

**Appendix C**  
**Laws, Regulations, and Policies**



### Acronyms and Abbreviations

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|--------|--|
| AAC    | Alaska Administrative Code   |
| ANILCA | Alaska National Interest Lands Conservation Act                      |
| ANCSA  | Alaska Native Claims Settlement Act                                  |
| ARPA   | Archaeological Resources Protection Act                              |
| AS     | Alaska Statute   |
| BLM    | Bureau of Land Management  |
| CAA    | Clean Air Act  |
| CERCLA | Comprehensive Environmental Response, Compensation and Liability Act |
| CFR    | Code of Federal Regulations  |
| CWA    | Clean Water Act  |
| EO     | Executive Order  |
| ESA    | Endangered Species Act   |
| FEIS   | Final Environmental Impact Statement                                 |
| FLPMA  | Federal Land Policy and Management Act                               |
| FR     | Federal Register   |
| NEPA   | National Environmental Policy Act                                    |
| NHPA   | National Historic Preservation Act                                   |
| OHV    | off-highway vehicle  |
| PRMP   | Proposed Resource Management Plan                                    |
| RCRA   | Resource Conservation & Recovery Act                                 |
| ROW    | right-of-way   |
| R&PP   | Recreation and Public Purposes                                       |
| U.S.C. | United States Code   |
| USDA   | United States Department of Agriculture                              |
| USDOI  | United States Department of the Interior                             |

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The following list of laws, regulations, and policies provides an overview of the direction guiding management of the Bureau of Land Management (BLM) lands in Alaska and is organized according to the resource programs presented in the main body of the Proposed Resource Management Plan/Final Environmental Impact Statement (PRMP/FEIS). It is not meant to be a comprehensive list.

### **Air Resources**

- 29 Code of Federal Regulations (CFR) 1910 – Labor
- 40 CFR 50-799 Protection of the Environment
- The Clean Air Act (CAA) of 1990, as amended, 42 United States Code (U.S.C.) 7418
- Executive Order (EO) 11514, March 5, 1970, as amended by EO 11991, May 24, 1977
- EO 11738, September 10, 1973
- EO 12088, October 13, 1978
- EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), 49 *Federal Register* (FR) 7629 (1994)
- EO 13084, May 19, 1998 Consultation and Coordination with Indian Tribal Governments
- The Federal Land Policy and Management Act of 1976 (FLPMA), as amended
- The National Environmental Policy Act of 1969 (NEPA)
- The Onshore Oil and Gas Leasing Reform Act of 1987, 30 U.S.C. 181 et seq.

### **Soils**

- BLM Alaska Statewide Health Standards, 2004
- EO 11752 of December 17, 1973
- EO 11988 (May 1977) Floodplain Management
- Farmland Protection Policy Act of 1984
- Soil and Water Resources Conservations Act of 1977

### **Water**

- BLM Alaska Statewide Health Standards, 2004
- Classification and Multiple Use Act of 1964 (78 Statute 986, U.S.C. 1411-18), 43 CFR 1725.3-3(h) as of October 1, 1981
- EO 11644 – February 8, 1972, as amended by EO 11989, May 24, 1977
- EO 11738 – September 10, 1973
- EO 11752 – December 19, 1973
- EO 11752 – December 17, 1973
- EO 11988 – Floodplain Management
- EO 11990 – Protection of Wetlands
- The Federal Water Pollution Control Act (33 U.S.C. 1151, 1251, 1254, 1323, 1324, 1329, 1342, 1344) as amended

- The Safe Drinking Water Act of 1996 (Public Law 104-182)

### **Floodplains**

- EO 11988, Floodplain Management, May 24, 1977 (42 FR 26951)

### **Fisheries**

- 43 CFR part 24 Management of Fish and Wildlife
- Alaska State Statute (AS) 16.05.870(a)
- Alaska National Interest Lands Conservation Act of 1980 (ANILCA)
- Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. 1531 et seq., 87 Statute 884, Public Law 93-205, Public Law 94-359, 90 Statute 913 [1974], Public Law 95-212, 91 Statute 304 [1982], Public Law 100-653 [1988])
- Fish and Wildlife Coordination Act, as amended (16 U.S.C. 661-667e. [1958], 48 Statute 401, 60 Statute 1080, 72 Statute 563, 79 Statute 216, 82 Statute 563)
- Magnuson-Stevens Fishery Conservation and Management Act of 1996
- National Riparian Policy
- Sikes Act of 1974
- United States Forest Service (USFS) and BLM Recreational Fisheries Policy of 1988

### **Wildlife**

- Fish and Wildlife Conservation Act of 1980 (16 U.S.C. 2901-2911)
- Fish and Wildlife Coordination Act of 1958 (16 U.S.C. 661 et seq.)

### **Threatened and Endangered Species**

- ESA (16 U.S.C. 1531 et seq.)

### **Wetlands-Riparian**

- AS 41.14.840 (Fishway Act)
- BLM Alaska Statewide Health Standards, 2004
- Coastal Zone Management Act of 1972 (16 U.S.C. 1451, 86 Statute 1280)
- EO 11988 – Floodplain Management
- EO 11990 – Protection of Wetlands
- The Federal Water Pollution Control Act (33 U.S.C. 1151, 1251, 1254, 1323, 1324, 1329, 1342, 1344) as amended
- The Rivers and Harbors Act of 1899

**Invasive Plants**

- Alien Species Prevention Enforcement Act of 1992
- Carlson-Foley Act of 1968
- Federal Noxious Weed Act of 1974 (Public Law 93-629 [7 U.S.C. 2801 et seq.; 88 Statute 2148]) as amended
- Federal Plant Pest Act of 1957 (7 U.S.C. 150aa-150jj)
- Federal Seed Act of 1939 (7 U.S.C. 1551-1611)
- FLPMA
- Noxious Weed List (AS 44.37 and 03.05.010)
- Organic Act of 1944 (7 U.S.C. 147a)
- Public Rangelands Improvement Act of 1978

**Wildland Fires and Fuels**

- 1982 Secretarial Order 3077
- 1995 Federal Wildland Fire Management Policy and Program Review, United States (U.S. Department of Interior [USDOI] and U.S. Department of Agriculture [USDA])
- A Collaborative Approach for Reducing Wildland Fire Risks to Communities, 10-Year Comprehensive Strategy (August 2001) and Implementation Plan (May 2002), USDOI and USDA
- Alaska Native Claims Settlement Act of 1971 (ANCSA), as amended
- ANILCA
- BLM Manuals 9200 series and associated handbooks, various release dates
- FLPMA, Public Law 94-579
- Healthy Forest: An Initiative for Wildfire Prevention and Stronger Communities, August 2002, Office of the President
- Healthy Forests Restoration Act of 2003
- Managing the Impact of Wildfires on Communities and the Environment, A Report to the President In Response to the Wildfires of 2000, September 8, 2000, submitted by Secretaries of the Interior and Agriculture
- Principal Wildland Fire Laws for USDOI, BLM Reference Guide, October 2003 (Draft)
- Restoring Fire-Adapted Ecosystems on Federal Lands, A Cohesive Strategy for Protecting People and Sustaining Natural Resources, February 2002, USDOI and USDA
- Review and Update of the 1995 Federal Wildland Fire Management Policy, January 2001, USDOI and USDA
- USDOI Manual 620, April 1998
- USDOI Memorandum, Determining Fire Condition Class, Feb. 21, 2003

**Visual**

- FLPMA, 43 U.S.C. 1701 et seq.
- NEPA, 43 U.S.C. 4321 et seq.

**Paleontological Resources**

- 18 U.S.C. 641
- 36 CFR 62
- 43 CFR 1610
- 43 CFR 3600
- 43 CFR 3802 and 3809
- 43 CFR 8200
- 43 CFR 8364
- 43 CFR 8365
- Federal Cave Resources Protection Act of 1988 (Public Law 100-691)
- FLPMA (Public Law 94-579)
- NEPA
- Onshore Oil and Gas Order No. 1 (43 CFR 3162)
- Secretarial Order 3104

**Cultural Resources**

- American Antiquities Act of 1906, 43 CFR part 3
- American Indian Religious Freedom Act of 1978
- Archaeological Resources Protection Act of 1979 (ARPA), 43 CFR part 7
- EO 11593 (1971)
- EO 13287 – Preserve America (2003)
- FLPMA
- Historic Sites Act of 1935, 36 CFR 65
- Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), 43 CFR part 10
- NEPA, 40 CFR 1500-1508
- National Historic Preservation Act of 1966 (NHPA) (as amended in 1999 regulations), 36 CFR 800
- The Recreation and Public Purposes Act of 1926 (R&PP), 43 CFR subpart 2741
- Reservoir Salvage Act of 1960 (as amended by the Archaeological and Historic Preservation Act of 1974)

**Forestry**

- 16 U.S.C. 615a, amends the Act of May 14, 1898
- 43 CFR parts 5400 and 5500 Management of Forest Resources in Alaska
- Alaska State regulations 11 Alaska Administrative Code (AAC) 95.185 through 11 AAC 95. 255
- ANILCA
- FLPMA, Public Law 94-579
- Public Law 94-165 (USDOJ Appropriations Act of 1976)

**Grazing**

- 43 CFR, Chapter II Group 4300-Grazing Administration; Alaska; Reindeer; General; October 1, 1999

**Farmland**

- 7 CFR 658 Farmland Protection Policy Act

**Lands and Realty**

- 43 CFR Part 2100 – Acquisitions
- 43 CFR Part 2200 – Exchanges
- 43 CFR Part 2300 – Withdrawals
- 43 CFR Part 2400 – Land Classification
- 43 CFR Part 2500 – Disposition; Occupancy and Use
- 43 CFR Part 2600 – Disposition; Grants
- 43 CFR Part 2700 – Disposition; Sales
- 43 CFR Part 2800 – Use; Right-of-Way (ROW)
- 43 CFR Part 2900 – Use; Leases and Permits
- 43 CFR subpart 2091 – Segregation and Opening of Lands
- 43 CFR Part 2000 – Lands Resource Management
- ANILCA
- ANCSA
- Alaska Railroad Transfer Act of 1982
- Alaska Statehood Act of 1958
- Departments of Veterans Affairs and Housing and Urban Development and Independent Agencies Appropriations Act of 1998
- Executive Memorandum of August 10, 1995, facilitating access to Federal Property for the siting of Mobile Services Antennas
- EO 11988 of May 25, 1977, Floodplain Management

- EO 11990 of May 24, 1977, Protection of Wetlands
- EO 12898 of February 11, 1994, Environmental Justice in Minority and Low-Income Populations
- EO 13112 of February 3, 1999 Invasive Species
- EO 13212 of May 18, 2001
- EO 8102 April 29, 1939
- Federal Aid to Highways Act of 1958
- Federal Power Act of 1920
- Film Permit Fee Collection Public Law 106-206
- Mental Health Enabling Act of 1956
- Mineral Leasing Act of 1920
- National Energy Policy as established in EO 13212
- NHPA
- National Trails System Act of 1968, as amended
- Native Allotment Act of 1906
- Patent Act of 1928
- Public Land Order 2676 May 4, 1962
- Submerged Lands Act of 1953
- Superfund Amendment and Reauthorization Act of 1986
- The Airport and Airway Improvement Act of 1982
- CAA as amended
- The Clean Water Act of 1987 (CWA), as amended
- The Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA)
- ESA
- The Engle Act of 1958
- FLPMA
- The Federal Water Pollution Control Act of 1972, as amended
- NEPA
- The Pickett Act of 1910
- R&PP
- The Resource Conservation & Recovery Act of 1976 (RCRA)
- Uniform Relocation Assistance and Realty Acquisition Policies Act of 1970
- University Act (Alaska) of January 21, 1929
- Washington Office Instruction Memorandum No. 2002-149 – Cooperating Agency

- Washington Office Instruction Memorandum No. 2002-164 – Guidance to Address Environmental Justice in Land Use Plans and Related National Environmental Policy Act Documents
- Washington Office Instruction Memorandum No. 2002-196 – ROW Corridors, ROW Areas, Land Use Planning
- Washington Office Instruction Memorandum No. 98-106 – ROWs for Municipal Utilities, Application Processing, Cost Recovery and Rent Policies and Procedures
- Washington Office Instruction Memorandum No. 99-179 – Third Party Uses on R&PP Patents and Leases

### **Hazardous Materials**

- ANCSA, as amended; Public Law 92-203 (85 Statute 688)
- CAA, as amended, 42 U.S.C. 7418
- CERCLA, as amended, 42 U.S.C. 9601 et seq.
- CFR Title 29 – Labor; contained in section 1910, Occupational Safety and Health Standards
- CFR Title 40 – Protection of the Environment; throughout sections 50-799
- CFR Title 49 – Transportation; sections 101, 106, 107, 171-180
- CWA, as amended, 33 U.S.C. 1251
- Emergency Public Planning and Community Right-to-Know Act of 1986; 42 U.S.C. sec. 11001 et seq.
- EO 11514, March 5, 1970, as amended by EO 11991, May 24, 1977
- EO 11738, September 10, 1973
- EO 12088, October 13, 1978
- EO 12580 Superfund Implementation; 52 CFR 2923; January 23, 1987 (and amendments in EO 13016, August 28, 1996)
- EO 12856 Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements; 58 CFR 150, August 3, 1993
- EO 12873 Federal Acquisition, Recycling, and Waste Prevention; 58 CFR 203, October 22, 1993
- EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), 49 FR 7629 (1994)
- EO 13084 Consultation and coordination with Indian Tribal Governments
- Federal Insecticide, Fungicide and Rodenticide Act of 1947; 7 U.S.C. sec. 136 et seq.
- FLPMA
- Hazardous Materials Transportation Act of 1975; 40 U.S.C. 1811
- NEPA
- Occupational Safety and Health Act of 1970; 29 U.S.C. 651 et seq.
- Oil Pollution Act of 1990; 33 U.S.C. sec. 2701 et seq.

- RCRA; 42 U.S.C. sec. 3251 et seq.
- The Safe Drinking Water Act of 1974 42 U.S.C. 201
- Toxic Substances Control Act of 1976; 15 U.S.C. sec 2601 et seq.

**Leasable Minerals**

- ANCSA
- ANILCA
- Alaska Land Status Technical Corrections Act of 1992 (Amends Section 905 of ANILCA)
- Coastal Zone Management Act of 1972
- Energy Policy Act of 1992 (Section 2509)
- Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701)
- Federal Onshore Oil and Gas Leasing Reform Act of 1987
- FLPMA
- Geothermal Steam Act of 1970
- Mineral Leasing Act for Acquired Lands of 1947
- Mineral Leasing Act of 1920
- Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1201 et seq.)
- The 1987 Leasing Reform Act (30 U.S.C. 181, et seq.; Public Law 100-203
- The Federal Coal Leasing Amendments Act of 1976

**Locatable and Salable Minerals**

- 43 CFR 3600 Procedures for Development and Disposal of Mineral Material Resources
- Act of July 23, 1955; 69 Statute 934
- ANCSA, Public Law 92-203 (85 Statute 688)
- ANILCA
- EO 13084 Consultation and Coordination with Indian Tribal Governments
- FLPMA
- IM Memorandum No. 2001-032, December 7, 2000, Mineral Materials Inspection and Enforcement, Production Verification, and Appraisal Policy (expires 9/30/2002)
- R&PP
- The Alaska Statehood Act of 1958
- The General Mining Law of 1872, as amended, 30 U.S.C. 21 et seq.
- The Materials Act of 1947 (61 Statute 681)
- The Mining and Mineral Policy Act of 1970, 30 U.S.C. 21a

**Off-Highway Vehicles**

- 36 CFR 36.11 – Special Access
- 43 CFR Part 8340 – Off-Highway Vehicles (OHV)
- 43 CFR Part 8370 – Use Authorizations
- ANCSA, (43 U.S.C. Section 1616)
- ANILCA
- EO 11644, February 8, 1972
- EO 11989, May 24, 1977 and amendment to EO 11644 that authorizes closure of areas or trails on public lands to BLM National Strategy for Motorized OHV Use on Public Lands, January 2001
- FLPMA
- Land and Water Conservation Fund Act of 1965

**Recreation**

- 43 CFR Part 2930 – Use Authorizations (Previously 43 CFR 8370)
- FLPMA 43 CFR 8360 – Visitor Services
- Land and Water Conservation Fund Act of 1965
- Office of Management and Budget Circular A-25 of 1993, revised
- Title 36 CFR, subpart 71 – Recreation Fees

**Iditarod National Historic Trail**

- ANCSA, Public Law 92-203 Section 17(b)
- Historic Sites Act of 1935
- NHPA
- Public Law 90-543 (The National Trails System Act of 1968)
- Public Law 95-625 (The National Parks and Recreation Act) amended Public Law 90-543

**Wild and Scenic Rivers**

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

**Socioeconomic**

- EO 12898 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations), 49 FR 7629 (1994)

**Subsistence**

- Federal-Aid Highway Act of 1962 (Subsistence 23 U.S.C. 214)

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