

# APPENDIX B: FEDERAL LAWS AND EXECUTIVE ORDERS RELEVANT TO CLIMATE CHANGE ON THE COAST

Some of the federal laws and presidential executive orders that are relevant to climate change on the coast are summarized below. They are listed alphabetically and encompass all amendments. Dates indicate the year the law was originally passed.

Laws as codified can be accessed at <http://uscode.house.gov/lawrevisioncounsel.shtml>. Executive orders can be accessed at [www.archives.gov/federal-register/executive-orders/](http://www.archives.gov/federal-register/executive-orders/).

## *Laws*

Title	Description	Lead Agency(s)
Clean Water Act (Federal Water Pollution Control Act) (1972) 33 U.S.C. 1251 et seq.	Established the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. Includes a program to regulate the discharge of dredged and fill material into waters of the United States, including wetlands. Provides loans and grants to local governments for wastewater treatment, nonpoint source pollution control, and estuary protection.	<ul style="list-style-type: none"> <li>• U.S. Army Corps of Engineers</li> <li>• U.S. Environmental Protection Agency</li> </ul>
Coastal Barrier Resources Act (1982) 16 U.S.C. 3501 et seq.	Restricts federal expenditures that might encourage or support development, including flood insurance, within the Coastal Barrier Resources System, which consists of undeveloped coastal barriers along the Atlantic, Gulf, and Great Lakes coasts.	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
Coastal Wetlands Planning, Protection, and Restoration Act (1990) 16 U.S.C. 3951 et seq.	Established the National Coastal Wetlands Conservation Grant Program to provide funding for acquisition, restoration, management and enhancement of coastal wetlands.	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
Coastal Zone Management Act (1972) 16 U.S.C. 1451 et seq.	Provides for management of coastal resources, including the Great Lakes, and balances economic development with environmental conservation. Outlines and provides financial support for the National Coastal Zone Management Program and the National Estuarine Research Reserve System. Recognizes the need for coastal states to anticipate and plan for sea level rise.	<ul style="list-style-type: none"> <li>• NOAA/National Ocean Service</li> </ul>

Title	Description	Lead Agency(s)
Coral Reef Conservation Act (2000) 16 U.S.C. 6401 et seq.	Established the National Coral Reef Action Strategy, Coral Reef Conservation Program, and Coral Reef Conservation Fund to provide funding and promote effective management and use of sound science to preserve, sustain, and restore valuable coral reef ecosystems.	<ul style="list-style-type: none"> <li>• NOAA/National Ocean Service</li> </ul>
Endangered Species Act (1973) 16 U.S.C. 1531 et seq.	Provides for the conservation of endangered and threatened species of fish, wildlife, and plants and the ecosystems on which they depend. Authorizes the determination and listing of species as endangered and threatened. Prohibits unauthorized taking, possession, sale, and transport of endangered species. Provides funding to acquire land for the conservation of listed species and to support state programs.	<ul style="list-style-type: none"> <li>• NOAA/National Marine Fisheries Service</li> <li>• U.S. Fish and Wildlife Service</li> </ul>
Estuary Protection Act (1968) 16 U.S.C. 1221 et seq.	Encourages consideration in planning and development activities of the value of estuaries and the need to protect, conserve, and restore them.	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
Estuary Restoration Act (2000) 33 U.S.C. 2901 et seq.	Made restoring estuaries a national priority. Promotes the restoration of estuary habitat by forging effective partnerships among public agencies and between the public and private sectors, providing financial and technical assistance for estuary habitat restoration projects, and developing and enhancing monitoring and research capabilities.	<ul style="list-style-type: none"> <li>• Natural Resources Conservation Service</li> <li>• NOAA/National Marine Fisheries Service/National Ocean Service</li> <li>• U.S. Army Corps of Engineers</li> <li>• U.S. Environmental Protection Agency</li> <li>• U.S. Fish and Wildlife Service</li> </ul>
Federal Water Project Recreation Act (1965) 16 U.S.C. 4601K-12 et seq.	Requires that recreation and fish and wildlife enhancement be given full consideration in federal water development projects (e.g., navigation, flood control, reclamation, hydroelectric projects). Authorizes funding for land acquisition to establish refuges for migratory waterfowl.	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
Fish and Wildlife Coordination Act (1934) 16 U.S.C. 661 et seq.	Provides for protection of fish and wildlife when federal actions result in the control or modification of a natural stream or body of water. Requires federal agencies to consider the effect that water-related projects would have on fish and wildlife resources, take action to prevent loss or damage to these resources, and provide for the development and improvement of these resources.	<ul style="list-style-type: none"> <li>• NOAA/National Marine Fisheries Service</li> <li>• U.S. Fish and Wildlife Service</li> </ul>
Fish and Wildlife Conservation Act (1980) 16 U.S.C. 2901 et seq.	Authorizes financial and technical assistance to states for development, revision, and implementation of conservation plans and programs for nongame fish and wildlife.	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
Magnuson-Stevens Fishery Conservation and Management Act (1976) 15 U.S.C. 1801 et seq.	Provides for management and conservation of marine fisheries in U.S. federal waters through regional fishery management councils. Promotes rebuilding overfished fisheries, protecting essential fish habitat, and reducing bycatch. Mandates the use of annual catch limits and accountability measures to end overfishing.	<ul style="list-style-type: none"> <li>• NOAA/National Marine Fisheries Service</li> </ul>

Title	Description	Lead Agency(s)
<p>Marine Mammal Protection Act (1972) 16 U.S.C. 1361 et seq.</p>	<p>Restricts the taking and importing of marine mammals and marine mammal products. Calls for an ecosystem approach to natural resource management and conservation.</p>	<ul style="list-style-type: none"> <li>• NOAA/National Marine Fisheries Service</li> <li>• U.S. Fish and Wildlife Service</li> </ul>
<p>National Environmental Policy Act (1969) 42 U.S.C. 4321 et seq.</p>	<p>Requires federal agencies to integrate environmental values into their decision-making processes by considering the environmental impacts of their proposed actions (including financing) and reasonable alternatives to those actions.</p>	<ul style="list-style-type: none"> <li>• U.S. Environmental Protection Agency</li> </ul>
<p>National Flood Insurance Act (1968) 42 U.S.C. 4001 et seq.</p>	<p>Established the National Flood Insurance Program to provide protection (insurance) against flood losses and encourage sound land use. Requires communities to participate in the flood insurance program as a condition of future federal financial assistance. Requires the purchase of flood insurance by property owners who are being assisted by federal programs or by federally supervised, regulated, or insured agencies or institutions in the acquisition or improvement of land or facilities (e.g., mortgages) in special flood hazard areas.</p>	<ul style="list-style-type: none"> <li>• Federal Emergency Management Agency</li> </ul>
<p>National Historic Preservation Act (1966) 16 U.S.C. 470 et seq.</p>	<p>Directs federal agencies to consider the effects of their actions (including financing) on historic properties (e.g., districts, buildings, structures, sites, or objects) in their decision making.</p>	<ul style="list-style-type: none"> <li>• National Park Service</li> </ul>
<p>National Marine Sanctuaries Act (1972) 16 U.S.C. 1431 et seq.</p>	<p>Authorizes the designation and protection of areas of the marine environment with special national significance due to their conservation, recreational, ecological, historical, scientific, cultural, archeological, educational, or aesthetic qualities as national marine sanctuaries.</p>	<ul style="list-style-type: none"> <li>• NOAA/National Ocean Service</li> </ul>
<p>National Park Service Organic Act (1916) 16 U.S.C. 1 et seq.</p>	<p>Established the National Park Service to conserve, promote, and regulate the use of federal areas designated as part of the Natural Park System.</p>	<ul style="list-style-type: none"> <li>• National Park Service</li> </ul>
<p>National Wildlife Refuge System Administration Act (1966) 16 U.S.C. 668dd, 668ee</p>	<p>Provides for the administration and management of the national wildlife refuge system, including wildlife refuges, areas for the protection and conservation of fish and wildlife threatened with extinction, wildlife ranges, game ranges, wildlife management areas and waterfowl production areas.</p>	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
<p>Non-Indigenous Aquatic Nuisance Prevention and Control Act (1990) 16 U.S.C. 4701 et seq.</p>	<p>Provides for prevention and control of infestations of the coastal inland waters of the United States by the zebra mussel and other nonindigenous aquatic nuisance species through ballast water management, research, and financial assistance.</p>	<ul style="list-style-type: none"> <li>• NOAA</li> <li>• U.S. Army Corps of Engineers</li> <li>• U.S. Coast Guard</li> <li>• U.S. Fish and Wildlife Service</li> <li>• U.S. Environmental Protection Agency</li> </ul>

Title	Description	Lead Agency(s)
North American Wetlands Conservation Act (1989) 16 U.S.C. 4401 et seq.	Provides for the conservation of North American wetland ecosystems for waterfowl, other migratory birds, fish, and wildlife through a nonregulatory, incentive-based program that encourages public-private partnerships and provides financial assistance for projects.	<ul style="list-style-type: none"> <li>• U.S. Fish and Wildlife Service</li> </ul>
Resource Conservation and Recovery Act (1976) 42 U.S.C. 6901 et seq.	Authorizes control of hazardous waste generation, transportation, treatment, storage, and disposal. Establishes a framework for the management of nonhazardous solid waste.	<ul style="list-style-type: none"> <li>• U.S. Environmental Protection Agency</li> </ul>
Rivers and Harbors Appropriation Act (1899) 33 U.S.C. 401 et seq.	Prohibits navigational obstructions, including alteration (e.g., excavation and fill) of the course, location, condition, or capacity of any navigable water of the United States. Regulates the construction of wharves, piers, jetties, bulkheads, and similar structures in ports, rivers, canals, or other areas used for navigation.	<ul style="list-style-type: none"> <li>• U.S. Army Corps of Engineers</li> </ul>
Robert T. Stafford Disaster Relief and Emergency Assistance Act (1974) 42 U.S.C. 5121 et seq.	Established the process through which the federal government provides assistance to state and local governments to alleviate the suffering and damage which result from disasters. Encourages and provides funding for hazard mitigation and requires state and local hazard mitigation plans for some types of assistance.	<ul style="list-style-type: none"> <li>• Federal Emergency Management Agency</li> </ul>
Safe Drinking Water Act (1974) 42 U.S.C. 300f et seq.	Authorized establishment of national health-based standards to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells.	<ul style="list-style-type: none"> <li>• U.S. Environmental Protection Agency</li> </ul>
Water Resources Development Act (multiple years) 33 U.S.C. 2201 et seq.	Authorizes funding for water-related projects, including beach nourishment, clean water, and flood control programs.	<ul style="list-style-type: none"> <li>• U.S. Army Corps of Engineers</li> </ul>
Watershed Protection and Flood Prevention Act (1954) 16 U.S.C. 1001 et seq.	Authorizes technical and financial assistance to state and local governments for planning and installing watershed projects to address natural resource issues such as flooding and sedimentation.	<ul style="list-style-type: none"> <li>• Natural Resources Conservation Service</li> </ul>
Wild and Scenic Rivers Act (1968) 16 U.S.C. 1271 et seq.	Established the National Wild and Scenic Rivers System to protect and preserve rivers that possess scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values as well as their immediate environments.	<ul style="list-style-type: none"> <li>• Bureau of Land Management</li> <li>• National Park Service</li> <li>• U.S. Fish and Wildlife Service</li> <li>• U.S. Forest Service</li> </ul>

*Executive Orders*

Title	Description
Executive Order 11988 Floodplain Management (1977) Codified under 42 U.S.C. 4321	Directs federal agencies to provide leadership and take action to reduce the risk of flood loss; to minimize the impact of floods on human safety, health, and welfare; and to restore and preserve the natural and beneficial values served by floodplains by evaluating the potential effects of any actions (federally conducted, approved, or funded) they may take in a floodplain and avoiding harm where practicable.
Executive Order 11990 Protection of Wetlands (1977) Codified under 42 U.S.C. 4321	Directs federal agencies to provide leadership and take action to minimize the destruction, loss, or degradation of wetlands and to preserve and enhance the natural and beneficial values of wetlands by evaluating the potential effects of any actions (federally conducted, approved, or funded) they may take in a wetland and avoiding harm where practicable.
Executive Order 12898 Environmental Justice (1994) Codified under 42 U.S.C. 4321	Directs federal agencies to make achieving environmental justice part of their missions by identifying and addressing disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority and low-income populations.
Executive Order 13089 Coral Reef Protection (1998) Codified under 16 U.S.C. 6401	Established the United States Coral Reef Task Force to lead U.S. efforts to preserve and protect coral reef ecosystems. Directs federal agencies to ensure, to the extent practicable, that actions they authorize, fund, or carry out do not degrade these ecosystems.
Executive Order 13112 (1999) Codified under 42 U.S.C. 4321	Established the Invasive Species Council. Requires federal agencies to address invasive species concerns and to not authorize or carry out new actions that would cause or promote the introduction of invasive species to minimize the economic, ecological, and human health impacts that invasive species cause.
Executive Order 13158 Marine Protected Areas (2000) Codified under 16 U.S.C. 1431	Established the Marine Protected Areas Center. Directs federal agencies to work with government and nongovernmental partners to increase protection and sustainable use of ocean resources by strengthening and expanding a national system of marine protected areas (MPA). Directs federal agencies to avoid harm to MPAs through the actions they authorize, fund, or carry out.
Executive Order 13514 Federal Leadership in Environmental, Energy, and Economic Performance (2009)	Requires agencies to participate in the interagency Climate Change Adaptation Task Force to develop a U.S. strategy for adaptation to climate change and approaches through which the policies and practices of the agencies can be made compatible with and reinforce the strategy.
Executive Order 13547 Stewardship of the Ocean, Our Coasts, and the Great Lakes (2010)	Establishes a national policy to ensure the protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources, enhance the sustainability of ocean and coastal economies, preserve our maritime heritage, support sustainable uses and access, provide for adaptive management to enhance our understanding of and capacity to respond to climate change and ocean acidification, and coordinate with our national security and foreign policy interests.