground injection control permits on Indian lands. 42 U.S.C. 300(f) *et seq.*

Air emissions from Federal facilities. 42 U.S.C. 7418.

Wastewater discharges from Federal facilities. 33 U.S.C. 1323.

Solid wastes and hazardous wastes from Federal facilities. 42 U.S.C. 6961.

Pesticide use on public lands. 7 U.S.C. 136.

For other jurisdictional responsibilities, see I. – Pollution Control.

General Services Administration

Public Buildings Service (management of public buildings and property).

Federal Property Resources Service (public land disposal).

National Aeronautics and Space Administration (advanced technology for remote sensing of land use and land cover).

Tennessee Valley Authority (TVA reservoir property, secondary use of reservoir property, and reservation planning).

P. Coastal Areas

Department of Agriculture

– Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service (housing, community, business and utility loan programs; and farmer loan programs in coastal areas).

– Forest Service (National Forests in coastal areas):

Consultations regarding uses and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

– Natural Resources Conservation Service (coastal soil stabilization).

Department of Commerce

- National Oceanic and Atmospheric Administration (coastal and marine resources and protection):
 - Permits for activities in designated marine sanctuaries. 16 U.S.C. 143 *et seq.* (15 CFR Part 922).
 - Approval and funding of State coastal management programs. 16 U.S.C. 1451 *et seq.* (15 CFR Parts 923 and 930).
 - Establishment of estuarine sanctuaries. 16 U.S.C. 1461 (15 CFR Part 921).
 - Determinations to insure Federal development projects and federally permitted or funded projects are consistent with an approved State coastal zone management plan. 16 U.S.C. 1451 (15 CFR Part 930).
 - Grants and loans under Coastal Energy Impact Program. 16 U.S.C. 1456(a) (15 CFR Part 931).

Department of Defense

- Army Corps of Engineers (hurricane and storm damage reduction; harbor improvements, aquatic ecosystem restoration, beach nourishment, emergency streambank erosion protection, effects of beach erosion and stabilization and other coastal activities; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; ocean dumping; Refuse Act permits):
 - For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Homeland Security

- Coast Guard (bridges, pipelines and transmission lines crossing navigable waters; navigation and deep water ports):
 - Permits for bridges and causeways over navigable waters. 33 U.S.C. 491 *et seq.*, 511 *et seq.*, 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).
 - Permits for waterfront facilities. 33 U.S.C. 1221 *et seq.* (33 CFR Parts 125 and 126).
 - Deepwater port regulation and licensing. 33 U.S.C. 1503-1524 (33 CFR Parts 148-150).
- Federal Emergency Management Agency (National Flood Insurance Program (NFIP)/Floodplain Management; Public Assistance; Hazard Mitigation Assistance).

Department of Housing and Urban Development

- Office of Environment and Energy (development in coastal areas; consistency with coastal zone management plans; consistency with Coastal Barrier Resources Act).

Department of the Interior

- Fish and Wildlife Service (effects of coastal land uses on ESA-listed species and critical habitat, National Wildlife Refuge and National Fish Hatchery System areas, migratory birds and other fish and wildlife resources):
 - Consultation regarding any Federal actions that may directly or indirectly affect a designated coastal barrier. 16 U.S.C. 3501. (For advisory guidelines, see 48 FR 45664 of Oct. 6, 1983).
 - Consultation regarding Federal projects that may affect an estuarine area 15 U.S.C. 1224.
 - Consultation regarding Federal or federally permitted projects that affect fish and wildlife resources under the Fish and Wildlife Coordination Act. 16 U.S.C. 661 *et seq.*
- U.S. Fish and Wildlife Service Mitigation Policy. 16 U.S.C. 661 *et seq.*; 742(a)-754 and 1001-1009 (46 FR 7644 of Jan. 23, 1981).
- Geological Survey (land use planning; geologic and hydrologic hazards; geologic, topographic, land use, and photographic mapping, including areas of the outer continental shelf and Exclusive Economic Zone; assessments of environmental and health implications of hurricanes, extreme storms, and tsunamis; scenarios that model the physical damages, coastal impacts, economic impacts, and environmental and health implications of future extreme storms and tsunamis; near-shore faults and earthquake studies; marine mammal and ecosystem science; coral reefs and coral ecosystem loss; aquatic invasive species impacts to infrastructure and natural resources).
- Bureau of Indian Affairs (Indian lands in coastal areas).
- Bureau of Land Management (public land management in coastal areas).
- Bureau of Ocean Energy Management (coastal zone planning and management related to oil, gas, renewable energy, and marine minerals activities on Outer Continental Shelf lands, see, Coastal Zone Management Act (CZMA) requirements, 16 U.S.C. 1451 *et seq.*; 15 CFR part 930).
- Bureau of Safety and Environmental Enforcement (requires, reviews, and approves oil spill response plans for oil handling, storage, and transport facilities (non-vessel equipment and structures, definition of facility at 30 CFR 254.6) located seaward of the coast line (per 30 CFR 251.1(a)). These plans are reviewed for alignment with CZMA and the area contingency plans.
- National Park Service (conservation of National Park System coastal areas; natural and historic landmarks; and natural and cultural resources; effects of activities and weather and climate events on NPS resources and values):
 - Identification and listing on the National Registry of Natural Landmarks of nationally significant natural areas in the United States. 54 U.S.C. 320101 (36 CFR Part 62).

Consultations regarding use of and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Approval for coastal areas under easement or covenant assisted under National Historic Preservation Act grant funding (e.g., Maritime grants, Hurricane grants, etc.).

Permitting and excavation on public or federal lands relating to archeological resources. Archeological Resources Protection Act (16 USC 470aa-470mm) and the Abandoned Shipwrecks Act (43 U.S.C. 2101-2106) and consultation of effects to coastal historic resources subject to the provisions of sections 106 and 110 of the National Historic Preservation Act (54 U.S.C. 306108 and 306101 *et seq.*).

Activities carried out under the Secretary of the Interior's land-affecting "Standards such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc.

Approvals and consultation for those properties under easement or covenant assisted by grants (or subgrants) provided under the National Historic Preservation Act (e.g., Save America's Treasures grants, Maritime Preservation grants, Hurricane Recovery grants, etc.) (54 U.S.C. 300101 *et seq.*).

Land-affecting activities carried out by National Heritage Areas under the auspices of National Park Service financial assistance.

– Bureau of Reclamation (water development projects in coastal areas, effects of water developments and irrigation on estuarine areas).

Department of Transportation

– Maritime Administration (coastal land use in relation to ports)

Deepwater port regulation and licensing. 33 U.S.C. 1503-1524 (33 CFR Parts 148-150).

Advisory Council on Historic Preservation (effects of coastal land uses on historic properties).

Environmental Protection Agency (effects of coastal land uses on pollution control and environmental quality):

For jurisdictional responsibilities, see I.B. – Water Quality.

Marine Mammal Commission (conservation and protection of marine mammals and their habitat in coastal areas):

Conservation and oversight responsibility for activities affecting marine mammals. 16 U.S.C. 1402.

National Aeronautics and Space Administration (advanced technology for remote sensing of land use and land cover).

Q. Environmentally Sensitive Areas (Wilderness Areas, Wild and Scenic Rivers, Floodplains [see Executive Order 11988], Wetlands [see Executive Order 11990, as amended], Barrier Islands, Beaches and Dunes, Unstable Soils, Steep Slopes, Aquifer Recharge Areas, Tundra, etc.)

Department of Agriculture

– Agricultural Research Service (research activities to conserve and assist environmentally sensitive areas).

– Agricultural Stabilization and Conservation Service (commodity and land use programs; Water Bank).

– Rural Housing Service, Rural Business-Cooperative Service (housing, community, and business loan programs; farmer loan programs in environmentally sensitive areas).

– Forest Service (management of environmentally sensitive areas on National Forest and Grassland System lands, including fire management):

Permits for use of wilderness areas. 16 U.S.C. 472 and 551 (36 CFR Part 293).

Consultations regarding use of and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

– Natural Resources Conservation Service (conservation and protection of environmentally sensitive areas in rural regions).

Agricultural conservation easement programs (16 U.S.C. 3865, *et seq.*)

Prime and unique farmland: Identifies prime and unique farmland and includes that information as part of publically available official soil survey data.

Authority for designation prime and unique farmland is 7 U.S.C. 1010a; 16 U.S.C. 590a-590f and 42 U.S.C. 3271-3274; Rule is 7 CFR Part 657.

Administers the Farmland Protection Policy Act: 7 U.S.C. 4201; Rule is 7 CFR Part 658.

Department of Commerce

– National Oceanic and Atmospheric Administration (management and protection of environmentally sensitive coastal and marine areas):

Consultations concerning the protection of threatened and endangered marine species and their critical habitats. 16 U.S.C. 1531 *et seq.* (50 CFR Part 222).

Consultations concerning impacts to essential fish habitat. 16 U.S.C. 1855 (50 CFR Part 600).

Permits for activities in designated marine sanctuaries. 16 U.S.C. 1431 *et seq.* (15 CFR Part 922).

Establishment of estuarine sanctuaries. 16 U.S.C. 1461 (15 CFR Part 921).

Habitat Conservation Policy (48 FR 53142 of Nov. 25, 1983).

Department of Defense

– Army Corps of Engineers (natural resource management of sensitive areas on lands at water resource development projects of the Army Corps of Engineers; restoration of beaches, wetlands, floodplains, barrier islands, rivers, estuary specific restoration programs, and other aquatic ecosystems; permits for structures and work in navigable waters; permits for discharges of dredged or fill materials into waters of the United States):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Health and Human Services

– Public Health Service: Centers for Disease Control and Prevention (environmentally sensitive areas in relation to human health issues).

Department of Homeland Security

– Coast Guard (port facilities and bridges in environmentally sensitive areas):

Establishment of port access routes in environmentally sensitive areas. 33 U.S.C. 1221.

– Federal Emergency Management Agency (National Flood Insurance Program (NFIP)/Floodplain Management; Public Assistance; Hazard Mitigation Assistance).

Department of Housing and Urban Development

– Office of Environment and Energy (locational criteria for floodplain and wetland development; sole source aquifer and critical habitat; development affecting endangered species and their critical habitats).

Department of the Interior

– Fish and Wildlife Service (protection of ESA-listed species and critical habitat; conservation of environmentally sensitive areas in National Wildlife Refuges and National Fish Hatcheries):

Consultations regarding any Federal actions that may directly or indirectly affect a designated coastal barrier. 16 U.S.C. 3501 (for advisory guidelines, see 48 FR 45664 of Oct. 6, 1983).

Consultations concerning the protection of ESA-listed species and their critical habitats. 16 U.S.C. 1531-1543 (50 CFR Part 402).

Determination of critical habitats for endangered and threatened species of fish and wildlife and plants. 16 U.S.C. 1533 (50 CFR Parts 17, 402 and 424).

– Geological Survey (geologic and hydrologic assessments of sensitive areas, including energy and mineral resources in wilderness areas; earthquake, volcanic and other natural hazards; development of topobathy products for floodplain habitat and communities; climate change and sea level rise impacts on freshwater resources, sensitive ecosystems and species; coastal storm modeling and impacts; marine mammal and ecosystem science; coral reef science).

– Bureau of Indian Affairs (environmentally sensitive areas on Indian lands).

– Bureau of Land Management (environmentally sensitive areas on public lands; management of special areas):

Leases, permits and licenses for mining in Wild and Scenic Rivers System areas. 16 U.S.C. 1280 (each area has special Federal Regulations).

Approval of plan of operations for a mining lease in a wilderness study area. 43 U.S.C. 1701 *et seq.*, and 1782; 12 U.S.C. 1201 *et seq.* (43 CFR Part 3802).

Permits for use of a designated "special area" as defined in 43 CFR Part 8372.0-5(g). 43 U.S.C. 1701 *et seq.*; 16 U.S.C. 460 (1-6a) and 670 (g-n) (43 CFR Part 8370 *et seq.*).

Restrictions on use of "outstanding natural areas" and "primitive areas." 43 U.S.C. 1701 *et seq.* (43 CFR Subpart 8352).

– National Park Service (historical and recreational values; Wild and Scenic Rivers System; National Trails System; National Park System areas; and natural and historic landmarks):

Identification and listing on the National Registry of Natural Landmarks of nationally significant natural areas in the United States. 16 U.S.C. 461 (36 CFR Part 62).

Application of NPS general and special regulations to various activities for the conservation of park system resources and values (36 CFR Parts 1 through 7, 9, and 13).

Consultations regarding use of and effect on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Permits for use of National Historic and National Scenic Trails administered by the National Park Service. 16 U.S.C. 1246.

Permits for gathering of certain plants or plant parts by federally recognized Indian Tribes for traditional purposes. 54 U.S.C. 100101, 100751, 320102 (36 CFR Part 2).

- Bureau of Reclamation (water resource planning and water storage and delivery projects in environmentally sensitive areas; National Water Summary).
- Office of Surface Mining Reclamation and Enforcement (surface coal mining and reclamation operations in environmentally sensitive areas):
 - Identification of lands considered unsuitable for all or certain stipulated methods of coal mining involving surface coal mining operations. 30 U.S.C. 1272(e) (30 CFR Chapter 7, Subchapter F).
 - Protection of prime farmlands during surface coal mining and reclamation operations. 30 U.S.C. 1265 (30 CFR Parts 785.17 and 823).

Department of Transportation

- Office of Secretary (effects of all types of transportation projects on environmentally sensitive areas).
- Pipeline and Hazardous Materials Administration (identification of areas that are unusually sensitive to environmental damage in the event of a hazardous liquid pipeline release, and of hazardous liquid pipelines located in those areas.)
- Federal Highway Administration (highways in environmentally sensitive areas):
 - Mitigation of impacts to privately owned wetlands. 23 U.S.C. 109; Executive Order 11990 (23 CFR Part 777).

Advisory Council on Historic Preservation (effects of activities in sensitive areas on historic properties).

Environmental Protection Agency (pollution control and environmental effects on wetlands, floodplains, prime agricultural lands, and other environmentally sensitive areas):

For jurisdictional responsibilities, see I.A. – Air Quality, I.B. – Water Quality, and I.C. – Waste Disposal on Land.

National Science Foundation (conservation of Antarctic animals, plants, and ecosystems):

Permits for the taking or collecting of Antarctic animals and plants, and for entry into certain designated areas. 16 U.S.C. 2401 *et seq.* (45 CFR Part 670).

Tennessee Valley Authority (Protection and management of environmentally sensitive areas in the Tennessee Valley region).

R. Outdoor Recreation

Department of Agriculture

- Forest Service (recreation in National Forests and Grasslands):
 - Use of recreation areas. (36 CFR Parts 291, 292 and 294).
 - Permits for use of wilderness areas. 16 U.S.C. 551 (36 CFR Part 293).
 - Conditions and requirements for use of National Forest road and trail system. 16 U.S.C. 537 (36 CFR Part 212).
 - Permits for use of National Scenic Trails administered by Forest Service. 16 U.S.C. 1246.
 - Permits for hunting and fishing in fish and wildlife refuge lands. 16 U.S.C. 551 and 683.
 - Conditions and standards for off-road vehicle use on National Forest System lands. 16 U.S.C. 551; E.O. 11644 (36 CFR Part 295).
 - Consultations regarding use of and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*
- Natural Resources Conservation Service (recreation and watershed protection; planning assistance to private landowners):
 - Assistance to State and local sponsors, through a Small Watershed Program grant, for reservoir and stream modification projects including development of basic public recreation facilities. 16 U.S.C. 1001 *et seq.* and 33 U.S.C. 701-1.

Department of Commerce

- National Oceanic and Atmospheric Administration (marine recreational fishing; coastal access planning in State coastal zone management programs).

Department of Defense

- Army Corps of Engineers (recreational areas on lands at water resources development projects of the Army Corps of Engineers, recreational planning associated with water resources development projects such as flood risk management, aquatic ecosystem restoration, navigation and/or hurricane and storm damage reduction projects):

Army Corps of Engineers manages 12 million acres of public lands and waters nationwide; 400 lakes in 43 states; and 55,390 miles of shoreline

Permits, leases, and licenses for activities and developments on water resources development projects. 16 U.S.C. 460(d) (36 CFR Parts 312 and 327).

Department of Health and Human Services

- Public Health Service: Centers for Disease Control and Prevention (outdoor recreation and health).
 - Approval of a conversion to a non-designated use for State and local lands acquired or developed, in whole or in part, with an Open Space Land Program grant. 42 U.S.C. 1500-1500e.

Department of Homeland Security

– Coast Guard (recreational boating):

Recreational boating regulations and permits. 46 U.S.C. 1451 (33 CFR Part 173 *et seq.*).

Department of the Interior

– Fish and Wildlife Service (effects of recreation on ESA-listed species and critical habitat, migratory birds and other fish and wildlife resources; recreation on National Wildlife Refuge and National Fish Hatchery System lands):

Permits for special uses including concessions and other recreational facilities on National Wildlife Refuge System lands. 16 U.S.C. 668dd *et seq.* (50 CFR Part 25.41 *et seq.*).

Permits for off-road vehicular use on National Wildlife Refuge System lands. E.O. 11644 (50 CFR Part 26.34).

Consultation concerning the protection of fish and wildlife refuges which may be impacted by transportation projects. 49 U.S.C. 303.

– Geological Survey (effects of water quality, erosion, and socioeconomics on recreation; effects of recreation on endangered species and other fish and wildlife resources; geologic and hydrologic hazards in relation to recreation activities; impacts of harmful invasive species on human recreation).

– Bureau of Indian Affairs (outdoor recreation on Indian lands).

– Bureau of Land Management (outdoor recreation on public lands generally, including ORV use and river management):

Leases and sale of Federal land to State and local agencies and non-profit groups for recreational and public purposes. 43 U.S.C. 869 *et seq.* (For sales – 43 CFR Part 2740; for leases – 43 CFR Part 2912).

Conditions and standards for off-road vehicle use on BLM lands. 43 U.S.C. 1201; E.O. 11644 (43 CFR Part 8340).

Permits for off-road vehicular use special events, i.e., tours and competitions. 43 U.S.C. 1701 *et seq.*, and 16 U.S.C. 460 (1-6a) (43 CFR Part 8372).

Permits for use of a national trail, developed facility and a designated "special area" as defined in 43 CFR Part 8372.0-5(g). 43 U.S.C. 1701 *et seq.*; 16 U.S.C. 460 (1-6a) and 670 (g-n) (43 CFR Part 8370).

Permits for commercial recreation use of public lands. 43 U.S.C. 1701 *et seq.* (43 CFR Part 8370).

– National Park Service (outdoor recreation, urban parks, Wild and Scenic Rivers System, National Trails System; recreation in National Park System areas):

Assistance to State and local agencies, through Land and Water Conservation Fund Act grants, for the acquisition and/or development of park and recreation areas and/or facilities. 16 U.S.C. 4601.

Approval of a conversion to a non-designated use for State and local lands acquired or developed, in whole or in part, with a Land and Water Conservation Fund Act grant. 16 U.S.C. 4601.

Assistance to State and local agencies, through Urban Park and Recreation Recovery Act grants, for the development and/or improvement of park and recreation areas. 16 U.S.C. 2504 (36 CFR Part 1228).

Approval of a conversion to other than public recreation uses for State and local areas developed or improved with an Urban Park and Recreation Recovery Act grant. 16 U.S.C. 2504 (36 CFR Part 69).

Consultations regarding use of and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Permits for use of National Historic and National Scenic Trails administered by the National Park Service. 16 U.S.C. 1246.

Approval of a conversion to a non-designated use for lands deeded by the Federal government to State and local entities as park demonstration areas, recreation areas, wildlife conservation preserves and refuges and as historic monuments and properties under the (1) Recreation Demonstration Act of 1942 and (2) Federal Property and Administrative Services Act of 1949. For (1), 16 U.S.C. 459 r-t; for (2), 40 U.S.C. 484(k)(2) (41 CFR Part 101-47).

Approval of a conversion to a non-designated use of abandoned railroad rights-of-way acquired by State and local governments under Section 809(b) of the Railroad Revitalization and Regulatory Reform Act of 1976. 49 U.S.C. 1a (36 CFR Part 64).

Consultation concerning the protection of park, recreation, and cultural resources which may be impacted by transportation projects. 49 U.S.C. 303.

Consultations about extent to which proposed recreational developments at hydroelectric projects conform to and are in accord with the Statewide Comprehensive Outdoor Recreation Plans. 16 U.S.C. 460.

Permits for off-road vehicle use on National Park System lands. 16 U.S.C. 1 *et seq.*; E.O. 11644 (36 CFR 7).

Assistance to State and local partners, through American Battlefield Protection Program grants for the preservation of historic battlefields. 54 U.S.C. 308103, including notes)

Consultation on Indian lands or regarding policy for such lands, as per Executive Order 13175, Consultation and Coordination with Indian Tribal Governments.

Land-affecting activities carried out by National Heritage Areas under the auspices of National Park Service financial assistance.

Activities carried out by official State, Tribal, and local government partners under the Secretary of the Interior's property-affecting "Standards" such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc. (36 CFR Part 61).

- Bureau of Reclamation (recreation on water storage and delivery projects)
 - Sale or lease of project lands to a governmental entity or a non-profit group for recreational purposes. 43 U.S.C. 869.
 - Lease of project lands for commercial recreational developments. 43 U.S.C. 391 *et seq.*
 - Permits for organized off-road vehicular events. (43 CFR Part 420.24).
- Office of Surface Mining Reclamation and Enforcement (use of abandoned mined lands for recreational purposes):
 - Identification of park and recreation lands considered unsuitable for surface coal mining operations. 30 U.S.C. 1272(e) (30 CFR Chapter 7, Subchapter F).

Department of Transportation

- Office of the Secretary (general effects of transportation projects on parks and recreation areas):
 - Approval of transportation programs or projects that require the use of or have significant impact on park and recreation areas. 49 U.S.C. 303.
- Federal Highway Administration (effects of highways on parks and recreation areas):
 - Special protection considerations for public park and recreation areas. 23 U.S.C. 138 and 49 U.S.C. 303 (23 CFR Part 774).
 - Access highways to Federal Lands. 23 U.S.C. 204.
 - Recreational Trails Program, 23 U.S.C. 206.

Advisory Council on Historic Preservation (effects of recreational activities and development on historic properties).

Environmental Protection Agency (pollution control and environmental quality in relation to outdoor recreation):

For jurisdictional responsibilities, see I. – Pollution Control.

National Capital Planning Commission (recreation in the Washington, D.C. area):

Approval of land use plans and construction in the National Capital Region. 40 U.S.C. 74a (D.C. Code 9-404, D.C. Code 8-102); 40 U.S.C. 122 (D.C. Code 8-11, D.C. Code 5-432).

Tennessee Valley Authority (recreation on public lands and waters in Tennessee Valley Region).

S. Community and Economic Development

Department of Agriculture

- Agricultural Stabilization and Conservation Service (rural development and farm programs).
- Cooperative Extension Service (rural and community development programs).
- Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service (rural and community development programs).
- Forest Service (programs to assist in coordinating development of communities in and adjacent to National Forest System areas; urban forestry).
- Natural Resources Conservation Service (soil and related resource surveys):
 - Soil, water, and related resource data. 7 U.S.C. 1010a.

Department of Commerce

- Economic Development Administration (community development programs in designated areas).
- National Oceanic and Atmospheric Administration (energy development impacts on communities):
 - Approval and funding of State coastal zone management programs. 16 U.S.C. 1451 *et seq.* (15 CFR Parts 130 and 923).

Department of Health and Human Services

- Center for Disease Control (community health issues).

Department of Homeland Security

- Federal Emergency Management Agency – Community Planning and Capacity Building Recovery Support Function lead.

Department of Housing and Urban Development

- Office of Environment and Energy (community development).

Department of the Interior

- Fish and Wildlife Service (effects of community developments on ESA-listed species and critical habitat, migratory birds other fish and wildlife resources, and National Wildlife Refuge and National Fish Hatchery System areas).

- Geological Survey (effects of development on water resources and erosion; geologic and hydrologic hazards, including floods, subsidence, sink holes, landslides, and earthquakes; effects of community developments on endangered species and other fish and wildlife resources; effects of volcanoes, tsunamis, and wildfire; decision-support tools for evaluating mitigation and response options).
- Bureau of Indian Affairs (community development for Indian peoples and on Indian lands).
- Bureau of Land Management (community developments on public lands):
 - Leases and sale of Federal land to State and local agencies and non-profit groups for recreational and public purposes. 43 U.S.C. 869 *et seq.* (For sales, 43 CFR Part 2740; for leases, 43 CFR Part 2912).
 - Leases/transfers of public lands for a public airport. 49 U.S.C. 1115 (43 CFR Part 2640).
 - Exchange of Federal lands for other property. 43 U.S.C. 1716 (43 CFR Part 2200-2270).
- National Park Service (effects of community developments on natural and historic landmarks, archeological remains, outdoor recreation, urban parks, historic preservation, and National Park System areas):
 - Approval of a conversion to a non-designated use for State and local lands acquired or developed, in whole or in part, with a Land and Water Conservation Fund Act grant. 16 U.S.C. 4601.
 - Approval of a conversion to other than a public recreation use for State and local areas developed or improved with an Urban Park and Recreation Recovery Act grant. 16 U.S.C. 2504 (36 CFR Part 69).
 - Approval of a conversion to a non-designated use for lands deeded by the Federal government to State and local entities as park demonstration areas, recreation areas, wildlife conservation preserves and refuges and as historic monuments and properties under the (1) Recreation Demonstration Act of 1942 and (2) Federal Property and Administrative Services Act of 1949. For (1), 16 U.S.C. 459 r-t; for (2), 40 U.S.C. 484(k)(2) (41 CFR Part 101-47).
 - Approval of a conversion to a non-designated use of abandoned railroad right-of-way acquired by State and local governments under Section 809(b) of the Railroad Revitalization and Regulatory Reform Act of 1976. 49 U.S.C. 1a (36 CFR Part 64).
 - Assistance for the acquisition, rehabilitation, restoration and reconstruction of historic properties. 54 U.S.C. 300101 (36 CFR Parts 60.3 and 68).
 - Approval of a conversion to other than historic preservation uses for State and local areas acquired with an American Battlefield Protection Act grant (54 USC 308101 *et seq.*).
 - Approvals and consultation for those properties under easement or covenant assisted by grants (or subgrants) provided under the National Historic Preservation Act (e.g., National Center for Preservation Technology and Training grants, Save America’s Treasures grants, Maritime Preservation grants, Japanese American Confinement Site grants, etc.) (54 U.S.C. 300101 *et seq.*).
 - Assistance to local community and state and tribal partners regarding historic resources (including archeological) as described within the National Historic Preservation Act (54 U.S.C. 300101 *et seq.*) 36 CFR Part 61).
 - Consultation on Indian lands or regarding policy for such lands, as per Executive Order 13175, Consultation and Coordination with Indian Tribal Governments.
 - Land-affecting activities carried out by National Heritage Areas under the auspices of National Park Service financial assistance.
 - Activities carried out by official State, Tribal, and local government partners under the Secretary of the Interior’s property-affecting “Standards” such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc. (36 CFR Part 61).
 - Federal Historic Preservation Tax Incentive Certifications. 54 U.S.C. 300101 *et seq.*; 26 U.S.C. 47 and 170(h) (36 CFR Part 67).
- Bureau of Reclamation (water storage, delivery, and irrigation systems for community development purposes):
 - Sales of farm units on Federal irrigation projects (Statutory jurisdiction appears in individual project authorizations)
 - Sale or lease of project lands to a governmental entity or nonprofit group for recreational or other public purposes. 43 U.S.C. 869.
- Office of Surface Mining Reclamation and Enforcement (effects of surface mining and reclamation operations on community development).

Department of Transportation

- Federal Aviation Administration (effects of airport development on communities):
 - Approval of an airport noise compatibility program. 14 CFR Part 150.
- Federal Highway Administration (effects of highways on communities):
 - Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs, and relocation assistance in connection with highway projects. 42 U.S.C. 4601 *et seq.* (49 CFR Part 24).
- Federal Transit Administration (effects of urban transportation systems on communities):

Grants for economic growth center development highways. 23 U.S.C. 143.

Grants for public transportation projects, 49 U.S.C. Chapter 53 (transportation opportunities for and effects of community development on low income populations).

Advisory Council on Historic Preservation (effects of community development on historic properties).

Environmental Protection Agency (air, noise, and water pollution control relating to community development):

For jurisdictional responsibilities, see I. – Pollution Control.

General Services Administration

– Public Building Service (building design, construction, and use).

National Capital Planning Commission (community developments in the Washington, D.C. area):

Approval of land use plans and construction in the National Capital Region. 40 U.S.C. 74a (DC Code 9-404, DC Code 8-102); 40 U.S.C. 122 (D.C. Code 8-111, DC Code 5-432).

National Endowment for the Arts (effects of development on artistic values).

T. Historic, Architectural, and Archeological and Paleontological Resources

Department of Agriculture

– Agricultural Stabilization and Conservation Service (effects on historic and archeological resources from agriculture).

– Rural Housing Service, Rural Business Service, Rural Utilities Service (effects of housing, community, business and utilities programs, and farmer programs on cultural resources).

– Forest Service (protection of historic and archeological resources in National Forests and Grasslands):

Special-use permits, archeological permits, leases and easements. 16 U.S.C. 497 and 580(d); 43 U.S.C. 1761; (36 CFR Parts 251 and 261).

Permits and procedures for the recovery and preservation of archeological resources on Department of Agriculture lands. 16 U.S.C. 470 aa-ll (36 CFR Part 296).

– Natural Resources Conservation Service (effects of agriculture on cultural resources).

Department of Commerce

– National Oceanic and Atmospheric Administration (areas for preservation and restoration under State coastal zone management programs):

National Marine Sanctuaries. 16 U.S.C. 1431 (15 CFR Part 922).

National Estuarine Sanctuaries. 16 U.S.C. 1461 (15 CFR Part 921).

Department of Defense

– Office of the Secretary (protection of archeological resources):

Permits/procedures for recovery and preservation of archeological resources on Department of Defense lands. 16 U.S.C. 470 aa-ll (32 CFR Part 229).

Department of Homeland Security

– Coast Guard (effects of bridges on cultural resources):

Construction and alterations on bridges and causeways over navigable waters that are or require the use of or have significant impacts on historic sites. 33 U.S.C. 491 *et seq.*; 511 *et seq.*; 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).

Department of Housing and Urban Development

– Office of Environment and Energy (protection of historic and architectural resources in developed areas).

Department of the Interior

– Fish and Wildlife Service (cultural resource management on National Wildlife Refuge and National Fish Hatchery System lands, and effects of cultural resource management on ESA-listed species and critical habitat):

Special use permit for antiquities search and collection activities – in addition to an antiquity permit. 16 U.S.C. 668(dd) *et seq.* (50 CFR Part 25.41); also see 16 U.S.C. 470 aa-ll (43 CFR Part 7).

– Geological Survey (paleontological resources in general; archives of historic images, maps, and aerial photography; land use change studies).

– Bureau of Indian Affairs (protection of historic and archeological resources on Indian and Native American lands):

Concurrence for issuance and supervision of antiquity permits on Indian lands. 16 U.S.C. 432 (25 CFR Part 261); also see 16 U.S.C. 470 aa-ll (43 CFR Part 7).

– Bureau of Ocean Energy Management

Protection through assessment of effects on cultural resources on outer continental shelf lands from activities related to oil, gas and renewable energy development, and mineral extraction (Outer Continental Shelf Lands Act 43 U.S.C. 1340(g); 30 CFR 550.194; 550.216; 550.227; 550.247; 550.261; 551.6; 551.7; 551.8; 580.20; 580.21; 580.23; 580.24; 582.23; 582.24;

585.103; 585.400; 585.417; 585.437; 585.605; 585.606; 585.610; 585.611; 585.617; 585.620; 585.626; 585.627; 585.634; 585.641; 585.645; 585.646; 585.655; 585.802; 585.902; 585.906; 585.1006)

– Bureau of Safety and Environmental Enforcement

Compliance verification and enforcement of protection requirements for cultural resources on outer continental shelf lands from activities related to oil, gas and renewable energy development, and mineral extraction. Outer Continental Shelf Lands Act. 43 U.S.C. 1331 *et seq.* (30 CFR Part 250.194; 250.1007; 250.1010; 250.1752; 251.7).

– National Park Service (protection of historic, archeological, architectural and paleontological properties; cultural resource management on National Park System lands, and land-affecting assistance to National Park Service partners and grantees):

Nominations to and determinations of eligibility of properties for inclusion in the National Register of Historic Places. 54 U.S.C. 302101 *et seq.* (36 CFR Part 60 and 63).

Approval of procedures in State, Tribal and local government historic preservation programs. 54 U.S.C. 302301 *et seq.*, 302501 *et seq.*, and 302701 *et seq.* (36 CFR Part 61).

National Historic Landmarks Program – nominations and designations, 54 U.S.C. 320101 *et seq.* and 302101 *et seq.* (36 CFR Part 65).

Federal Historic Preservation Tax Incentive Certifications 54 U.S.C. 300101 *et seq.*; 26 U.S.C. 47 and 170(h) (36 CFR Part 67).

The Secretary of the Interior's Standards and Guidelines for the Treatment of Historic Properties U.S.C. 300101 *et seq.*; Executive Order 11593 (36 CFR Part 68).

The Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation pursuant to Sections 101 of the National Historic Preservation Act. U.S.C. 300101 *et seq.* (48 FR 44716 of Sept. 29, 1983).

Activities conducted pursuant to the Secretary of the Interior's Standards and Guidelines for Federal Agency Historic Preservation Programs. 63 Federal Register 72, Page 20496, April 24, 1998.

Activities carried out under the Secretary of the Interior's property-affecting "Standards" such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc.

Activities conduct pursuant to Federal Agency Historic Preservation Responsibilities under the National Historic Preservation Act. 54 U.S.C. 306101 *et seq.* (e.g., Sections 106, 110, 111, 112, etc.).

Waiver of Federal Agency Responsibilities under Section 110 of the National Historic Preservation Act. 54 U.S.C. 30612 (36 CFR Part 78).

Protection of the world's cultural and natural heritage: the World Heritage Convention. 54 U.S.C. 307101 *et seq.* (36 CFR Part 73).

Permits and procedures for the recovery and preservation of archeological resources on Department of the Interior lands. 16 U.S.C. 470 aa-ll (43 CFR Part 7).

Permits to examine ruins, excavate archeological sites and gather objects of antiquity on Federal and Indian lands (Antiquity permits issued by the Departmental Consulting Archeologist). 54 U.S.C. 320301 and 320302 (43 CFR Part 3; 36 CFR Parts 2.20 and 2.25); also see 16 U.S.C. 47 aa-ll (43 CFR Part 7).

Approval of a conversion to a non-designated use for lands deeded by the Federal government to State and local entities as park demonstration areas, recreation areas, wildlife conservation preserves and refuges and as historic monuments and properties under the (1) Recreation Demonstration Act of 1942 and (2) Federal Property and Administrative Services Act of 1949. For (1), 16 U.S.C. 459 r-t; for (2), 40 U.S.C. 484(k)(2) (41 CFR Part 101-47).

Consultation concerning the protection of any historic site which may be impacted by a transportation project. 49 U.S.C. 303.

Approval of a conversion to other than historic preservation uses for State and local areas acquired with an American Battlefield Protection Act as amended grant (54 U.S.C. 308101 *et seq.*).

Approvals and consultation for those properties under easement or covenant assisted by grants (and subgrants) provided under the National Historic Preservation Act (e.g., National Center for Preservation Technology and Training grants, Save America's Treasures grants, Maritime Preservation grants, Japanese American Confinement Site grants, etc.) (54 U.S.C. 300101 *et seq.*).

Assistance to local community and state and tribal partners regarding historic resources (including archeological) as described within the National Historic Preservation Act 54 U.S.C. 300101 *et seq.* (36 CFR Part 61).

Consultation on Indian lands or regarding policy for such lands, as per Executive Order 13175, Consultation and Coordination with Indian Tribal Governments.

Land-affecting activities carried out by National Heritage Areas under the auspices of National Park Service financial assistance.

Activities carried out by official State, Tribal, and local government partners under the Secretary of the Interior's property-affecting "Standards" such as Standards for the Treatment of Historic Properties, Standards for Historic Vessel Preservation Projects, Standards for Cultural Landscapes, etc. (36 CFR Part 61).

Permits and procedures for the recovery and preservation of paleontological resources on lands within units of the National Park System. 16 U.S.C. 4301-4309, 54 U.S.C. 100701 and 16 U.S.C. 470aaa *et seq.*

– Bureau of Reclamation (protection of cultural resources on water storage and delivery project lands):

Procedures for the administration and protection of cultural resources. E.O. 11593 (43 CFR Part 422).

Concurrence for issuance and supervision of antiquity permits. 16 U.S.C. 432 (43 CFR Part 3); also see 16 U.S.C. 470 aa-II (43 CFR Part 7).

– Office of Surface Mining Reclamation and Enforcement (protection of important historic, cultural, scientific, and aesthetic resources in surface coal mining and reclamation operations):

Concurrence for issuance and the supervision of antiquity permits. 16 U.S.C. 432 (43 CFR Part 3); also see 16 U.S.C. 470 aa-II (43 CFR Part 7).

Department of Transportation

– Office of the Secretary (general effects of transportation projects on cultural resources):

Approval of transportation programs or projects that require the use of or have significant impacts on historic sites. 49 U.S.C. 303.

– Federal Highway Administration (effects of highway projects on cultural resources):

Approval of highway programs or projects that require the use of historic sites. 23 U.S.C. 138 (23 CFR Part 774) and 49 U.S.C. 303.

Archeological and paleontological salvage on Federal and Federal-aid highway projects. 23 U.S.C. 305.

– Federal Railroad Administration (effects of railroad projects on cultural resources).

– Federal Transit Administration (effects of urban transportation projects on architectural and historic resources).

Advisory Council on Historic Preservation (effects of development or other actions on historic properties):

Consultation concerning the effects of any Federal, federally assisted, or federally regulated activity on historic properties. 16 U.S.C. 470 *et seq.* (36 CFR Part 800).

General Services Administration

– Public Buildings Service (effects of development and pollution on architectural and historic resources in urban areas).

National Capital Planning Commission (effects of development and pollution on architectural, historic and archeological resources in the Washington, D.C. area):

Approval of land use plans and construction in the National Capital Region. 40 U.S.C. 74a (D.C. Code 9-404, D.C. Code 8-102); 40 U.S.C. 122 (D.C. Code 8-111, D.C. Code 5-432).

Tennessee Valley Authority (effects of development and other actions on historic and archeological resources in the Tennessee Valley region):

Permits and procedures for the recovery and preservation of archeological resources on TVA lands. 16 U.S.C. 470aa-II (18 CFR Part 1312).

IV. NATURAL RESOURCES MANAGEMENT

U. Weather Modification

Department of Agriculture

– Natural Resources Conservation Service (snow surveys and soil moisture monitoring; agricultural adaption to climate change).

– World Agricultural Outlook Board (data relating to weather and agricultural commodities).

Department of Commerce

– National Oceanic and Atmospheric Administration (weather research and development):

Records and reports on weather modification activities. 85 Stat. 735 (15 CFR Part 908).

Department of Defense

– Department of the Air Force (fog dissipation).

Department of the Interior

– Bureau of Indian Affairs (effects of weather modification on Indian Lands).

– Bureau of Land Management (effects of weather modification on public lands).

– Fish and Wildlife Service (effects of weather modification on ESA-listed species and critical habitat, migratory birds other fish and wildlife resources, and National Wildlife Refuge and National Fish Hatchery System areas).

– Geological Survey (effects of weather modification on water resources; paleoclimatic studies; effects on ecosystem services, fire, invasive species, fish and wildfire disease; effects of weather modification on endangered species and other fish and wildlife resources).

– National Park Service (effects of weather modification on National Park System areas).

– Bureau of Reclamation (effects of weather modification on water storage and delivery projects; research in relation to water resources):

Precipitation augmentation through cloud seeding. 43 U.S.C. 377.

Environmental Protection Agency (effects of weather modification on pollution control and environmental quality).

V. Marine Resources

Department of Commerce

– National Oceanic and Atmospheric Administration (meteorological and oceanographic research and monitoring; management and protection of coastal and marine resources; marine pollution research and monitoring; ocean pollution; ocean mining; ocean dumping; seafood quality; regulation of marine fisheries):

Establishment of estuarine sanctuaries. 16 U.S.C. 1461 (15 CFR Part 921).

Permits for activities in designated marine sanctuaries. 16 U.S.C. 1431 *et seq.* (15 CFR Part 922).

Consultations regarding Federal or federally permitted projects affecting fish and wildlife habitat in coastal and offshore areas under the Fish and Wildlife Coordination Act. 16 U.S.C. 661 *et seq.*

Consultations regarding projects which may affect any threatened or endangered marine species or its critical habitat. 16 U.S.C. 1531 *et seq.* (50 CFR Parts 222 and 402).

Permits for scientific research and display of marine mammals. 16 U.S.C. 1374 (50 CFR Parts 216.31, 220 and 618).

Permits to enhance the propagation or survival of endangered or threatened marine species. 16 U.S.C. 1531 (50 CFR Part 222.21).

Control of fishing by foreign and domestic vessels in the 3-200 mile Fishery Conservation Zone. 16 U.S.C. 1801 *et seq.* (50 CFR Chapter VI).

Consultations concerning impacts to essential fish habitat. 16 U.S.C. 1855 (50 CFR Part 600).

Permits for importing marine mammals or products thereof. 16 U.S.C. 1361 and 1371-74 (50 CFR Parts 18 and 216).

Licenses for siting, design, and operation of ocean-thermal energy facilities. 42 U.S.C. 9101 *et seq.* (15 CFR Part 981).

Licenses and permits for deep seabed hard mineral resource exploration or recovery. 30 U.S.C. 1401 *et seq.* (15 CFR Part 970).

Approval of fishery management plans. 16 U.S.C. 1801 *et seq.* (50 CFR Part 601).

Permits for scientific research, propagation and survival of marine reptiles. 16 U.S.C. 1538 (50 CFR Part 223.23).

Permits for whaling for scientific and subsistence purposes. 16 U.S.C. 916 (50 CFR Part 216).

Department of Defense

– Army Corps of Engineers (regional sediment management studies in coastal/marine areas, coastal watershed plans encompassing marine resources, estuary specific restoration programs, effects of water resources development projects on marine resources (navigation, hurricane and storm damage reduction, beach nourishment, aquatic ecosystem restoration); effects of activities in navigable waters on marine resources):

Regulation of artificial islands, installations and devices on the outer continental shelf. 43 U.S.C. 1333(e) (33 CFR Part 320.2(b)).

Transport of dredged material for ocean disposal (33 U.S.C. 1413) (33 CFR part 324).

For other jurisdictional responsibilities, see I.B. – Water Quality.

– Department of the Navy (oceanography and hydrographic mapping; ship pollution).

Department of Energy

– Office of Energy Efficiency and Renewable Energy (research, development, demonstration, and commercial application of offshore renewable energy sources).

Department of Health and Human Services

– Public Health Service (effects of marine pollution on health).

– Food and Drug Administration (shellfish sanitation; contamination of fish and shellfish with toxics).

Department of Homeland Security

– Coast Guard (ocean dumping enforcement and marine resource protection; discharges of toxic materials in navigable waters; recreational boating):

Transportation of hazardous materials by vessel. 46 U.S.C. 170, 375, 391(a) and 416(j); 49 U.S.C. 1655, 1803, 1804 and 1808(j); 50 U.S.C. 191 (33 CFR Parts 151 *et seq.*; and 160 *et seq.*; 46 CFR Chapter I).

Hazardous substance discharge to navigable waters. 33 U.S.C. 1321 (33 CFR Parts 25 and 151 *et seq.*; 46 CFR Part 542 *et seq.*).

Navigation and waterfront facility regulation. 33 U.S.C. 1221 *et seq.* (33 CFR Parts 125 and 126).

- Outer continental shelf structures. 43 U.S.C. 1331 (33 CFR Part 140 *et seq.*).
- Ports and waterways safety. 33 U.S.C. 1221 (33 CFR Part 160 *et seq.*).
- Deepwater port regulation and licensing. 33 U.S.C. 1503-1524 (33 CFR Parts 148-150).
- Recreational boating regulation. 46 U.S.C. 1451 (33 CFR Part 173 *et seq.*).

Department of the Interior

- Fish and Wildlife Service (effects of marine pollution on ESA-listed species and critical habitat, estuarine areas, marine sanctuaries, sport fisheries, migratory birds, barrier islands, and coastal National Wildlife Refuges):
 - Consultation regarding Federal projects that may affect an estuarine area. 15 U.S.C. 1224.
 - Habitat acquisition and improvement for designated marine mammals. 16 U.S.C. 136 *et seq.*
- Geological Survey (marine geophysical surveys, including assessment of marine energy and mineral deposits; offshore geologic studies; side-scan sonar freshwater surveys; effects of offshore energy development on endangered species, marine mammals, corals, and other fish and wildlife resources; impacts to islands; marine faults and earthquake studies; aquatic invasive).
- Bureau of Ocean Energy Management (emissions from outer continental shelf lease operations; effects of pollution from outer continental shelf mineral lease operations; protection of marine biological resources on outer continental shelf leases; management of outer continental shelf lands):
 - For jurisdictional responsibilities, see II.H. – Oil and Gas and IV.AA – Non-energy Mineral Resources.
- National Park Service (conservation of National Park System marine areas, natural landmarks, and natural and cultural resources; effects of activities and weather and climate events on NPS resources and values).

Department of State (international aspects of water pollution and marine resources, including migratory birds and marine mammals).

Department of Transportation

- Pipeline and Hazardous Materials Safety Administration: Transportation of hazardous materials. 49 U.S.C. § 5101 *et seq.*, 49 CFR Part 176.
- Maritime Administration (port, coastal, and ocean pollution; marine pollution from ships; destruction/treatment of wastes at sea):
 - Deepwater port regulation and licensing. 33 U.S.C. 1503-1524 (33 CFR Parts 148-150).
 - Merchant vessels: polluting, discharging and dumping. 46 U.S.C. 1101 *et seq.*
 - Port operations: polluting, discharging and dumping. 46 U.S.C. 867.

Advisory Council on Historic Preservation (effects of activities in coastal and marine areas on historic properties).

Environmental Protection Agency (marine discharges, oil spills, ocean dumping; environmental effects; ocean disposal of radioactive waste and hazardous materials):

- For jurisdictional responsibilities, see I.B. – Water Quality.

Federal Maritime Commission (vessel certification with respect to liability for water pollution):

Marine Mammal Commission (conservation and protection of marine mammals and their habitat):

- Consultation and oversight responsibility for activities affecting marine mammals. 16 U.S.C. 1402.
- Review of permit applications for taking and importation of marine mammals and marine mammal products. 16 U.S.C. 1371(a).

National Aeronautics and Space Administration (advanced technology for remote sensing in oceanography and marine resource conservation).

Nuclear Regulatory Commission (radioactive substances in the marine environment).

W. Water Resources Development and Regulation

Department of Agriculture

- Rural Utilities Service (water and wastewater infrastructure funding).
- Agricultural Research Service (research on soil and water conservation).
- Agricultural Stabilization and Conservation Service (water resource conservation; Water Bank program).
- Animal and Plant Health Inspection Service (control of exotic noxious weeds in waterways and streams).
- Forest Service (effects of water resource developments on National Forests and Grasslands):
 - Water resource development in wilderness areas. (36 CFR Part 293.15).
 - Consultations regarding water resource development and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*
- Natural Resources Conservation Service (watershed protection; river basin studies, flood prevention, and habitat analysis):

Assistance to State and local sponsors, through a Small Watershed Program grant, for watershed, reservoir, flood-control and drainage projects. 16 U.S.C. 1001 *et seq.*; 33 U.S.C. 701-1 and 42 U.S.C. 1962 *et seq.* (7 CFR Parts 620 *et seq.*; and 660).

Department of Commerce

– National Oceanic and Atmospheric Administration (estuarine and anadromous fish habitat; review of Federal permits affecting water resources and management; protection of coastal and marine resources; river and flood forecasting).

Department of Defense

– Army Corps of Engineers (water resource management including development of projects associated with flood risk management, navigation, hurricane and storm damage reduction, and aquatic ecosystem restoration and regulation of activities in waters of the United States, including navigable waters):

Rules governing work or structures in or affecting navigable waters of the United States. 33 U.S.C. 401, 403, and 419 (33 CFR Part 322).

Permits for discharges of dredged or fill materials into waters of the United States. 33 U.S.C. 1344 (33 CFR Part 323).

Guidelines controlling the discharge of dredged or fill material in waters of the United States including wetlands. (40 CFR Part 230).

Permits for uses at Corps reservoirs managed by a lakeshore management plan. 33 U.S.C. 1251.

Permits for use of river or harbor improvements built by United States. 33 U.S.C. 408 (33 CFR Part 320.2(e)).

For other jurisdictional responsibilities, see I.B. – Water Quality.

Department of Homeland Security

– Coast Guard (vessel, bridge, port, and waterway regulation and safety; navigational aids):

Ports and waterways safety. 33 U.S.C. 1221 (33 CFR Part 160 *et seq.*).

Construction and alterations of bridges and causeways over navigable waters. 33 U.S.C. 491 *et seq.*; 511 *et seq.*; 525 *et seq.*, and 535 (33 CFR Part 114 *et seq.*).

– Federal Emergency Management Agency (National Flood Insurance Program (NFIP); National Dam Safety Program (NDSP); Public Assistance; Hazard Mitigation Assistance).

Department of the Interior

– Fish and Wildlife Service (effects of water resource developments on ESA-listed species and critical habitat, migratory birds other fish and wildlife resources, and National Wildlife Refuge and National Fish Hatchery System areas):

Consultation regarding Federal or federally permitted projects which affect streams and water bodies. 16 U.S.C. 661 *et seq.*

– U. S. Fish and Wildlife Service Mitigation Policy. 16 U.S.C. 661-667(e), 742(a)-754 and 1001-1009 (46 FR 7644 of Jan. 23, 1981).

Consultation regarding Federal projects that may affect an estuarine area under the Estuarine Protection Act. 15 U.S.C. 1224.

– Geological Survey (hydrologic research; collection, analysis, and dissemination of data on quantity and quality of surface and ground water; National Water Summary; ecological flow modeling; effects of water resource developments on endangered species and other fish and wildlife resources; modeling of groundwater systems; future projections; impacts of dam removal; transport, fate, and impacts of contaminants).

– Bureau of Indian Affairs (effects of water resources developments on Indian lands):

Permits, concessions, and leases on lands withdrawn or acquired in connection with Indian irrigation projects. 25 U.S.C. 390 (25 CFR Part 173).

– Bureau of Land Management (effects of water resource developments on public lands):

Permits, leases, and easements for water control projects. 43 U.S.C. 1732(b) and 1761(a)(1) (43 CFR Part 2800).

– National Park Service (effects of water resource developments on Wild and Scenic River System, outdoor recreation areas, National Park System areas and natural and historic landmarks):

Consultations regarding water resource developments and effects on rivers established as units of the National Wild and Scenic Rivers System and on those rivers designated for study as potential additions to that System. 16 U.S.C. 1278 *et seq.*

Consultations about extent to which proposed recreational developments at hydroelectric projects conform to and are in accord with the State Comprehensive Outdoor Recreation Plan. 16 U.S.C. 470.

– Bureau of Reclamation (water storage and delivery projects and their effects; water policy analysis; impacts on State water management):

Construction and operation of works and structures for storage, diversion and development of waters, including flood control, navigation and river-flow regulation and control in the 17 contiguous western States. 43 U.S.C. 391 *et seq.*

– Office of Surface Mining Reclamation and Enforcement (effects of water resource developments on surface coal mining and reclamation operations).

Department of Transportation

- Federal Highway Administration (effects of water resource developments on highways):
 - Approval of Federal-aid highway and bridge projects involving navigable waters and channel changes. 23 U.S.C. 144 (23 CFR Part 650).
 - Approval of toll bridge and ferry projects. 23 U.S.C. 129.
- Saint Lawrence Seaway Development Corporation (Seaway regulation):
 - Construction, development, operation, and maintenance of the United States part of the Seaway. 33 U.S.C. 981-990 (33 CFR Parts 401-403).

Advisory Council on Historic Preservation (effects of water resource developments on historic properties).

Delaware River Basin Commission (management of water resources in the Delaware River basin):

Review and approval of water resource projects. 75 Stat. 708 (18 CFR Parts 401-430).

Environmental Protection Agency (effects of water resource developments on pollution control):

Review of permits for discharge of dredged or fill materials into waters of the United States. 33 U.S.C. 1344 (40 FR Parts 230-233).

Guidelines controlling the discharge of dredged or fill material in waters of the U.S. including wetlands. (40 CFR Parts 230-233).

For other jurisdictional responsibilities, see I.B. – Water Quality.

Federal Energy Regulatory Commission (effects of power projects):

Regulation of development of water resources. 16 U.S.C. §791-825(r) (18 CFR Parts 4-25, 36, 131 and 141).

International Boundary and Water Commission, United States Section (maintenance, restoration and protection of banks of Rio Grande and Colorado River where they form the international boundary with Mexico; construction and operation of works and structures for storage and diversion of waters, including flood control on the Rio Grande and Colorado Rivers).

National Capital Planning Commission (water resource developments in Washington, D.C. area):

Approval of taking lines and general development plans for parks in stream valleys in Maryland and Virginia tributaries to the Potomac and Anacostia Rivers. Act of May 29, 1930; 46 Stat. 432 as amended.

Susquehanna River Basin Commission (management of water resources in the Susquehanna River basin):

Review and approval of water resource projects. 84 Stat. 1509 *et seq.* (18 CFR Parts 801-803).

Tennessee Valley Authority (water resource developments and regulation in the Tennessee Valley region):

Construction of dams, appurtenant works, or other waterway improvement activities affecting navigation, flood control, public lands or reservations on the Tennessee River System. 16 U.S.C. 831(y-1).

X. Watershed Protection and Soil Conservation

Department of Agriculture

- Agricultural Research Service (technical aspects of water and soil conservation).
- Agricultural Stabilization and Conservation Service (soil conservation; cost-sharing farm and forest conservation programs).
- Extension Service (extension programs in agricultural conservation).
- Rural Housing Service, Rural Business-Cooperative Service, Rural Utilities Service (effects of housing, community, business and utilities programs, and farmer programs on soil and water conservation; conservation loan programs).
- Forest Service (soil and water conservation, and their effects on National Forests and Grasslands; forest and range soil rehabilitation):

Emergency soil and water conservation programs. 16 U.S.C. 2202 *et seq.*, Public Law 109-54, Section 434.

- Natural Resources Conservation Service (soil surveys; technical assistance in areas of soil, water, and related resource conservation for landowners and land users through several multi-functional programs):

Emergency soil and water conservation programs 16 U.S.C. 2202 *et seq.*

Grants for Watershed Protection and Flood Prevention Act activities. 16 U.S.C. 1001 *et seq.* (7 CFR Part 620 *et seq.*, and 660).

Department of Commerce

- National Oceanic and Atmospheric Administration (weather research, river and flood forecasting).

Department of Defense

- Army Corps of Engineers (watershed planning, effects of water resource management including development of projects associated with flood risk management, navigation, hurricane and storm damage reduction, and aquatic ecosystem restoration; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Homeland Security

– Federal Emergency Management Agency (National Flood Insurance Program (NFIP)/Floodplain Management; Public Assistance; Mitigation Assistance).

Department of the Interior

– Fish and Wildlife Service (effects of soil erosion and watershed protection on endangered species and critical habitats, and on fish and wildlife resources in general):

Consultation regarding small watershed projects of the Natural Resources Conservation Service under the Watershed Protection and Flood Protection and Flood Prevention Act. 16 U.S.C. 1008.

– Geological Survey (geology and hydrology in general; National Water Summary; erosion and sedimentation; engineering geology; effects of soil erosion and watershed protection on endangered species and on fish and wildlife resources; characterization of watersheds; modeling of groundwater systems; future projections; impacts of dam removal; transport, fate, and impacts of contaminants).

– Bureau of Indian Affairs (soil conservation and watershed protection on Indian lands).

– Bureau of Land Management (watershed protection and soil conservation on public lands).

– National Park Service (watershed protection and soil conservation on National Park System lands):

Special use permits, grazing permits, permits to collect soil, rock, water, and plant specimens. 16 U.S.C. 1 *et seq.* (36 CFR Parts 1, 2 and 7).

– Bureau of Reclamation (soil and moisture conservation; hydrology; erosion control on public lands; water storage and delivery project; water resources research; analysis of Federal role in groundwater management).

– Office of Surface Mining Reclamation and Enforcement (effects of surface coal mining and reclamation operations on erosion, aquifers and alluvial valley floors; hydraulic impacts of coal mining; revegetation and reclamation after mining).

Department of Transportation

– Federal Highway Administration (erosion control on highway projects; vegetation management on highway rights-of-way; highway drainage problems on watersheds, storm water management for highways), 23 U.S.C. 109(g) (23 CFR Part 650).

Advisory Council on Historic Preservation (effects of watershed protection activities on historic properties).

Environmental Protection Agency (watershed protection and soil conservation in relation to pollution control).

Federal Energy Regulatory Commission (effects of power projects):

Regulation of development of water resources. 16 U.S.C. §791-825(r) (18 CFR Parts 4-25, 36, 131 and 141).

National Aeronautics and Space Administration (advanced technology for remote sensing of watersheds and soils).

Tennessee Valley Authority (watershed protection and soil conservation in the Tennessee Valley region).

Y. Forest, Range, and Vegetative Resources (Includes Development, Production, Harvest and Transport of These Renewable Resources)

Department of Agriculture

– Agricultural Research Service (forest and range management).

– Agricultural Stabilization and Conservation Service (renewable resource conservation programs; Forestry Incentives Program; Water Bank Program).

– Economic Research Service and National Agricultural Statistics Service (economic and statistical data on renewable resources).

– Cooperative Extension Service (rural extension programs in renewable resource conservation and management).

– Forest Service (forest and grassland productivity in general; fire management; timber sale, free use of timber and other renewable resources, timber management activities and grazing habitat management in National Forests and Grasslands):

Timber management. 16 U.S.C. 472, 528-531, 1600-1614, and 6591 *et seq.* (36 CFR Part 221, 222, and 223).

Grazing permits. 43 U.S.C. 1901 (36 CFR Part 222).

Management and disposal of wild free-roaming horses and burros. 16 U.S.C. 1331-1340 (36 CFR Part 222, Subpart B).

– Natural Resources Conservation Service (watershed resources protection; soil conservation technology).

Financial and technical assistance to private agricultural landowners through voluntary conservation programs

Department of Commerce

– National Oceanic and Atmospheric Administration (coastal and marine resources management and development).

Department of Defense

– Army Corps of Engineers (permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States for renewable resources; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

– Bonneville Power Administration (vegetation and fisheries management in the Pacific Northwest):

Regional planning and conservation. 16 U.S.C. 839 *et seq.*

Department of the Interior

– Fish and Wildlife Service (effects of agriculture, forestry, and other renewable resource activities on ESA-listed species and critical habitat, National Wildlife Refuges and National Fish Hatchery systems, migratory birds and other fish and wildlife resources).

– Geological Survey (effects of renewable resource activities on water resources and erosion; remote sensing of vegetation; effects of agriculture, forestry and other renewable resource activities on endangered species and other fish and wildlife resources; 3D mapping of vegetation communities and invasive plant species; wildland fire risk and impacts to natural resources and people; biological carbon sequestration; effects of resource management and other activities on landscapes, ecosystems, and species; impacts of energy development; projections of climate change and effects on natural resources; ecology of sensitive and priority species).

– Bureau of Indian Affairs (forest, range, and vegetative resources on Indian lands):

Permits for grazing on Indian lands and on Federal lands under BIA jurisdiction. 5 U.S.C. 301; 25 U.S.C. 179, 345, 380, 393-394, 397, 402-403 and 413 (25 CFR Parts 166-168).

Sale of timber from tribal and allotted lands. 25 U.S.C. 406-407, 413 and 466 (25 CFR Part 163).

Permits, concessions, and leases on lands withdrawn or acquired in connection with Indian irrigation projects. 25 U.S.C. 390 (25 CFR Part 173).

Leases for farming and other uses on Federal lands under BIA jurisdiction. 5 U.S.C. 301; 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477 and 635 (25 CFR Part 162).

– Bureau of Land Management (forest, range and vegetative resources on public lands):

Permits for use of rangelands. 43 U.S.C. 315 (43 CFR Group 4100).

Sale by contract of timber and other forest products. 30 U.S.C. 601 *et seq.*; 43 U.S.C. 315, 423, and 118(a) (43 CFR Group 5400).

Permits for free use of timber. 16 U.S.C. 604 *et seq.*; 30 U.S.C. 189; 48 U.S.C. 423 (43 CFR Part 5510).

Management and control of wild free-roaming horses and burros and agreements for their adoption. 16 U.S.C. 1331-1340 (43 CFR Group 4700).

– National Park Service (effects of forest, range, and other vegetative resource activities on historical and recreational values and on National Park System areas): Permits for farming and grazing. 16 U.S.C. Chapter 1 *et seq.* (36 CFR Parts 1, 2 and 7).

Permits for farming and grazing. 16 U.S.C. Chapter 1 *et seq.* (36 CFR Parts 1, 2 and 7).

– Bureau of Reclamation (water storage and delivery projects and irrigation projects in relation to forest, range, and other vegetative resource activities; evaluation of water policy alternatives):

Sale of farm units on Federal irrigation projects (statutory authority appears in individual project authorizations).

– Office of Surface Mining Reclamation and Enforcement (effects of surface coal mining and reclamation operations on renewable resources):

Protection of prime farmlands during surface coal mining and reclamation operations. 30 U.S.C. 1265 (30 CFR Parts 785.17 and 823).

Department of Transportation

– Federal Highway Administration (development of forest haul and access roads (23 U.S.C. 205), effects of highway projects on forest, range, and other vegetative resources).

Advisory Council on Historic Preservation (effects of renewable resource activities on historic properties).

Environmental Protection Agency (effects of pollution, pesticide, and other environmental quality controls on forest, range, and other vegetative resources).

Tennessee Valley Authority (effects of hydro-electric and other power developments on forest, range, and other vegetative resources; biomass production and use).

Z. Fish and Wildlife

Department of Agriculture

– Agricultural Research Service (basic and applied research in animal and plant protection).

– Agricultural Stabilization and Conservation Service (fish and wildlife in relation to agricultural conservation and the Water Bank Program).

– Animal and Plant Health Inspection Service (animal and plant health in general including: control of pests and diseases, managing human-wildlife conflicts, field trial and environmental release of genetically engineered regulated articles, and licensing and testing of veterinary biologics).

- Prevention of importation or exportation of diseased livestock or poultry. 21 U.S.C. 102-105, 111 and 132(a)-134(f).
- Rural Housing, Rural Business-Cooperative Service, Rural Utilities Service (effects of farm housing, community, business and utilities programs on fish and wildlife; conservation loan programs).
- Forest Service (fish and wildlife habitat management in National Forests and Grasslands; use of fire in habitat management):
 - Diversity of plant and animal communities (36 CFR Part 219.19).
 - Management and disposal of wild free-roaming horses and burros. 16 U.S.C. 1331-1340 (36 CFR Part 222, Subpart B).
 - Permits for hunting and fishing in refuge areas. 16 U.S.C. 551 and 683.
- Natural Resources Conservation Service (fish and wildlife habitat, fish ponds, and raceways):
 - Assistance to State and local sponsors, through a Small Watershed Program grant, for reservoir developments and stream modification projects including specific fish and wildlife habitat improvements. 16 U.S.C. 1001 *et seq.*, and 33 U.S.C. 701-1.
 - Financial and technical assistance to private agricultural producers through voluntary conservation programs

Department of Commerce

- National Oceanic and Atmospheric Administration (endangered species and critical habitats; coastal fish and wildlife management and protection):
 - Approval and funding of State coastal zone management programs. 16 U.S.C. 1451 *et seq.* (15 CFR Parts 923 and 930).
 - For other jurisdictional responsibilities, see IV.V. – Marine Resources.

Department of Defense

- Army Corps of Engineers (watershed planning, aquatic ecosystem restoration, fish and wildlife mitigation measures associated with Army Corps of Engineers water resource development projects (navigation, flood risk management, and hurricane and storm damage reduction); permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States):
 - For jurisdictional responsibilities, see I.B. – Water Quality.
- Department of the Air Force (bird/aircraft strike hazard reduction).

Department of Energy

- Bonneville Power Administration (fish and wildlife management and enhancement on power projects in the Pacific Northwest):
 - Regional planning and conservation. 16 U.S.C. 839 *et seq.*

Department of the Interior

- Fish and Wildlife Service (ESA-listed species and critical habitat; management of effects on fish and wildlife in general):
 - Permits to take bald and golden eagles for scientific, religious and other purposes. 16 U.S.C. 668(a) (50 CFR Part 22).
 - Permits for the taking and importation of marine mammals. 16 U.S.C. 1361 *et seq.* (50 CFR Part 18).
 - Permits to export/import and to take for scientific and other purposes endangered or threatened wildlife and plants. 16 U.S.C. 1531 *et seq.* (50 CFR Part 17).
 - Permits for the importation of injurious mammals, birds, fish and other wildlife. 18 U.S.C. 42-44 (40 CFR Part 16.22).
 - Permits for export/import and interstate transportation of wildlife. 18 U.S.C. 42 *et seq.* (50 CFR Part 14).
 - Permits for the banding and marking of migratory birds. 16 U.S.C. 703-711 (50 CFR Part 21.22).
 - Consultations regarding Federal projects that may affect an estuarine area. 15 U.S.C. 1224.
 - Permits to perform taxidermy services on migratory birds, nests and eggs for commercial uses. 16 U.S.C. 704 (50 CFR Part 21.24).
 - Permits for special purpose uses of migratory birds. 16 U.S.C. 701 *et seq.* (50 CFR Part 21.27).
 - Certificates or permits of exception to Convention on International Trade in Endangered Species. 16 U.S.C. 1531-1543 (50 CFR Part 23).
 - Consultations regarding projects which may affect any threatened or endangered species or its critical habitats. 16 U.S.C. 1531 *et seq.* (50 CFR Part 402).
 - Determination of critical habitats for endangered and threatened species of fish, wildlife, and plants. 16 U.S.C. 1531 *et seq.* (50 CFR Parts 17, 402 and 424).
 - Endangered species exemption process. 16 U.S.C. 1531 *et seq.* (50 CFR Parts 450-453).
 - Consultation regarding Federal or federally permitted projects which affect fish and wildlife resources under the Fish and Wildlife Coordination Act. 16 U.S.C. 661 *et seq.*
 - U.S. Fish and Wildlife Service Mitigation Policy. 16 U.S.C. 661-667(e), 742(a)-754 and 1001-1009 (see 46 FR 7644 of Jan. 23, 1981).
 - Restoration and enhancement of anadromous fishery resources through grants for fish ladders, new anadromous fish hatcheries, new fishways, etc. 16 U.S.C. 742(a)-742(j) (50 CFR Part 401).

Improvement of sport fishery resources through grants to States under the Dingell-Johnson (D-J) Program. 16 U.S.C. 777-777(k) (50 CFR Part 80).

Restoration and enhancement of wildlife populations and resources through grants to States under the Pittman-Robertson (P-R) Program. 16 U.S.C. 669 *et seq.* (50 CFR Part 80).

Approval of conversion of use for State lands acquired, developed or improved with grants under the (1) Pittman-Robertson Act, (2) Dingell-Johnson Act, (3) Endangered Species Act and/or (4) Anadromous Fish Conservation Act. For (1), 16 U.S.C. 669 (50 CFR Parts 80.4 and 80.14); for (2), 16 U.S.C. 777 (50 CFR Parts 80.4 and 80.14); for (3), 16 U.S.C. 1535; for (4), 16 U.S.C. 757 (a) and (b).

Land acquisition, management, and other activities for endangered and threatened species through grants to States. 16 U.S.C. 1531-1543 (50 CFR Part 81).

Consultation concerning the protection of fish and wildlife refuges which may be impacted by transportation projects. 49 U.S.C. 303.

– Geological Survey (-invasive species impacts, risks, and controls; fish and wildlife disease; management of effects on aquatic species, wildlife, and ecosystems in general; biological effects of known contaminants, emerging contaminants, and complex contaminant mixtures; habitat suitability assessments for fish and wildlife resources; thermal imagery acquisition and processing for wildlife population counts, monitor the movements of birds and bats; impacts of human activities and natural processes; conservation genetics; distribution, impacts, and control of invasive species; zoonotic diseases).

– Bureau of Indian Affairs (fish and wildlife resource management on Indian lands; off-reservation treaty fishing).

– Bureau of Land Management (fish and wildlife management on public lands; wild horses and burros; endangered species and raptors; effects on fish and wildlife of power lines and other major projects crossing public lands):

Management and disposal of wild free-roaming horses and burros. 16 U.S.C. 1331-1340 (43 CFR Part 4700).

– Bureau of Ocean Energy Management (consultation, authorization and coordination with the Services under Endangered Species Act; NEPA review of potential impacts on such species).

– Bureau of Safety and Environmental Enforcement (consultation, authorization and coordination with the Services under Endangered Species Act; compliance verification and enforcement of protection requirements for such species).

– National Park Service (fishing, hunting and other outdoor recreational pursuits, fish and wildlife management in National Park System areas):

Management of fishing and harvest of marine wildlife. (36 CFR 2.2 and 2.3).

Application of NPS general and special regulations to various activities for the conservation of park system resources and values (36 CFR Parts 1 through 7, 9, and 13).

Permits for collecting animal specimens from National Park System areas. 16 U.S.C. 1 *et seq.* (36 CFR Part 2).

Licenses and permits for sport or commercial fishing in certain National Park System areas. (36 CFR Part 2).

Disposition of surplus animals from National Park System areas. (36 CFR Part 10).

– Bureau of Reclamation (fish and wildlife management on water storage and delivery projects; hunting and fishing on project lands; mitigation measures; limnology).

– Office of Surface Mining Reclamation and Enforcement (effects of surface mining and reclamation operations on fish and wildlife).

Department of Health and Human Services

– Public Health Service: Centers for Disease Control and Prevention (fish and wildlife in relation to human health); Food and Drug Administration (contamination of fish and shellfish with toxics).

Department of Homeland Security

– Coast Guard (enforcement of laws affecting Fishery Management Zones).

Department of State (international issues concerning fish and wildlife, including migratory birds and marine mammals).

Department of Transportation

– Office of the Secretary (general effects of transportation projects on fish and wildlife refuges):

Approval of transportation programs or projects that require the use of or have a significant impact on wildlife and waterfowl refuges. 49 U.S.C. 303.

– Federal Highway Administration (effects of highway projects on fish and wildlife habitat, and wildlife and waterfowl refuges):

Preservation of park and recreation areas, and wildlife and waterfowl refuges. 23 U.S.C. 138 (23 CFR Part 774) and 49 U.S.C. 303.

– Federal Aviation Administration (bird-aircraft strike hazard reduction).

Environmental Protection Agency (effects of pollution control and water quality on fish and wildlife).

Marine Mammal Commission (conservation and protection of marine mammals and their habitat):

Consultation and oversight responsibility for activities affecting marine mammals. 16 U.S.C. 1402.

Review of permit applications for taking and importation of marine mammals and marine mammal products.
16 U.S.C. 1371(a).

National Science Foundation (conservation of Antarctic animals, plants, and ecosystems):

Permits for the taking or collecting of Antarctic animals and plants, and for entry into certain designated areas.
16 U.S.C. 2401 *et seq.* (45 CFR Part 670).

Tennessee Valley Authority (fish and wildlife management and conservation in the Tennessee Valley).

AA.Non-Energy Mineral Resources

Department of Agriculture

– Forest Service (mineral resources development in National Forests and Grasslands; reclamation of disturbed lands):

Permits and rights-of-way on National Forest System lands. 16 U.S.C. 471-472, 478, 495, 497-498, 525, 528, 531-538, 551, 572 and 580 (36 CFR Parts 212, 251 and 261).

Surface use of public domain lands under U.S. mining laws. 16 U.S.C. 478 and 551 (36 CFR Part 228).

Mineral development on acquired lands. For solid (hardrock) minerals – 16 U.S.C. 520 (43 CFR Part 3500); for phosphate, sodium, potassium and sulphur – 30 U.S.C. 351 *et seq.*

Department of Commerce

– National Oceanic and Atmospheric Administration (air and water pollution from mining; offshore and coastal mining; port planning; management and protection of coastal and marine resources):

Approval of licenses for deep seabed hard mineral exploration and development. 30 U.S.C. 1401 *et seq.* (15 CFR Part 970).

Department of Defense

– Army Corps of Engineers (effects of mineral development; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States; permits, easements, leases, and licenses for use and occupancy of lands at water resources development projects):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Homeland Security

– Coast Guard (vessel transport of minerals):

Ports and waterways safety. 33 U.S.C. 1221 (33 CFR Part 160 *et seq.*).

Department of the Interior

– Fish and Wildlife Service (effects of mineral development on endangered species and their critical habitats, National Wildlife Refuge and National Fish Hatchery Systems, and other fish and wildlife resources):

Easements/permits for transmission line, pipelines and other rights-of-way across National Wildlife Refuge and National Fish Hatchery System land. For refuges – 16 U.S.C. 668 *dd et seq.*; for hatcheries – 43 U.S.C. 931 c and (50 CFR Parts 25.41 and 29.21).

Permits for rights-of-way across National Wildlife Monuments (Alaska only). 16 U.S.C. 432, 460(k-3) and 742(f) (50 CFR Part 96).

– Geological Survey (mineral resources in general, with emphasis on strategic and critical minerals; mineral resources assessment on public lands; supply and demand data for mineral and mineral materials essential to the US economy and national security; domestic data on mineral production, consumption, recycling, stocks, and shipments; international mineral production data; recycling and materials flow studies; geologic controls on environmental impacts; mineral-environmental assessments; pre-mining environmental baseline conditions in heavily mined areas; mine wastes as resources for precious and critical metals; integrated geology, geochemistry, hydrology and ecology science information to aid in prioritization and cleanup of abandoned mine sites; effects of mineral development).

– Bureau of Indian Affairs (effects on Indian lands of mineral operations):

Leases and permits on Indian lands. 25 U.S.C. 380, 393-395, 397, 402-403, 413, 415, 477 and 635 (25 CFR Part 162).

Rights-of-way over Indian lands. 25 U.S.C. 311-321 and 323-328 (25 CFR Part 169).

Mining leases on Indian lands. 25 U.S.C. 356, 396, 476-477 and 509 (25 CFR Parts 211-215 and 226-227).

Permits for surface exploration and reclamation. 25 U.S.C. 355, 396, 473 and 501-502 (25 CFR Part 216).

– Bureau of Land Management (mineral development on public lands):

Easements/leases/permits for use, occupancy and development of public lands. 43 U.S.C. 1732 (43 CFR Subchapters 2000 and 3000).

Exploration licenses for leasable minerals on unleased land. 30 U.S.C. 181 *et seq.* and 201(b) (43 CFR Parts 3400 and 3480).

Leases for phosphate, sodium, potassium, etc., exploration and mining. 30 U.S.C. 181 *et seq.* (43 CFR Group 3500 and Part 3570).

Permits for sand, stone and gravel. 30 U.S.C. 601 and 602.

Leases, permits and licenses for mining in Wild and Scenic River System areas. 16 U.S.C. 1280 (each area has special Federal Regulations).

Concurrence for placer mining use of the surface of public lands withdrawn or reserved for power development or for a power site. 30 U.S.C. 621 (43 CFR Part 3730).

Leases and permits for sulfur in Louisiana and New Mexico. 30 U.S.C. 271 *et seq.* (43 CFR Group 3500).

Easements/permits for rights-of-way. 30 U.S.C. 185 and 43 U.S.C. 1701 *et seq.* (43 CFR Parts 2800-2887).

– Bureau of Ocean Energy Management (mineral development on the outer continental shelf)

Leases for minerals on the outer continental shelf. 43 U.S.C. 1331-1343 (30 CFR Parts 550, 556, 580, 581).

Exploration and development activities on Federal leases on the outer continental shelf. 43 U.S.C. 1331 *et seq.* (30 CFR Parts 550 and 551).

Permits for geological and geophysical exploration on the outer continental shelf and approval of geological geophysical exploration plans. 43 U.S.C. 1334 (30 CFR Part 551).

– Bureau of Safety and Environmental Enforcement (Compliance verification and enforcement of environmental protection requirements during mining of non-energy mineral resources on the outer continental shelf; 43 U.S.C. 1334-1335 (30 CFR Part 250)).

– National Park Service (effects of mineral development on public parks, recreation and cultural/historical resources and values, National Park System areas and natural and historic landmarks):

Permits for locatable mineral operations within units of the, National Park System. (36 CFR Parts 9 and 14).

Leases, permits and licenses for mining on National Park System lands involved in National Wild and Scenic Rivers System. 16 U.S.C. 1280.

Regulation of rock and mineral collection. (36 CFR Part 1)

– Bureau of Reclamation (effects of mineral development on water storage and delivery projects):

Easements/permits for access, pipeline, and other rights-of-way. 43 U.S.C. 3871.

Department of Labor

– Mining Safety and Health Administration (safety and health issues in mining operations).

– Occupational Safety and Health Administration (general worker safety and health issues).

Department of State (international aspects of mineral development):

Facilities for export/import of minerals. Executive Order 11423, as amended.

Department of Transportation

– Maritime Administration (dry bulk shipping of coal and other minerals in the inland waterways, domestic ocean, Great Lakes, and U.S. foreign trades).

Advisory Council on Historic Preservation (effects of mineral development activities on historic properties).

Environmental Protection Agency (pollution control and other environmental effects of minerals development):

For jurisdictional responsibilities, see I. – Pollution Control.

BB. Natural Resource Conservation

Department of Agriculture

– Agricultural Research Service (research in technical aspects of soil and water conservation and forest and range management).

– Agricultural Stabilization and Conservation Service (natural resource conservation programs; Forestry Incentives Program; Water Bank Program).

– Cooperative Research and Extension Service (rural area extension programs in conservation).

– Forest Service (conservation of forest and rangeland resources; use of fire as a management tool).

– Natural Resources Conservation Service (soil, water, and related natural resources conservation technology):

Watershed protection, conservation and utilization of land and water resources. 16 U.S.C. 1001 *et seq.*

Soil and water resources conservation. 16 U.S.C. 2001 *et seq.*

Department of Commerce

– National Oceanic and Atmospheric Administration (coastal and marine resources management and protection; national estuarine and marine sanctuaries; coastal energy facility planning and siting in State coastal zone management programs).

Department of Defense

– Army Corps of Engineers (watershed planning; natural resource management of lands at water resource development projects of the Army Corps of Engineers; aquatic ecosystem restoration; permits for structures and work in navigable waters; permits for discharges of dredged or fill material into waters of the United States):

For jurisdictional responsibilities, see I.B. – Water Quality.

Department of Energy

– Bonneville Power Administration (resource conservation in the Pacific Northwest).

Regional planning and conservation. 16 U.S.C. 839 *et seq.*

Department of the Interior

– Fish and Wildlife Service (conservation of, and effects of conservation on, ESA-listed species and critical habitat, migratory birds and other fish and wildlife resources; conservation in National Wildlife Refuge and National Fish Hatchery System areas).

– Geological Survey (conservation of water and mineral resources; effects of conservation on endangered species and other fish and wildlife resources; basic and applied research to control populations of aquatic invasive species, development of habitat suitability and landscape decision support systems and application development for natural resource conservation).

– Bureau of Indian Affairs (conservation of Indian lands).

– Bureau of Land Management (conservation on public lands).

– Bureau of Ocean Energy Management and Bureau of Safety and Environmental Enforcement (conservation in relation to minerals management activities on the outer continental shelf).

– National Park Service (conservation in relation to urban parks, outdoor recreation, historical and cultural resources, National Trails Systems, Wild and Scenic Rivers System, the National Park System, and natural and historic landmarks).

– Bureau of Reclamation (conservation in relation to water storage and delivery projects, water resources, and desalinization; Soil and Moisture Conservation Program; development of water policy options; National Water Summary).

– Office of Surface Mining Reclamation and Enforcement (conservation in relation to surface coal mining and reclamation operations).

Environmental Protection Agency (resource recovery from wastes; pollution and other environmental controls):

Solid Waste Disposal Act permits. 42 U.S.C. 6901 *et seq.* (40 CFR Parts 122, 124, 270, and 271).

Guidelines on solid waste collection and storage for Federal assistance. 42 U.S.C. 6907 and 6981 (40 CFR Part 243).

Resource recovery facilities. 42 U.S.C. 6907 and 6981 (40 CFR Part 257).

Materials recovery and solid waste management guidelines for source separation. 42 U.S.C. 6907 and 6981 (40 CFR Part 246).

National Science Foundation (conservation of Antarctic animals, plants, and ecosystems):

Permits for the taking or collecting of Antarctic animals and plants, and for entry into certain designated areas.

16 U.S.C. 2401 *et seq.* (45 CFR Part 670).

Tennessee Valley Authority (soil and other natural resource conservation in the Tennessee Valley region).