

APPENDIX A

LAWS AND EXECUTIVE ORDERS AFFECTING BLM PLANNING AND MANAGEMENT

MANAGEMENT OF LAND & RESOURCES APPROPRIATION LANGUAGE CITATIONS

<p>16 U.S.C. 594, 43 U.S.C. 17015, 30 U.S.C. 181 <i>et seq.</i>, 30 U.S.C. 351-359; 43 U.S.C. 2, 31(a), 52, 315; 43 U.S.C. 1701 <i>et seq.</i>, and 1901 <i>et seq.</i>, 78 <i>Stat.</i> 986;</p>	<p>P.L. 103-332; P.L. 104-208; P.L. 105-83; P.L. 105-277; P.L. 106-113; and P.L. 106-291</p>
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16 U.S.C. 594, Protection Act of September 20, 1922 provides for the Secretary of the Interior to protect and preserve, from fire, disease, or the ravages of beetles or other insects, timber on the public lands owned by the United States.

30 U.S.C. 181 *et seq.*, the Mineral Leasing Act of 1920 as amended, provides for the leasing of deposits of coal, phosphate, sodium, potassium, oil, oil shale, native asphalt, solid and semi-solid bitumen, and bituminous rock or gas, and lands containing such deposits owned by the United States, including those in national forest, but excluding those acquired under other acts subsequent to February 25, 1920, and those within the national petroleum and oil shale reserves. The Act also preserves the right of pre-1920 oil shale mining claims to be patented.

30 U.S.C. 351-359, the Mineral Leasing Act for Acquired Lands, provides for the leasing of coal, phosphate, oil, oil shale, gas, sodium, potassium, and sulfur which are owned or acquired by the United States and which are within the lands acquired by the United States, with the consent of the head of the agency having jurisdiction over the lands containing such deposits.

43 U.S.C. 2, provides that the Secretary of the Interior, or such officer as he may designate, shall perform all executive duties appertaining to the surveying and sale of the public lands of the United States, or in anyway respecting such public lands, and, also, such as relate to private claims of land and the issuing of patents for all grants to land under the authority of the Government.

43 U.S.C. 31(a), provides for the classification of the public lands and examination of the geological structure, mineral resources, and products of the national domain.

43 U.S.C. 52, provides that the Secretary of the Interior, or such officer as he may designate, shall cause to be surveyed, measured, and marked, without delay, all base and meridian lines through such points and perpetuated by such monu-

ments, and such other correction parallels and meridians as may be prescribed; that all private land claims shall be surveyed after they have been confirmed by authority of Congress, so far as may be necessary to complete the survey of the public lands; and that he shall transmit general and particular plans of all lands surveyed by him to such officers as he may designate.

43 U.S.C. 315, The Taylor Grazing Act of 1934, as amended, provides that the Secretary of the Interior is authorized to establish grazing districts from any part of the public domain of the United States (exclusive of Alaska) which, in his opinion, are chiefly valuable for grazing and raising forage crops, to regulate and administer grazing use of the public lands, and to improve the public rangelands.

43 U.S.C. 1701 *et seq.*, the Federal Land Policy and Management Act of 1976, as amended, provides for the public lands to be generally retained in Federal ownership; for periodic and systematic inventory of the public lands and their resources; for a review of existing withdrawals and classifications; for establishing comprehensive rules and regulations for administering public lands statutes; for multiple-use management on a sustained yield basis; for protection of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archaeological values; for receiving fair market value for the use of the public lands and their resource; for establishing uniform procedures for any disposal, acquisition, or exchange; for protecting areas of critical environmental concern; for recognizing the Nation=s need for domestic sources of mineral, food, timber, and fiber from the public lands, including implementation of the Mining and Mineral Policy Act of 1970; and for payments to compensate States and local governments for burdens created as a result of the immunity of Federal lands from State and local taxation.

43 U.S.C. 1901 *et seq.*, the Public Rangelands Improvement Act of 1978, provides for the improvement of range conditions on public rangelands, research on wild horse and

burro population dynamics, and other range management practices.

78 Stat. 986, provides for the classification of certain lands administered exclusively by the Secretary of the Interior in order to provide for their disposal or interim management under principles of multiple-use and to produce a sustained yield of products and services. Although this authority has expired, the classifications remain in effect.

43 U.S.C. 1715, provides the Secretary of the Interior authorization to acquire, by purchase, exchange, donation, or eminent domain (for access to public lands only), land and interests in lands.

P.L. 106-291, the Department of the Interior and Related Agencies Appropriation Act, 2001, provides expenses necessary for the protection, use, improvement, development, disposal, cadastral surveying, classification, acquisition of easements and other interest in land, and performance of other functions. It also, includes the maintenance of facilities as authorized by law, in the management of lands and their resources under jurisdiction of the Bureau of Land Management, including the general administration of the Bureau, and the assessment of mineral potential of public lands.

AUTHORIZATIONS

The following laws governing the Bureau of Land Management's activities include General Authorizing Legislation, which authorize the general activities of the Bureau of Land Management or govern the manner in which BLM's activities are conducted; and Specific Authorizing Legislation, which governs specific program activities or activities in specific or designated areas.

Act of July 26, 1866, also known as the Lode Act (14 Stat. 251)

Granted rights of way (ROWs) over "public domain" for highways and to ditch and canal owners. Repealed and superseded by FLPMA.

Act of December 22, 1928 (Color of Title) (45 Stat. 1069) as amended (43 U.S.C. 1068, 1068a)

Allowed patents to be issued for claims of long standing, without reservation of minerals to government

Act of May 24, 1928, as amended (49 U.S.C. App. 211-213)

Authorizes the Secretary to lease contiguous unappropriated public lands (not to exceed 2,560 acres) for a public airport.

Alaska National Interest Lands Conservation Act of 1980 (16 U.S.C. 3101 et seq.)

Provides for the special designation of certain public lands in Alaska and conservation of their fish and wildlife values; management for subsistence uses of fish and wildlife resources on public lands by residents of rural Alaska; and protection of the wildlife resources on North Slope lands impacted by oil and gas exploration and development activities.

Americans with Disabilities Act Accessibility Guidelines (ADAAG)

Sets guidelines for accessibility to places of public accommodation and commercial facilities by individuals with disabilities.

American Indian Religious Freedom Act of 1978 (42 U.S.C. 1996)

Declares the United States policy of protecting and preserving the inherent right of freedom to believe, express, and exercise traditional religions; including access to religious sites, use and possession of sacred objects, and freedom to worship through ceremonials and traditional rites; for the American Indian, Eskimo, Aleut, and Native Hawaiian.

Antiquities Act of 1906 (16 U.S.C. 431 et seq.)

Protects cultural resources on Federal lands, and imposes penalties for excavation or appropriation without a permit.

Archaeological Resources Protection Act of 1979, as amended (16 U.S.C. 470a, 470cc and 470ee)	Requires permits for the excavation or removal of Federally administered archaeological resources, encourages increased cooperation among Federal agencies and private individuals, provides stringent criminal and civil penalties for violations, and requires Federal agencies to identify important resources vulnerable to looting and to develop a tracking system for violations.
Architectural Barriers Act (ABA) of 1968 (42 U.S.C. 4151 et seq).	Requires access to facilities designed, built, altered, or leased with Federal funds.
Atomic Energy Act of 1952 (42 U.S.C. 2001f)	Provides for both the development and the regulation of the uses of nuclear materials and facilities in the United States by civilians, and for military use.
Bald Eagle Protection Act of 1940, as amended (16 U.S.C. 668-668d)	Provides for the protection of the bald eagle (the national emblem) and the golden eagle by prohibiting, except under certain specified conditions, the taking, possession and commerce of such birds (including their parts, nests, or eggs).
Bankhead Jones Farm Tenant Act of 1937 (7 U.S.C. 1010 et seq.)	Authorizes management of acquired farm tenant lands, and construction and maintenance of range improvements. It directs the Secretary of Agriculture to develop a program of land conservation and utilization to adjust land use to help control soil erosion, conduct reforestation, preserve natural resources, develop and protect recreational facilities, protect watersheds, and protect public health and safety.
Carey Act of 1894, as amended (43 U.S.C. 641)	Authorizes and empowers the Secretary of the Interior, given Presidential approval and proper application, to donate, grant, and patent desert lands to a state for irrigation, reclamation, and occupation. Lands may be restored to the public domain if reclamation requirements are not satisfied within stated time limits
Carlson-Foley Act of 1968 (42 U.S.C. 1241-1243)	Authorizes BLM to reimburse States for expenditures associated with coordinated control of noxious plants.
Clean Air Act (1970, 1977) (42 U.S.C. 1857)	In its early form (the 1967 Air Quality Act), guided states in controlling sources of air pollution according to a set of principles. As of the 1970, 1977, and 1990 amendments, states apply and administer detailed control requirements prescribed through federal regulations.
Clean Air Act of 1990 as amended (42 U.S.C. 7401, 7418, 7642)	Requires BLM to protect air quality, maintain Federal and State designated air quality standards, and abide by the requirements of the State implementation plans.
Clean Water Act of 1987 as amended (33 U.S.C. 1251)	Establishes objectives to restore and maintain the chemical, physical and biological integrity of the nation's water.
Comprehensive Environmental Response, Compensation, and Liability Act of 1980 as amended by the Superfund Amendments and Reauthorization Act of 1986 (42 U.S.C. 9601-9673)	Provides for liability, risk assessment, compensation, emergency response, and cleanup (including the cleanup of inactive sites) for hazardous substances. Requires Federal agencies to report sites where hazardous wastes are or have been stored, treated, or disposed, and requires responsible parties, including Federal agencies, to clean-up releases of hazardous substances.
Condemnation Act of 1888, as amended (40 U.S.C. 257)	Authorizes officers of the government to procure real estate for the erection of a public building or for other public uses, through condemnation, under judicial process, whenever it is necessary or advantageous to the Government to do so.

Control of Pollution from Federal Facilities (33 U.S.C. 1323) 1970	Established that federal agencies shall be subject to all requirements and administrative authorities, processes, and sanctions respecting the control and abatement of water pollution in the same manner, and to the same extent as any nongovernmental entity, including the payment of reasonable service charges.
Declaration of Taking Act of 1931 (40 U.S.C. 258(a), (e))	Authorizes the United States to acquire an interest in land immediately upon the filing of a declaration of taking with a court and the deposit in the court of the estimated compensation stated in the declaration.
Department of the Interior and Related Agencies Appropriations Act, 1996 (P.L. 104-134)	Directs the Secretary of the Interior, acting through the Bureau of Land Management, to develop and implement a pilot recreation fee demonstration program to determine the feasibility of cost recovery for operation and maintenance of recreation areas and sites.
Desert Land Act of 1877 (43 U.S.C. 321-323)²	Provides authority to reclaim arid and semi-arid public lands of the western States through individual effort and private capital.
Eagle Protection Act of 1962 (P.L. 87-884 (76 Stat. 1346))	Expanded and amended the Bald Eagle Protection Act of 1940 to include golden eagles.
Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001-11050)	Requires the private sector to inventory chemicals and chemical products, to report those in excess of threshold planning quantities, to inventory emergency response equipment, to provide annual reports and support to local and State emergency response organizations, and to maintain a liaison with the local and state emergency response organizations and the public.
Emergency Wetlands Resources Act of 1986 (P.L. 99-645)	Removed a prior prohibition on the purchase of wetlands with Land and Water Conservation Fund monies. Transferred monies to the Migratory Bird Conservation Fund through import duties and entrance fees at National Wildlife Refuges. Provided for planning, mapping and inventory of wetlands in the United States; and reports to Congress on wetlands loss and the contribution of federal programs to wetlands loss.
Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.)	Directs Federal agencies to ensure that their actions do not jeopardize threatened and endangered species, and that through their authority they help bring about the recovery of these species.
Engle Act of February 28, 1958 (43 U.S.C. 156)	Provides that withdrawals for the Department of Defense for more than 5,000 acres shall be made by Congress.
Executive Order, Public Water Reserve No. 107, April 17, 1926	Reserves springs and waterholes on unsurveyed public lands for public use.
Executive Order 11514, Protection and Enhancement of Environmental Quality, March 5, 1970 (35 FR 4247)	Refines implementation of the National Environmental Policy Act of 1969, by directing the federal government to provide leadership in protecting and enhancing the quality of the Nation's environment to sustain and enrich human life, and to initiate measures needed to direct their policies, plans and programs so as to meet national environmental goals.
Executive Order 11593 of May 13, 1971, Protection and Enhancement of the Cultural Environment (36 FR 8921)	Directs Federal agencies to locate, inventory, nominate, and protect Federally owned cultural resources eligible for the National Register of Historic Places, and to ensure that their plans and programs contribute to preservation and enhancement of non- Federally owned resources.
Executive Order 11644, Use of Off-Road Vehicles on Public Lands, February 8, 1972 (37 FR 2877)	Establishes policies and provides for procedures for controlling or directing use of off-road vehicles on public lands, with the goal of protecting resources, promoting the safety of all users, and minimizing conflicts among the various uses.

Executive Order 11987, Exotic Organisms, May 24, 1977 (42 FR 26949)	Directs federal agencies to restrict the introduction of exotic species into natural ecosystems on public lands, to encourage other entities to prevent such introduction, and to restrict federal programs, funds, and authorities from exporting native species for introduction into natural ecosystems outside of the United States.
Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951)	Provides for the restoration and preservation of national and beneficial floodplain values, and enhancement of the natural and beneficial values of wetlands in carrying out programs effecting land use.
Executive Order 11989, Off-road vehicles, May 24, 1977 (42 FR 26959)	Clarifies agency authority to define zones of use for off-road vehicles on public lands.
Executive Order 11990, Protection of Wetlands, May 25, 1977 (42 FR 26961)	Directs that wetland and riparian habitats on the public lands be identified, protected, enhanced, and managed.
Executive Order 12088, Federal Compliance with Pollution Control Standards October 17, 1978 (43 FR 47707)	Sets the requirements for standards applicability, agency coordination, and limits on exemptions from standards.
Executive Order 12548, Grazing fees, February 14, 1986 (51 FR 5985)	Provides for establishment of appropriate fees for the grazing of domestic livestock on public rangelands. Directs that the fee shall not be less than \$1.35 per animal unit month.
Executive Order 12898, Environmental Justice, February 11, 1994 (59 FR 7629)	Requires federal agencies to identify and address disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States and its territories and possessions, the District of Columbia, the Commonwealth of Puerto Rico, and the Commonwealth of the Mariana Islands.
Executive Order 12962, Recreational Fisheries, June 7, 1995 (60 FR 30769)	Directs all Federal agencies to enhance recreational fish species and provide increased recreational fishing opportunities.
Executive Order 13007, Providing for American Indian and Alaska Native Religious Freedom and Sacred Land Protections, May 24, 1996 (61 FR 26771)	Directs federal agencies to accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and avoid adversely affecting the physical integrity of such sacred sites.
Executive Order 13084, Consultation and Coordination with Indian Tribal Governments, May 14, 1998 (63 FR 27655)	Provides for consultation with Indian tribal governments in developing regulatory policies that would significantly or uniquely affect Indian tribal communities, increasing flexibility for Indian tribal waivers, and use of consensual mechanisms where appropriate for developing regulations on issues related to tribal self-government, trust resources, or treaty and other rights.
Executive Order 13112, Invasive Species, February 3, 1999 (64 FR 6183)	Directs federal agencies to prevent the introduction of invasive species, provide for their control, and minimize the economic, ecological, and human health impacts that invasive species cause.
Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds, January 10, 2001 (66 FR 3853)	Directs agencies within the Executive Branch to take certain actions to further implement the Migratory Bird Treaty Act (MBTA), with the goal of promoting the conservation of migratory bird populations.

Executive Order 13195, Trails for America in the 21st Century, January 18, 2001 (66 FR 7391)	Directs federal agencies to protect, connect, promote, and assist trails of all types throughout the United States to the extent permitted by law and where practicable, and in cooperation with Tribes, States, local governments, and interested groups.
Executive Order 13352, Facilitation of Cooperative Conservation, August 26, 2004 (69 FR 52989)	Directs Federal agencies to ensure laws relating to the environment and natural resources are implemented in a manner that promotes cooperative conservation, with an emphasis on local participation in Federal decisionmaking and establishes a White House Conference on Cooperative Conservation to facilitate the exchange of information and advice.
Federal-Aid Highway Act of 1958 (23 U.S.C. 207-209)	Authorized increased federal assistance to the states for the construction of roads and highways.
Federal-Aid Highway Act of 1962 (23 U.S.C. 214)	Created the federal mandate for urban transportation planning in the United States, based on the 3-C planning process.
Federal-Aid Highway Act of 1968 (23 U.S.C. 116)	Incorporated provisions designed to protect the environment and reduce the negative effects of highway construction, and launched the Traffic Operations Program to Improve Capacity and Safety (TOPICS) program.
Federal-Aid Highway Act of 1973 (23 U.S.C. 217)	Increased the flexibility in the use of highway funds for urban mass transportation.
Federal Cave Resource Protection Act of 1988 (16 U.S.C. 4301)	Provides for the protection of caves on lands under the jurisdiction of the Secretary, and the Secretary of Agriculture. Establishes terms and conditions for use permits, and penalties for violations.
Federal Insecticide, Fungicide, and Rodenticide Act of 1975 (7 U.S.C. 136 et. Seq.)	Establishes an extensive regulatory system for controlling the sale, distribution and application of pesticides.
Federal Land Policy and Management Act of 1976, as amended (43 U.S.C. 1701 et seq.)	<p>Outlines functions of the BLM Directorate, provides for administration of public lands through the BLM, provides for management of the public lands on a multiple use basis, and requires land-use planning including public involvement and continuing inventory of resources. The act establishes as public policy that, in general, the public lands will remain in Federal ownership, and also authorizes:</p> <ul style="list-style-type: none"> • acquisition of land or interests in lands consistent with the mission of the Department and land use plans; • permanent appropriation of road use fees collected from commercial road users, to be used for road maintenance; • collection of service charges, damages, and contributions and use of funds for specified purposes; • protection of resource values; • preservation of certain lands in their natural condition; • compliance with pollution control laws; • delineation of boundaries in which the Federal government has right, title, or interest; • review of land classifications in land use planning; and modification or termination of land classifications when consistent with land use plans; • sale of lands if the sale meets certain disposal criteria; • issuance, modification, or revocation of withdrawals; • review of certain withdrawals by October 1991; • exchange or conveyance of public lands if in the public interest; • outdoor recreation and human occupancy and use; • management of the use, occupancy, and development of the public lands through leases and permits;

	<ul style="list-style-type: none"> • designation of Federal personnel to carry out law enforcement responsibilities; • determination of the suitability of public lands for rights-of-way purposes (other than oil and gas pipelines) and specification of the boundaries of each right-of-way; • recordation of mining claims and reception of evidence of annual assessment work.
Federal Land Transaction Facilitation Act of 2000 (43 U.S.C. 2301)	Allows the Bureau of Land Management to retain receipts from land sales and to use them to cover administrative costs and acquire properties to improve the nation's land management pattern.
Federal Noxious Weed Act of 1974, as amended (7 U.S.C. 2814)	Provides for the designation of a lead office and a person trained in the management of undesirable plants; establishment and funding of an undesirable plant management program; completion and implementation of cooperative agreements with State agencies; and establishment of integrated management systems to control undesirable plant species.
Federal Onshore Oil and Gas Leasing Reform Act of 1987 (30 U.S.C. 226, et seq.)	Establishes a new oil and gas leasing system, and changes certain operational procedures for onshore Federal lands.
Federal Power Act of 1920, as amended (16 U.S.C. 818)	Allows other uses of Federal waterpower withdrawals with Federal Energy Regulatory Commission approval.
Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901-2911)	Authorizes financial and technical assistance to the States for the development, revision, and implementation of conservation plans and programs for nongame fish and wildlife.
Fish and Wildlife Coordination Act of 1958 (16 USC 661 et seq)	Provides for wildlife conservation to be given equal consideration and coordination with other features of water resource development.
Freedom of Information Act (FOIA)	<p>Establishes that records in the possession of agencies and departments of the executive branch of the U.S. Government are accessible to the people; establishes statutory guidelines or procedures to help persons seeking information; sets standards for determining which records must be disclosed and which records may be withheld; and sets judicial remedies for those denied access.</p> <p>Source for FOIA definition: <u>A Citizen's Guide to the FOIA (2003)</u>: A guide to both the Freedom of Information Act and the Privacy Act prepared by the House Committee on Government Reform. http://www.fas.org/sgp/foia/citizen.html</p>
General Allotment Act (or Dawes Act) of 1887, as amended (24 U.S.C. 388-391)	Called for the allocation of a parcel of land to all members of an Indian tribe, based on the theory that Indians would be become more quickly assimilated if they were owners of a parcel of land and encouraged to pursue civilized agricultural pursuits as opposed to traditional means of existing by hunting, fishing and gathering.
General Mining Law of 1872, as amended (30 U.S.C. 22, et seq.)	Provides for locating and patenting mining claims where a discovery has been made for locatable minerals on public lands in specified States, mostly in the western United States.
Geothermal Steam Act of 1970 (30 U.S.C. 1001)	Authorizes the Secretary to issue leases for the development of geothermal resources.

Geothermal Steam Act Amendments of 1988	Lists significant thermal features within the National Park System requiring protection, provides for lease extensions and continuation of leases beyond their primary terms, and requires periodic review of cooperative or unit plans of development.
Highway Safety Act of 1966, as amended (23 U.S.C. 401-403)	Requires the federal government to encourage and assist each of the States in the establishment of a highway safety system.
Historic Sites Act of 1935 (16 U.S.C. 461)	Declares national policy to identify and preserve historic sites, buildings, objects, and antiquities of national significance, providing a foundation for the National Register of Historic Places.
Land and Water Conservation Fund Act of 1965, as amended (16 U.S.C. 460 et seq.)	Provides for the establishment of the Land and Water Conservation Fund (LWCF), special BLM accounts in the Treasury, the collection and disposition of recreation fees, the authorization for appropriation of recreation fee receipts, and other purposes. Authorizes planning, acquisition, and development of needed land and water areas and facilities.
Materials Act of 1947, as amended (30 U.S.C. 601-604 et seq.)	Provides for the sale of common variety materials for personal, commercial, or industrial uses and for free use for local, State, and Federal governmental entities.
Migratory Bird Conservation Act of 1929, as amended (16 U.S.C. 715) and treaties pertaining thereto	Provides for habitat protection and enhancement of protected migratory birds.
Mineral Leasing Act of 1920, as amended, (30 U.S.C. 181, et seq.)	Provides for leasing of coal, phosphate, sodium, potassium, oil, gas, oil shale, native asphalt, solid and semi-solid bitumen, bituminous rock, and gilsonite on lands containing such deposits owned by the United States, including those in national forests, but excluding those within the national petroleum and oil shale reserves. It preserves the right of pre-1920 oil shale mining claims to be patented, mandates a broad spectrum of requirements for lease management, and authorizes the Secretary to determine suitability of public lands for oil and gas pipeline rights-of-way.
Mineral Leasing Act for Acquired Lands of 1947 (30 U.S.C. 351-359)	Provides for the leasing of coal, phosphate, sodium, potassium, oil, gas, oil shale, and sulfur which are owned or acquired by the United States and which are within the lands acquired by the United States, with the consent of the head of the agency having jurisdiction over the lands containing such deposits. It provides that all mineral leasing receipts derived from leases under this act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease. The intention is that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands.
Mining and Minerals Policy Act of 1970, (30 U.S.C. 21a) (30 U.S.C. 1601, et seq.)	Establishes policy of fostering development of economically stable mining and minerals industries, their orderly and economic development, and studying methods for disposal of waste and reclamation.
Montana Stream Protection Act (SP 124 Permit)	Requires that a permit be obtained for any government (federal, state, county, or city) project that may affect the bed or banks of any stream in Montana.

Montana Natural Streambed and Land Preservation Act (Title 75 Chapter 2, MCA of 1975)	States the State of Montana’s policy of protecting and preserving in their natural or existing state its natural rivers, streams, and the lands and property immediately adjacent to them; and the intent to minimize erosion and sedimentation by prohibiting unauthorized projects. Recognizes the needs of irrigation and agricultural use of Montana’s rivers and streams and allows for availability for any useful or beneficial purpose as guaranteed by Montana’s Constitution.
Montana Streamside Management Zone Law (Title 77-5-301 MCA)	Establishes the Streamside Management Zone (SMZ) to protect public interest in forest water quality, quantity, and dependent resources while still allowing operators to use practices appropriate to site-specific conditions.
Montana Water Use Act (Title 85, Chapter 2, MCA of 1973)	Declares that any use of water is a public use and that the waters within the state are the property of the state for the use or its people and are subject to appropriation for beneficial uses as provided in this chapter. Establishes policy of wise use and includes direction on water rights adjudication.
Montana Water Quality Act (75-5-301 MCA)	Directs the classification of all state waters in accordance with their present and future most beneficial uses and the formulation and adoption of water quality standards that meet specified requirements.
National Environmental Policy Act of 1969 (NEPA) (42 U.S.C. 4321 et seq.)	Requires the preparation of environmental impact statements for Federal projects which may have a significant effect on the environment. It requires systematic, interdisciplinary planning to ensure the integrated use of the natural and social sciences and the environmental design arts in making decisions about major Federal actions that may have a significant effect on the environment.
National Historic Preservation Act of 1966, as amended (16 U.S.C. 470)	Expands protection of historic and archaeological properties to include those of national, State and local significance. It also directs Federal agencies to consider the effects of proposed actions on properties eligible for or included in the National Register of Historic Places.
National Parks and Recreation Act of 1978 (16 U.S.C. 1242-1243)	Establishes a number of national historic trails which cross public lands.
National Trails System Act of 1968, as amended (16 U.S.C. 1241-1249)	Establishes a national trails system and requires that Federal rights in abandoned railroads be retained for trail or recreation purposes, or sold with the receipts to be deposited in the LWCF.
Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001)	Requires agencies to inventory archaeological and ethnological collections in their possession or control (which includes non-federal museums) for human remains, associated funerary objects, sacred objects, and objects of cultural patrimony; identify them geographically and culturally; and notify appropriate tribes within 5 years.
Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.)	Established a plan for the safe handling, storage, and disposal of the nation’s spent nuclear fuel and high-level radioactive waste, and a program of research, development, and demonstration regarding the disposal of spent nuclear fuel and high-level radioactive waste.
Occupational Health and Safety Act of 1970 (29 U.S.C. 651 et seq.)	Assures safe and healthful working conditions for working men and women by providing for standards; enforcement; assistance to states in their efforts; and research, information, education, and training in the field of occupational safety and health.

Pollution Prevention Act of 1990 (42 U.S.C. 13101-13109)	Requires and encourages prevention and reduction of waste streams and other pollution through minimization, process change, and recycling. Encourages and requires development of new technology and markets to meet the objectives.
Protection Act of September 20, 1922 (16 U.S.C. 594)	Authorizes the Secretary of the Interior to protect and preserve, from fire, disease, or the ravages of beetles, or other insects, timber owned by the United States upon the public lands, national parks, national monuments, Indian reservations, or other lands under the jurisdiction of the Department of the Interior owned by the United States.
Public Rangelands Improvement Act of 1978 (43 U.S.C. 1901-1908)	Provides for the improvement of range conditions to assure that rangelands become as productive as feasible for watershed protection, livestock grazing, wildlife habitat, and other rangeland values. The act also authorizes: <ul style="list-style-type: none"> • research on wild horse and burro population dynamics, and facilitates the humane adoption or disposal of excess wild free roaming horses and burros, and • appropriation of \$10 million or 50% of all moneys received as grazing fees, whichever is greater, notwithstanding the amount of fees collected.
Reciprocal Fire Protection Act of May 27, 1955, as amended (42 U.S.C. 1856)	Authorizes agencies that provide fire protection for any property of the United States to enter into reciprocal agreements with other fire organizations to provide mutual aid for fire protection.
Recreation and Public Purposes (R&PP) Act of 1926, as amended (43 U.S.C. 869)	Authorizes the Secretary to classify public lands for lease or sale for recreation or public purposes. The R&PP Amendment Act of 1988 provides that suitable public lands may be made available for use as solid waste disposal sites, in a manner that will protect the United States against unforeseen liability.
Rehabilitation Act of 1973, Section 504 (29 U.S.C 791)	Requires federal agencies to ensure that federally assisted or federally conducted programming is accessible to people with disabilities. Access needs of people with visual impairments, hearing impairments and learning impairments must also be considered.
Reservoir Salvage Act of 1960 (16 U.S.C. 469), as amended by the Archaeological and Historic Preservation Act of 1974	Provides for the preservation of historical and archeological data (including relics and specimens) that might otherwise be irreparably lost or destroyed as the result of flooding or terrain alteration for any project, including dam construction, undertaken or licensed by an agency of the United States.
Resource Conservation and Recovery Act as amended by Federal Facility Compliance Act of 1992 (42 U.S.C. 6901-6992)	Authorizes EPA to manage, by regulation, hazardous wastes on active disposal operations. Waives sovereign immunity for Federal agencies with respect to all Federal, State, and local solid and hazardous waste laws and regulations. Makes Federal agencies subject to civil and administrative penalties for violations, and to cost assessments for the administration of the enforcement.
Rivers and Harbors Act of 1899 (33 U.S.C. 403 10)	Prohibits obstructing, building structures outside of established harbor lines, and altering the course, location, condition or capacity of waters of the United States, except under certain specified circumstances or permits.
Safe Drinking Water Act Amendments of 1977 (42 U.S.C. 201)	Requires compliance with all Federal, State, or local statutes for safe drinking water.
Sikes Act (or the Act of September 15, 1960), as amended (16 U.S.C. 670 et seq.)	Provides for cooperation by the Departments of the Interior and Defense with State agencies in planning, development and maintenance of fish and wildlife resources on military reservations throughout the United States. Authorizes conservation and rehabilitation programs on BLM and other lands (as of the 1974 law).

Soil Conservation and Domestic Allotment Act of 1935, as amended (Pub. L. 74-46)	Designed to support farm income by making soil-conservation and soil-building payments to participating farmers.
Soil Info. Assistance for Community Planning and Resource Development Act of 1996 (42 U.S.C. 3271 <i>et seq.</i>)	Directed that the USDA soil survey program of the United States should be conducted so that soil surveys would be available to meet needs of the States and other public agencies in connection with community planning and resource development.
Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001)	Provides for conservation, protection and enhancement of soil, water, and related resources.
Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 <i>et seq.</i>)	Provides that lands may be declared unsuitable for surface coal mining where significant adverse impacts could result to certain wildlife species.
Surface Transportation Assistance Act of 1982 (P.L. 94-424, Sec. 126(d)).	Reduced the period of availability of apportioned funds from 4 years to 2 years, and stipulated that each State was to receive at least a minimum of 1/2 percent of the total Interstate apportionments for each of FYs 1980-1983
Sustained Yield Act of 1937 (43 U.S.C. 1181)	Set the policy of managing revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands for permanent forest production, allowing the timber to be sold, cut, and removed in conformity with the principal of sustained yield.
Taylor Grazing Act of 1934 (43 U.S.C. 315), as amended by the Act of August 28, 1937 (43 U.S.C. 1181d)	Authorizes the establishment of grazing districts, regulation and administration of grazing on the public lands, and improvement of the public rangelands. It also authorizes the Secretary to accept contributions for the administration, protection, and improvement of grazing lands, and establishment of a trust fund to be used for these purposes.
Timber Access Road Act of 1955 (P.L. 84-171)	Provides the Secretary of the Interior with the basic authority to acquire timber access roads and rights-of-way.
Toxic Substances Control Act of 1976 (15 U.S.C. 2601 <i>et seq.</i>)	Provides for EPA to restrict, limit, or otherwise control the use and distribution of chemicals that present an unreasonable risk of injury to health or the environment, with the goal of preventing the discharge of such chemicals into the environment.
Transportation Safety Act of 1974, with Hazardous materials Transportation Act amendments of 1976 and 1990 (49 U.S.C. 1801 <i>et seq.</i>)	Empowers the U.S. Department of Transportation to regulate the transportation of hazardous materials by rail, aircraft, vessel, and public highway.
Uniform Federal Accessibility Standards(UFAS) (49 FR 31528)	The standards used to enforce the Architectural Barriers Act of 1968.
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1971 (42 U.S.C. 4601)	Provides policy for federal acquisition of lands and interests in lands, and ensures the fair and equitable treatment of persons whose real property is acquired or who are displaced as a result of a Federal or Federally-assisted project.

Unlawful Inclosures of Public Lands Act of 1885

Declares the following to be unlawful if no claim, color of title, or asserted right has been properly entered in good faith under the general laws of the United States:

- all inclosures of any public lands by any person, party, association, or corporation;
- the maintenance, erection, construction, or control of any such inclosure; and
- the assertion of a right to the exclusive use and occupancy of any part of the public lands of the United States.

Source: Synopsized from US Code Title 43, Section 1061 (23 Stat. 321). <http://www4.law.cornell.edu/uscode/43/1061.html>

Uranium Mill Tailings Radiation Control Act of 1978, as amended (42 U.S.C. 2014 et seq.)

Provides for a program of assessment and remedial action at inactive mill tailings sites; to regulate mill tailings during uranium or thorium ore processing at active mill operations; and to stabilize and control tailings after operations in a manner that is safe, environmentally sound, and minimizes or eliminates radiation health hazards to the public

Water Resources Planning Act (42 U.S.C. 1962)

Encourages the conservation, development, and utilization of water and related resources of the United States on a comprehensive and coordinated basis by the federal government, states, localities, and private enterprise.

Water Quality Act of 1987, as amended from the Federal Water Pollution Control Act of 1977 (33 U.S.C. 1251)

Reauthorized the Water Pollution Control Act (or Clean Water Act) of 1972 and strengthened pollution control standards.

Wild and Scenic Rivers Act of 1968, as amended (16 U.S.C. 1271 et seq.)

Provides for the development and management of certain rivers. Authorizes the Secretary to exchange or dispose of suitable Federally-owned property for non-Federal property within the authorized boundaries of any Federally-administered component of the National Wild and Scenic Rivers System.

Wild Free Roaming Horse and Burro Act of 1971, as amended by the Public Rangelands Improvement Act of 1978 (16 U.S.C. 1331-1340)

Provides for the management, protection and control of wild horses and burros on public lands and authorizes “adoption” of wild horses and burros by private individuals.

Wilderness Act of 1964 (16 U.S.C. 1131 et seq.)

Provides for the designation and preservation of wilderness areas.