

SOME HIGHLIGHTS OF PRINCIPAL FEDERAL LAWS  
REGARDING CONSERVATION AND POLLUTION

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### THE PRINCIPAL ACTS

P.L. 85-624, Fish and Wildlife Coordination Act (1958)

This Act requires considerable water data, including an environmental impact statement (EIS), prior to any action affecting a stream. It includes a requirement for consultation with the Fish and Wildlife Service for any Federal action affecting streams or water bodies.<sup>6,10</sup>

P.L. 89-80, Water Resources Planning Act (1965)

Through this Act the Water Resources Council (WRC) and the river basin commissions were established. Comprehensive planning for river basins requires large amounts of water data which the commissions were set up to collect. The WRC is required to periodically assess the U.S. water resources, utilizing the most current water data.<sup>11</sup> Recently the WRC was dissolved and the responsibility for review transferred elsewhere.

P.L. 88-578, Land and Water Conservation Fund Act of 1965

This Act authorizes and regulates user fees for Federal lands and waters used for recreation and other purposes. The Act specifies allocation of fees for management of Federal lands and provides for Federal assistance to the states in planning, acquiring, and developing land and water for recreation. It also provides funds for Federal acquisition and development of lands.<sup>8</sup>

P.L. 89-234, Water Quality Act of 1965

This law created the Federal Water Pollution Control Administration (FWPCA) to assume the water-quality responsibilities (other than health programs and regulations) formerly carried out by the Public Health Service. The Act increases authorization for grants to state, municipal, and interstate agencies for plans and projects demonstrating new or improved methods of pollution control and for treatment plant construction. It also sets forth a procedure calling for states to adopt water quality criteria or standards for interstate waters. The Environmental Protection Agency (EPA) is presently the agency fulfilling this role.<sup>7,11</sup>

P.L. 89-272, Title II, Solid Waste Disposal Act (1965)

Solid wastes were recognized in Section 201(4) as a source of water pollution. Grants were established for study, planning and management of solid waste problems. Section 206(h)(2) of the Act requires that all planning consider water pollution abatement.<sup>8</sup>

P.L. 91-190, National Environmental Policy Act of 1969 (NEPA)

This landmark Act established the Council on Environmental Quality (CEQ). In addition, it initiated the requirement for an environmental impact statement (EIS) as a prerequisite to any proposed Federal action that might have adverse effects upon the environment. NEPA requires a balanced consideration of all environmental factors and consultation with other agencies and the public during the planning stages.<sup>11</sup>

P.L. 92-500, Federal Water Pollution Control Act Amendments of 1972

Widely known as the "Clean Water Act," this law defines and discusses nonpoint-source pollution (Section 208) and establishes requirements for dredge and fill permits administered by the Corps of Engineers (Section 404). It also assigns major responsibilities and programs to the EPA and necessitated major Federal agency programs for measuring and reporting water quality.<sup>8</sup>

P.L. 92-532, Marine Protection, Research, and Sanctuaries Act of 1972

This law regulates transportation for dumping wastes into ocean waters within and outside U.S. control. It designates the EPA to provide permits for all wastes and the Corps of Engineers to issue permits for dredged materials. Title II authorized a continuing program of monitoring and research on the effects of ocean and coastal dumping. Title III authorized the Departments of Interior, State, and Defense and the EPA to designate marine sanctuaries.<sup>7</sup>

P.L. 92-583, Coastal Zone Management Act of 1972

Under this Act and its amendments (P.O. 94-370, July 26, 1976), Federal agencies, led by the Department of Commerce, were made responsible for participating and cooperating with local, regional, and state agencies in land or water uses of coastal zones.<sup>11</sup>

P.L. 93-205, Endangered Species Act of 1973, Sections 2-17

The purpose of this act is to conserve endangered species and their ecosystems. It defines endangered and threatened species and regulates activities involving the species and their ecosystems. Section 205 of

the act established a land-acquisition program to be used for species conservation.<sup>3</sup>

P.L. 93-378, Forest and Rangeland Renewable Resources Planning Act

In this act the Department of Agriculture is directed to maintain a current, comprehensive survey on the renewable resources of U.S. forests and rangelands.<sup>5</sup>

P.L. 93-523, Safe Drinking Water Act (1974)

This Act and its amendment (P.L. 95-190, November 16, 1977) resulted in the development of national regulations for primary drinking water and the implementation of underground injection-control program regulations. These regulations are determined by the EPA with data supplied by other Federal agencies and the States.<sup>6</sup>

P.L. 95-95, Clean Air Act of 1974

This complex Act is one which has many purposes. There are several major portions (Title I, II, etc.) that make up the Act. Title I specifically deals with preservation, protection and enhancement of air quality on Federal lands. The 1977 amendment establishes Class I, II, and III areas where levels of sulfur dioxide and particulate matter are to be restricted. Class I areas have the highest standards, with Classes II and III being progressively more lenient. The Act requires all Federal agencies to comply with Federal, State, interstate, and local requirements toward control and abatement of air pollution. The Act further requires that all states establish State Implementation Plans (SIPs) to assure that air quality is maintained in each established Class I, II, and III area.<sup>9</sup>

P.L. 94-580, Resource Conservation and Recovery Act of 1976

This Act replaced the Solid Waste Disposal Act of 1965, Title II of P.L. 89-272. An expansion of that 1965 law, it provides for technical and financial assistance for the development of management plans and facilities to 1) recover energy and other resources from discarded materials, and 2) safely dispose of the discarded material. Further, it regulates the management of hazardous waste, stipulating that technical expertise and information on hydrologic effects of waste management is to be provided by Federal agencies.<sup>9</sup>

P.L. 94-588, National Forest Management Act of 1976

This Act amends P.L. 93-378 to require the comprehensive assessment of uses, demand and supply of renewable resources of public and private forest and rangeland. This assessment is set up to be coordinated through public and private research.<sup>4,10</sup>

P.L. 94-469, Toxic Substances Control Act (1976)

This Act authorized the EPA to obtain data on production, use, and health effects of industrial chemicals. The EPA can regulate the manufacture, distribution, use, and disposal of toxics. It requires the establishment, by the EPA, of a committee composed of members from the Departments of Labor, Commerce, and Health, Education and Welfare, as well as the National Science Foundation, to recommend chemicals for study.<sup>9</sup>

P.L. 94-579, Federal Land Policy and Management Act of 1976

This was the new organic act for the BLM. The Act requires periodic inventory of natural resources (including water) of all lands administered by the BLM.<sup>10</sup>

P.L. 95-87, Surface Mining Control and Reclamation Act of 1977

This Act established the Office of Surface Mining Reclamation and Enforcement. It requires that hydrologic information on the "general area" of a mine site, prior to mining, be made available to the permit applicant by the "appropriate Federal or State agency." All hydrologic data must accompany the permit application. The Act also provides that until such hydrologic information is provided, no permit can be issued.<sup>1,2</sup>

P.L. 95-192, Soil and Water Resources Conservation Act of 1977

This Act directs the Department of Agriculture to inventory soil, water, and related resources at five-year intervals. The resource inventory was limited to the scope of Soil Conservation Service (SCS) programs. Cost-benefit studies of conservation actions and management effects and impacts are required by the act. In addition, the Act requires the SCS to develop a soil and water conservation program based on the inventory. The purpose of the Act is to ensure that the USDA programs for conservation are fully responsive to the long-term needs of the nation.<sup>11</sup>

P.L. 95-217, Clean Water Act of 1977

Similar in scope to P.L. 92-500 (1972), this law's objective is to restore and maintain the chemical, physical, and biological integrity of U.S. waters. Both Acts have had a substantial impact upon water-data programs, including: 1) the operation of water-quality monitoring programs; 2) the collection of hydrologic data; 3) the conduction of intensive short-term studies of streams, lakes, and aquifers; and 4) the provision of laboratory support to analyze water, sediment, and biological samples. It also established a Rural Clean Water Program (RCWP) to promote the installation and maintenance of the best known management practices to control nonpoint-source water pollution.<sup>11</sup>

Key issues of P.L. 92-500 and P.L. 95-217 are dealt with in sections:

- Section 104: Research Investigation, Training, and Information - names the Federal Agencies that are to cooperate with the EPA in water quality surveillance.
- Section 208: Areawide Waste Treatment - requires the development and implementation of management plans, including the identification of pollution sources.
- Section 301: Effluent Limitations - establishes limits for effluents entering streams.
- Section 303: Water Quality Standards - defines water quality and sets standards for the nation.

P.L. 95-467, Water Research and Development Act of 1978

Through this Act the Office of Water Resources Research and the Office of Saline Water were merged to form the Office of Water Research and Technology (OWRT). The law assigns to the Secretary of the Interior the responsibility of assuring that adequate water of good quality meets regional and national needs. Toward that end, the OWRT's Water



Resources Scientific Center is to continue to assimilate data in its water abstracts program so that water condition and availability can be closely monitored.<sup>13</sup>

P.L. 96-294, Energy Security Act (1980)

The development of synthetic fuels and related energy programs, including geothermal and solar energy, is provided for in this Act. Title VII of the Act, "Acid Precipitation Program and Carbon Dioxide Study," calls for a comprehensive research plan to identify causes and effects of acid precipitation and actions which would limit its harmful effects.<sup>12</sup>

P.L. 96-487, Alaska National Interest Land Conservation Act of 1980

This Act provides for a massive land-use plan for Alaska, including programs for National Parks, Wildlife Refuges, National Forests, Wild and Scenic Rivers, Wilderness Areas, and a Native Alaskan Claims Settlement. The preservation and protection of Alaskan water resources is a major aspect of this Act.<sup>12</sup>

P.L. 96-510, Compensation and Liability Act of 1980

Often called the "Superfund Act," this law lends Federal authority to the clean-up of hazardous wastes released into the environment; that is, the Federal government can take legal action against responsible parties to recover clean-up costs. Further, it gives the government the authority to estimate damages and to restore, reclaim and rehabilitate damaged natural resources.<sup>12</sup>

This brief summary of Federal Laws was assembled by the water quality specialists at Water Resources Field Support Laboratory, NPS, Fort Collins, during January to March 1984, for training use.

The library research principally was done by Jill Reynolds and Greg Lynch, Research Assistants at the Laboratory and students at Colorado State University.

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