
Appendix B

Legal Mandates

Henry Hagg Lake Resource Management Plan Legal Mandates

Reclamation is required to comply with a number of legal mandates in the preparation and implementation of RMPs. The following is a list of the environmental laws, executive orders, and policies that may have an affect on the Henry Hagg Lake RMP or Reclamation and WACO actions in the implementation of the plan:

Law, Executive Order, or Policy	Description
American Indian Religious Freedom Act of 1978	Provides for freedom of Native Americans to believe, express, and exercise their traditional religion, including access to important sites.
Archaeological Resources Protection Act (ARPA) of 1979, as amended	Ensures the protection and preservation of archeological sites on Federal land. ARPA requires that Federal permits be obtained before cultural resource investigations begin on Federal land. It also requires that investigators consult with the appropriate Native American groups before conducting archeological studies on Native American origin sites.
Archeological and Historic Preservation Act of 1974	Provides for the preservation of historical buildings, sites, and objects of national significance.
Clean Water Act (CWA) of 1974, as amended*	Provides for protection of water quality.
Clean Air Act (CAA) of 1970	Provides for protection of air quality.
Endangered Species Act (ESA) of 1973, as amended	Provides for protection of plants, fish, and wildlife that have a designation as threatened or endangered.
Executive Order 12898, February 11, 1994, Environmental Justice, as amended by Executive Order 12948, January 30, 1995.	Requires Federal agencies to consider the effects of its programs and policies on minority and lower income populations.
Executive Order 11990, Protection of Wetlands	Directs all Federal agencies to avoid, if possible, adverse impacts to wetlands and to preserve and enhance the natural and beneficial values of wetlands.
Executive Order 13007, Indian Sacred Sites, May 24, 1996	Provides for access to, and ceremonial use of, Indian sacred sites on Federal lands used by Indian religious practitioners.

Law, Executive Order, or Policy	Description
Executive Order 13175, Consultation and Coordination with Indian Tribal Government, November 6, 2000 (revokes EO 13084)	<p>The EO builds on previous administrative actions and is intended to:</p> <ul style="list-style-type: none"> • Establish regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications. • Strengthen government- to-government relations with Indian tribes; and • Reduce the imposition of unfunded mandates upon Indian tribes.
Fish and Wildlife Coordination Act (FWCA) of 1958	Requires consultation and coordination with the U.S. Fish and Wildlife Service
Indian Trust Assets Policy (July 1993)	Reclamation will carry out its activities in a manner which protects Indian Trust Assets and avoids adverse impacts when possible.
Migratory Bird Treaty Act of 1918, as amended	Provides protection for bird species that migrate across state lines.
Executive Order 13186, January 10, 2001. Responsibilities of Federal Agencies to Protect Migratory Birds	Requires Federal Agencies that may have a negative effect on migratory birds to develop and implement a Memorandum of Understanding with the U.S. Fish and Wildlife Service to promote the conservation of migratory birds.
National Environmental Policy Act (NEPA) of 1969	Council on Environmental Quality regulations implementing NEPA specify that as part of the NEPA scoping process, the lead agency "... shall invite the participation of affected Federal, State, and local agencies, any affected Indian tribe, ... (1501.7[a]1."
National Historic Preservation Act (NHPA) of 1966, as amended	Section 106 of the NHPA requires Federal agencies to consider the effects of any actions or programs on historic properties. It also requires agencies to consult with Native American Tribes if a proposed Federal action may affect properties to which they attach religious and cultural significance. Section 110 requires agencies to identify and appropriately manage historic properties on lands under their jurisdiction.
Native American Graves Protection and Repatriation Act (NAGPRA) of 1990	Regulations for Tribal consultation in the event of discovery of Native American graves. Requires consultation with Tribes during Federal project planning if graves might be discovered.

Law, Executive Order, or Policy	Description
Presidential Memorandum: Government-to-Government Relations with Native American Tribal Governments, April 29, 1994	Specifies a commitment to developing more effective day-to-day working relationships with sovereign Tribal governments. Each executive department and agency shall consult to the greatest extent practicable and to the extent permitted by law, with Tribal governments prior to taking actions affecting Federally recognized Tribal governments.
Accessibility for Persons with Disabilities – Reclamation Policy (November 18, 1998)	Established a Pacific Northwest regional policy to assure that all administrative offices, facilities, services, and programs open to the public, utilized by Federal employees, and managed by Reclamation, a managing partner, or a concessionaire, are fully accessible for both employees and the public.
Reclamation Policy for Land Management & Concessions	Provides policy, directives, and standards Reclamation follows in managing Federal Project lands, facilities, and concessions.
Rehabilitation Act of 1973, Title V, Section 504	Provides for access to Federal or Federally assisted facilities for the disabled. The Uniform Federal Accessibility Standards (UFAS) or the Americans with Disabilities Act Accessibility Guidelines (ADAAG), whichever is the more stringent, are followed as compliance with Section 504.
Public Law 102-575, Title 28, as amended	Provides Reclamation with the authority to cost-share on recreation projects and fish and wildlife enhancement facilities with public non-Federal managing partners on Reclamation lands and authorization for preparing RMPs.
Interior Department Manual Part 512, Chapter 2	Articulates the policies, responsibilities and procedures for consulting with tribes to identify and assess impacts to Indian trust resources.
Law Enforcement Authority at Bureau of Reclamation Facilities, November 12, 2001.	Amends the Reclamation Recreation Management Act of 1992 in order to provide for the security of dams, facilities, and resources under Reclamation jurisdiction.

*A permit may need to be required for construction related activities.

