

APPENDIX G. Laws And Regulations Affecting Wildlife In Georgia

Several federal and state laws and regulations as well as international agreements are relevant to wildlife conservation in Georgia. While some of these pertain specifically to the conservation of certain groups of animal or plant species through regulation of take or protection of habitat, others afford more general forms of environmental protection or provide mechanisms or funding for land acquisition, land use planning, or environmental assessments. Brief descriptions of some of the most significant laws and regulations relating to wildlife conservation follow.

STATE LAWS

Cave Protection Act of 1977 (O.C.G.A. 12-4-140)

This act recognizes caves as unusual and significant natural features, and declares the protection of these resources to be the policy of the state. The Act declares as unlawful the following activities: defacing or disturbing caves, tampering with any obstruction to the cave (gate, lock, etc.), entering a cave posted against trespassing or with an obstruction to prevent access to the cave, selling speleothems (cave formations), storing chemicals or other materials in caves which may harm them, and removing, killing, harming, or disturbing wildlife in caves.

Coastal Marshlands Protection Act of 1970 (O.C.G.A. 12-5-280)

This legislation created the Coastal Marshlands Protection Committee which grants, denies, revokes, and amends all permits provided for by the Act and details the process to handle grievances of a party in relation to any rules or regulations adopted by the Board of Natural Resources. The Act outlines the powers and duties of the DNR and the Board of Natural Resources as to coastal marshlands. Marshlands may not be filled, drained, dredged, or otherwise altered without a permit from the committee. The Act indicates the process for obtaining a permit and explains the points reviewed by the committee prior to issuing or denying a permit. It authorizes the inspection of marshlands by officers and conservation rangers of the DNR to verify compliance with the rules, regulations, and permits, and enforcement in the case of noncompliance.

Conservation Use Act of 1991 as amended (O.C.G.A 48-5-7.4)

This Georgia law provides significant property tax reductions to qualified landowners who conserve environmentally sensitive lands for ten years. Environmentally sensitive areas include habitats with endangered species, wetlands, floodplains, stream corridors, undeveloped barrier islands, steep slopes and wildlife habitat larger than ten acres. This program can build landowner awareness of and appreciation for conservation needs and incentives, which in turn can lead to a commitment to more permanent land conservation (e.g., a conservation easement in perpetuity). Unfortunately, rules promulgated under this law make it difficult for landowners to have their lands designated and assessed as “environmentally sensitive lands”. The rules should be modified to make it easier for landowners to take advantage of the tax incentives afforded to those who are willing to protect such lands for ten years.

Endangered Wildlife Act of 1973 (O.C.G.A. 27-3-130)

This law provides for identification, inventory, and protection of animal species that are rare, unusual, or in danger of extinction. The Board of Natural Resources approves changes to the list of state protected species. The protection offered to these species is limited to those that are found on public lands of the State. It is a misdemeanor to violate the rules prohibiting capture, killing, or selling of protected species, and protection of protected species habitat on public lands. The rules and regulations are established and

administered by the Department of Natural Resources for implementation of this Act. Acquisition of unique habitats and natural areas for the protection of rare species is encouraged.

Environmental Policy Act (O.C.G.A. 12-16-1)

The Georgia Environmental Policy Act (GEPA) requires that all State agencies and activities prepare an Environmental Impact Report as part of the decision-making process for all activities that may have an impact on the environment. Alternatives to the proposed project or activity must be considered as part of the report. The Act states that any proposed governmental action which may “significantly adversely affect the quality of the environment”, including the state’s air, water, land, plants, and animals, requires an Environmental Effects Report. As outlined in the Act, an Environmental Effects Report describes the environmental impact and any adverse environmental effects of the action, alternative actions, mitigation measures proposed to avoid or minimize impact, and other effects of the action. The government agency responsible for the action authors the report and provides it to the director of the Environmental Protection Division (EPD) in the DNR. A notice that the report has been prepared is to be published in the legal organ of each county in which the action is to take place, which may lead to a public hearing regarding the action. The Act requires the director of the EPD to issue guidelines to assist government agencies in the preparation of environmental effects reports.

Erosion and Sedimentation Act of 1975 (O.C.G.A. 12-7-1)

This Georgia law regulates land-disturbing activity, which is defined as "any activity which may result in soil erosion from water or wind and the movement of sediments into state water or onto lands within the state, including, but not limited to, clearing, dredging, grading, excavating, transporting, and filling of land but not including agricultural practices as described in paragraph (5) of Code Section 12-7-17." A number of activities are exempted from regulation under this act, including: surface mining and granite quarrying (they are covered under other laws); minor activities (home gardens, landscaping, etc.); agricultural operations; projects conducted under NRCS supervision; DOT projects; and public water system reservoirs. Partial exemptions apply to forestry land management practices, activities of utility companies, state road and tollway authorities, and any projects involving less than one acre of disturbed area. The Department of Natural Resources' Environmental Protection Division (EPD) is responsible for enforcing the law. EPD may delegate duties to local issuing authorities. In order to be certified as a local issuing authority, a local government must have local ordinances for land disturbing activities, the ability to enforce such ordinances, and qualified personnel to monitor and enforce permits. Applicants for land disturbing permits must demonstrate that they have erosion and sedimentation control plans that meet Best Management Practices established for the particular application. The law also mandates stream buffer protection; for most streams, a 25 foot buffer is required, but for trout streams a 50 foot buffer must be maintained. An exemption to this buffer requirement was added to allow stream crossing for water and sewer lines, however there are specific guidelines to be followed in order to protect these streams.

Game and Fish Code (O.C.G.A. 27-1-1)

This legislation provides the ownership of, jurisdiction over, and control of all wildlife to be vested in the State of Georgia. The section declares that custody of all wildlife in the State is vested with the Georgia Department of Natural Resources for management and regulation. The Wildlife Resources Division is the principal State agency vested with statutory authority for the protection, management and conservation of terrestrial wildlife and fresh water wildlife resources, including fish, game, nongame, and endangered species. All licensing of recreational and commercial fish and wildlife activities, excluding shellfish, is performed by the Wildlife Resources Division. The Coastal Resources Division issues shellfish permits, regulates marine fisheries activities including the opening and closing of the commercial shrimp

harvesting season, areas of shrimp harvest, regulates marine species size and creel limits, and enforces the National Shellfish Sanitation Program. The Commissioner of the Department of Natural Resources has directed that there will be cooperation and coordination between the Divisions of the Department in the administration of their respective responsibilities.

Georgia Air Quality Act (O.C.G.A. 12-9-1)

The Georgia Air Quality Act provides authority to the Environmental Protection Division to promulgate rules and regulations necessary to abate or to control air pollution for the State as a whole or from area to area, as may be appropriate. Establishment of ambient air quality standards, emission limitations, emission control standards, and other measures are necessary to provide standards that are no less stringent than the federal Clean Air Act are mandated. The Act also requires establishment of a program for prevention and mitigation of accidental releases of hazardous air contaminants or air pollutants, training and educational programs to ensure proper operation of emission control equipment, and standards of construction no less stringent than the federal Act. The Environmental Protection Division administers the Georgia Air Quality Act throughout the State. The Memorandum of Agreement between the Georgia Coastal Resources Division and the Environmental Protection Division ensures cooperation and coordination in the achievement of the policies of the Program.

Georgia Coastal Management Act (O.C.G.A. 12-5-320)

The Coastal Management Act provides enabling authority for the State to prepare and administer a coastal management program. The Act does not establish new regulations or laws; it is designed to establish procedural requirements for the Department of Natural Resources to develop and implement a program for the sustainable development and protection of coastal resources. It establishes the Department of Natural Resources as the State agency to receive and disburse federal grant monies. It establishes the Governor as the approving authority of the program and as the person that must submit the program to the federal government for approval under the federal Coastal Zone Management Act. It requires other State agencies to cooperate with the Coastal Resources Division when exercising their activities within the coastal area.

Georgia Land Conservation Act (O.C.G.A. 36-22-1)

Passed by the Georgia legislature in 2005, this law promotes land conservation by providing funds to state and local governments and encouraging partnerships with the private sector. The law also establishes the Georgia Land Conservation Revolving Loan Fund that will be managed by the Georgia Environmental Facility Authority (GEFA), which will provide a variety of funding options by which conservation easements or fee simple interest can be purchased. Operations of the fund and the authority are overseen by the Georgia Land Conservation Council, which is responsible for reviewing all project proposals and making recommendations for the distribution of funds. The act directs Georgia DNR to establish a land conservation program consistent with these purposes, to work with local governments to identify and review land conservation projects, and to maintain a geographic information system designed to serve as a comprehensive database of land protection activities. It also directs the Department to work with the Georgia Forestry Commission, State Soil and Water Conservation Commission, University System of Georgia Cooperative Extension Service and others to provide information and technical support to facilitate land conservation projects. Nongovernmental organizations are also encouraged to provide education to public and private sectors and to partner with counties, cities, and the Department on land conservation projects.

Georgia Natural Areas Act (O.C.G.A. 12-3-90)

The Georgia Natural Areas Act (1996) authorizes the Department of Natural Resources to identify areas in the State of Georgia which are of unusual ecological significance, and to secure the preservation of such areas in an undisturbed natural state. The purpose for such acquisition is to allow scientific study of the property, to educate, to "serve as examples of nature to the general public," and to "enrich the quality of our environment for present and future generations." Natural areas, as defined by the Act, are tracts of land in their natural state that are to be set aside and permanently protected or managed for the purpose of preserving natural plant or animal communities, rare or valuable members of such communities, or any other natural features of significant scientific, educational, geologic, ecological, or scenic value.

Georgia Scenic Rivers Act of 1969 (O.C.G.A. 12-5-350)

This act defines "scenic river" to mean certain rivers or section of rivers that have valuable scenic, recreational, or natural characteristics that should be preserved for the benefit and enjoyment of present and future generations. Certain sections of rivers are named in the Act, and the process for designating other sections of Georgia rivers is described. The DNR is directed to study and recommend rivers or river sections to be considered for designation as scenic rivers, and may apply for and receive funds from the Land and Water Conservation Fund and other federal sources for this purpose. The Act establishes three classes of scenic river corresponding to the degree of preexisting development: natural, pastoral, and recreational. It prohibits the construction, operation, or maintenance of dams, reservoirs, or other structure impeding the natural flow of the waterway. The Act allows for acquisition by the state of the land lying within the authorized boundary of a designated scenic river or river section.

Georgia Surface Mining Act of 1968 (O.C.G.A. 12-4-70)

This law regulates all surface mining in Georgia, including the coastal zone. It includes provisions to "advance the protection of fish and wildlife and the protection and restoration of land, water, and other resources affected by mining." It establishes authority with Georgia DNR's Environmental Protection Division to issue mining permits consistent with the purposes of the Act. The law also provides conditions for issuance of mining permits and gives the Environmental Protection Division authority to review, investigate, and revoke such permits, as well as to conduct research studies of mining land uses. The law also provides penalties for failure to comply with conditions of mining permits.

Georgia Uniform Conservation Easement Act (O.C.G.A. 44-10-1)

This law provides a definition of conservation easements and describes the purposes of these as "retaining or protecting natural, scenic, or open-space values of real property; assuring its availability for agricultural, forest, recreational, or open-space use; protecting natural resources; maintaining or enhancing air or water quality; or preserving the historical, architectural, archeological, or cultural aspects of real property." It also states that conservation easements are created, recorded, maintained, terminated, assigned, and enforced in the same way as other easements, except that conservation easements "may not be created or expanded by the exercise of the power of eminent domain" The Act also provides for reevaluation of property values of encumbered properties by tax assessors.

Georgia Water Quality Control Act (O.C.G.A. 12-5-20)

This law grants the Environmental Protection Division authority to ensure that water uses in the State of Georgia are used prudently, are maintained or restored to a reasonable degree of purity, and are maintained in adequate supply. In the administration of this law, the Environmental Protection Division can revise rules and regulations pertaining to water quality and quantity, set permit conditions and effluent limitations, and set permissible limits of surface water usage for both consumptive and non-consumptive

uses through the Board of Natural Resources. Through a Memorandum of Agreement between the Environmental Protection Division and the Coastal Resources Division, the rules and permits of the Environmental Protection Division are administered in a manner consistent with the enforceable policies of the Coastal Management Program. The Act makes it unlawful for any person to dispose of sewage, industrial wastes, or other wastes, or to withdraw, divert, or impound any surface waters of the State without a permit.

Ginseng Protection Act of 1979 (O.C.G.A. 12-6-150)

The Ginseng Protection Act regulates the digging and sale of ginseng by authorizing the licensing of dealers, by establishing reporting procedures, and by setting a harvest season. The Act prohibits harvesting without replanting ginseng in the same location in which it was harvested. It requires that ginseng dealers report details regarding the harvest, sale, and export of ginseng to the DNR. This act was amended in 1996 to require ginseng growers to be registered and to establish the harvest season as August 15 through December 31.

Groundwater Use Act (O.C.G.A. 12-5-90)

The Groundwater Use Act charges the Board of Natural Resources with the responsibility to adopt rules and regulations relating to the conduct, content, and submission of water conservation plans, including water conservation practices, water drilling protocols, and specific rules for withdrawal and utilization of groundwater. The Environmental Protection Division administers these rules and regulations. Groundwater withdrawals of greater than 100,000 gallons per day require a permit from the Environmental Protection Division. Permit applications that request an increase in water usage must also submit a water conservation plan approved by the Director of Environmental Protection Division (O.C.G.A. 12-5-96). The Environmental Protection Division has prepared a comprehensive groundwater management plan for coastal Georgia that addresses water conservation measures, protection from saltwater encroachment, reasonable uses, preservation for future development and economic development issues. The Memorandum of Agreement with the Environmental Protection Division ensures that permits issued under the Groundwater Use Act must be consistent with the Coastal Management Program.

Heritage Trust Act of 1975 (O.C.G.A. 12-3-70)

This legislation established the Heritage Trust Program to “preserve important and endangered elements of Georgia’s heritage”, especially at a time of increasing growth and development. The program seeks to protect Georgia’s heritage through the acquisition of fee simple title, or lesser interests, in valuable properties and the use of other available methods. The Heritage Trust Commission was created by the Act to serve as an advisory body to the Governor and to the Board of Natural Resources on matters concerning the program. The commission made recommendations to the board concerning the identification, designation, and acquisition of heritage areas, the dedication of heritage preserves, and the annual budget for the program. The Board of Natural Resources, as authorized in the Act, performed these functions in regard to the Heritage Trust Program and provided supervision and direction in the protection, management, operation, and use of the heritage preserves. Following expiration of the Heritage Trust Commission its duties were given to DNR.

Mountain and River Corridor Protection Act (informal title) (O.C.G.A. 12-2-8)

This legislation establishes minimum standards for land use in order to protect and preserve the state’s natural resources, environment, and vital areas. This includes but is not limited to the state’s mountains, river corridors, watersheds, and wetlands. A natural vegetative buffer area of 100 feet is to be maintained on both sides of rivers with annual flows in excess of 400 cubic feet per second, excepting the

construction of single-family dwellings in the buffer. Encroachments into the buffer are also allowed for the construction of public roads and public utility crossings. Local and regional governments are to identify and map river corridors in their land use plans and address such concerns as whether the area is unique or significant in the conservation and movement of flora and fauna, including rare species, and whether alteration would adversely affect the flow or quality of water, cause erosion or shoaling, or adversely impact adjacent sensitive natural areas. The Act lists several acceptable uses of river corridors but defines the following uses as unacceptable: releasing toxic or hazardous wastes or other contaminants into the water, hazardous or sanitary waste landfills, and other uses unapproved by local governments. The Act specifies the regulations, regarding land-disturbing activities, needed to protect mountain areas. It regulates the density of single and multifamily residences, tree removal, and the height of building structures in mountain areas. A recently passed law (H.B. 1426) reduced the required buffer to 50 feet along trout streams and allows property owners to pipe small streams.

Nongame Wildlife Conservation Programs Act of 1985 (informal title) (O.C.G.A. 12-3-600)

This asserts that the policy of the State of Georgia is to enable and encourage citizens voluntarily to support nongame wildlife conservation programs and wildlife habitat acquisition programs and recognizes the need for a separate source of funds from game management sources. The Act establishes nongame wildlife conservation programs, wildlife habitat acquisition programs, and educational and promotional activities in support of these programs. It allows for a funding source from contributions through an income tax return contribution mechanism and through fund raising or other promotional techniques. The Nongame Wildlife Conservation and Wildlife Habitat Acquisition Fund is established with this Act. Balances in the fund are deposited in an interest-bearing account identifying the fund and are to be used by these programs.

Shore Protection Act (O.C.G.A. 12-5-230)

This law is the primary legal authority for protection and management of Georgia's shoreline features including sand dunes, beaches, sandbars, and shoals, collectively known as the sand-sharing system. The value of the sand-sharing system is recognized as vitally important in protecting the coastal marshes and uplands from Atlantic storm activity, as well as providing valuable recreational opportunities.

The Shore Protection Act limits activities in shore areas and requires a permit for certain activities and structures on the beach. Construction activity in sand dunes is limited to temporary structures such as crosswalks, and then only by permit from the Georgia Coastal Resources Division. Structures such as boat basins, docks, marinas, and boat ramps are not allowed in the dunes. Shore Permits, which are administered by the Coastal Resources Division, are not granted for activities that are inconsistent with the Georgia Coastal Management Program. The Shore Protection Act prohibits operation of any motorized vehicle on or over the dynamic dune fields and beaches, except as authorized for emergency vehicles, and governmental vehicles for beach maintenance or research. The Shore Protection Act also prohibits storage or parking of sailboats, catamarans, or other marine craft in the dynamic dune field.

Wildflower Preservation of 1973 (O.C.G.A. 12-6-170)

This legislation provides for the designation of officially protected plants and authorizes rules for the collection, transport, sale, and listing of these plants. Under this Act, the Georgia Department of Natural Resources (DNR) has the authority to list as protected any plants meeting the requirements approved by the Board of Natural Resources. Protected plants must not be collected on public lands unless authorized by the DNR. The sale of protected plants is prohibited unless grown on private land and sold by the landowner or with the permission of the landowner. Protected plants must not be transported unless permission has been granted by the landowner as evidenced by the presence of an affixed tag from the

department and a written document detailing such permission. This Act also authorizes the enforcement of these policies through prosecution of any violations of the Act.

FEDERAL LAWS

Clean Water Act of 1966

The legislation was enacted to protect surface water, groundwater, and marine systems from pollution. Water pollution is regulated mostly by the Environmental Protection Agency (EPA) and designated state agencies mainly through a permit system, the National Pollution Discharge Elimination System (NPDES). Permits usually establish limits on the discharge quantities and composition a facility can release into the water, taking into account the effects on aquatic species and ecosystems, among other factors. Effluent discharge standards for specific industries were originally established under the Federal Water Pollution Control Act of 1948. Marine discharges are regulated under stricter criteria, including open ocean, coastal shorelines, bays, and estuaries. Chemical spills are also handled under this act. Spills are to be prevented under the CWA to protect wildlife or other “sensitive environmental settings”. Many facilities must prepare a Facility Response Plan in the case of a spill. Dredging and the filling wetlands are also regulated under Section 404 of the CWA. The purpose of the permit requirement is to reduce wetland damage to a minimum and protect aquatic ecosystems.

Convention on International Trade in Endangered Species (1975)

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments that is designed to control the trade of wild animals and plants threatened with extinction. CITES does not take the place of national laws. Rather it provides a framework to be respected by each party, which has to adopt its own domestic legislation to ensure that provisions of CITES are implemented at the national level.

Endangered Species Act of 1973

This legislation determines and designates taxa that are endangered or threatened with extinction due to habitat loss, disease or predators, or other natural or man-made factors. The Endangered Species Act (ESA) authorizes land acquisition, if necessary, to protect animal and fish habitats. Scientific and management authorities are created by the Act and many activities, such as dumping wastes, heating waters, or hunting, are prohibited near the threatened or endangered species. The Department of the Interior (DOI) and the Department of Commerce (DOC) have program responsibilities for the ESA and cooperate with states, international governments, and other federal agencies. Lists of threatened or endangered species are published in the *Federal Register* by either the DOC or the DOI. Once every five years, a review of all endangered species is performed, and the list is modified as needed. The ESA requires that recovery plans be developed and implemented to conserve and ensure the survival of threatened and endangered species, including monitoring. An Endangered Species Committee was established to review, critique, and approve recovery plans. States must adhere to the ESA, and state laws cannot conflict with it. The ESA allows for civil and criminal enforcement, and penalties are administered for violations of the ESA. The enforcement provisions can range from fines to imprisonment.

Executive Order 13112

This Executive Order (not a federal law) addresses invasive species and instructs each federal agency to use its authority to prevent introductions of invasive species, avoid actions which could promote invasive

species, monitor and control invading populations, restore native species and habitats, and promote public education on invasive species. The Executive Order also establishes the Invasive Species Council and advisory committee which are designed to oversee and encourage planning and implementation of the Order, develop recommendations for Federal agencies, create a network among Federal agencies to quantify the impact of invasives, develop an information-sharing system, and to prepare national Invasive Species Management Plans, among other activities. This Executive Order was instituted during the second Clinton Administration.

Federal Aid in Sport Fish Restoration Act of 1950

This act has the purpose of creating fish restoration and management projects which promote the cooperation of federal and state agencies. The projects are to be designed for restoration and management of all species of fish which have material value in connection with sport or recreation in marine and/or freshwater systems in the United States. The law authorizes the Secretary of the Interior to apportion to states which have devised plans for fish restoration and management certain amounts of money which are appropriated from the Sport Fish Restoration account established by funds lodged in the Treasury. This does not necessarily include restoration of rare species.

Federal Aid in Wildlife Restoration Act of 1937

The fundamental purpose of the Federal Aid in Wildlife Restoration Act of 1937 is to provide federal funds for allocation to the states after the state puts together a wildlife restoration project. The purpose of such a project is the restoration, rehabilitation, and improvement of areas of land or water adaptable as feeding, resting, or breeding places for wildlife. The federal funds are to be used in the acquisition of areas suitable or capable of being made suitable for restoring or rehabilitating wildlife in the state. The money can be used for research into problems concerning wildlife and management or for hunter safety programs and public shooting ranges. The Act does not necessarily include rehabilitation or restoration for rare animals or plants.

Land and Water Conservation Fund Act of 1965

This act was created to assist in preserving, developing, and assuring accessibility to outdoor recreation resources by providing funds and authorizing federal assistance to states in planning, acquiring, and developing land and water areas and facilities - and by providing funds for federal acquisition and development of lands and other areas. The Act regulates admission and special recreation user fees at certain recreation areas and establishes a Land and Water Conservation Fund in the U.S. Treasury to subsidize state and federal acquisition of lands and water for recreational and conservation purposes. Revenues come from motorboat fuel taxes; the sale of surplus real and personal property under the Federal Property and Administrative Services Act of 1949; and congressional appropriations or Outer Continental Shelf oil moneys necessary to make the income of the fund not less than \$900,000,000 for each fiscal year until the Fund's expiration date, September 30, 2015. Moneys appropriated from the Fund for federal purposes are used by the President for acquisition of lands, waters, and interests in lands and waters as specified in the Act, and other stated purposes. The Act permits certain types of acquisitions for the national park, national forest, and national wildlife refuge systems. Acquisitions for the national wildlife refuge system include acquisitions for endangered and threatened species. The Act authorizes the Secretary of the Interior to provide financial assistance to states from the Fund for acquisition of land or water, or interests in land or waters, outdoor recreation planning, and facilities development. The Act requires that states submit a comprehensive statewide outdoor recreation plan. The amount of money in the Fund appropriations has varied widely and some years has been quite low. State grants were not funded between fiscal years 1995 and 2000.

Marine Mammal Protection Act of 1972 as amended

This federal law protects marine mammals in Georgia waters, including the North Atlantic right whale and the Atlantic bottlenose dolphin (both coastal and offshore forms). The Departments of Interior and Commerce are jointly responsible for managing various marine mammal species; the Department of Interior is responsible for management of sea otters, polar bears, dugong, and manatee, while the Department of Commerce is responsible for management of whales and seals (other than the walrus). Right whale recovery is aided by the Southeast U.S. Right Whale Recovery Plan Implementation Team which addresses ship strike issues, and both species have Take Reduction Teams addressing fishing gear entanglements.

Migratory Bird Treaty Act of 1918

The chief provision of the Migratory Bird Treaty Act of 1918 relates to the taking, killing, or possession of migratory birds. It was created for the protection of migratory birds and birds in danger of extinction, and their environment. It is recognized in the law that these birds have value for aesthetic, scientific, recreational, and economic purposes. The U.S. Department of Interior was given the role of preserving, distributing, introducing, and restoring game birds and other wild birds. The main limitation of this law is that it is restricted to birds.

National Environmental Policy Act of 1969

This legislation states that there is a need for a national policy to protect public health and promote environmental safety. It creates the Council on Environmental Quality (CEQ), composed of presidential appointees who are responsible for providing a safe and healthful environmental future for all citizens. The National Environmental Policy Act (NEPA) establishes the agencies responsible for handling pollution emergencies, violations of laws or regulations, contamination events, or related environmental problems. The National Enforcement Training Institute was created to train the professionals who carry out these jobs. The Act requires that all policies, regulations, and laws must respect NEPA and every major federal action must contain an environmental impact statement. NEPA establishes funds, grants, assistance programs, and demonstration projects. The Act specifies research and development requirements and budgets and creates an environmental database to be developed and maintained by the Environmental Protection Agency.

National Invasive Species Act (1996)

This law reauthorized and amended the Non-indigenous Aquatic Nuisance Prevention and Control Act of 1990. These amendments mandate regulations to prevent introduction and spread of aquatic nuisance species into Great Lakes through ballast water. It also authorized funding for research on aquatic nuisance species prevention and control.

Plant Protection Act of 2000

Administered by the Animal and Plant Health Inspection Service (APHIS). This act was designed to facilitate the detection, control, eradication, suppression, prevention, or retardation of the spread of plant pests or noxious weeds, particularly as they affected agriculture, environment, and economy of the United States. It pursues regulatory and other mechanisms (e.g. biological control) to reduce, to the extent practicable, the risk of dissemination of plant pests or noxious weeds. The law also consolidates major statutes pertaining to plant protection and quarantine (e.g. Federal Noxious Weed Act, Plant Quarantine Act).

Wild & Scenic Rivers Act of 1968

This legislation provides for the protection of certain rivers of the nation that possess remarkable values, such as scenic, recreational, geologic, fish and wildlife, historic, or other similar values. The Act preserves them in their free-flowing condition by providing blanket protection against federally licensed dams, diversions, and other on-river development. It protects their local environments by setting aside a quarter-mile-wide riparian corridor in which development, on public lands, is restricted. Generally, private lands in Wild and Scenic River corridors are open to private development. The Act establishes three classes of rivers corresponding to the degree of preexisting development: wild, scenic, and recreational. The Act applies to both whole rivers and river segments, and not just to those that are wild and pristine. New rivers or portions of rivers can be added to the list through an act of Congress.