



U. S. Department  
of Transportation  
**Federal Aviation  
Administration**

Great Lakes Region  
Illinois, Indiana, Michigan  
Minnesota, North Dakota,  
Ohio, South Dakota,  
Wisconsin

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Des Plaines, Illinois 60018

## **POLICY & PROCEDURES MEMORANDUM—AIRPORTS DIVISION**

**NUMBER:** 5050.15

**DATE:** September 28, 2007

**SUBJECT:** Environmental References

**REFERENCES:** [1] FAA Order 1050.1E (“Environmental Impacts: Policies and Procedures”)  
[2] FAA Order 5050.4B (“National Environmental Policy Act (NEPA) Implementing Instructions for Airport Actions”)

### **Background**

The Federal Aviation Administration, Airports Division, Great Lakes Region prepared this document as a reference for use by FAA’s own community planning and environmental experts, as well as by state and local governments, airport sponsors and consultants.

The FAA will make all reasonable efforts to keep the attached listing current. However, sponsors and their consultants are urged to verify the currency of referenced documents, particularly in cases where the FAA is not the designated oversight agency and/or a proposed project may impact the associated resource.

The attached listing may be updated as necessary from time to time without updating the PPM itself.

Please notify the Manager, Planning/Programming Branch (AGL-610) of any revisions or updates needed.

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Jeri Alles  
Airports Division Manager  
Great Lakes Region

## Environmental Resource Categories and Associated Statutory and Regulatory References

Resource Category	Statutes	Regulations	Oversight Agency
<b>Air Quality</b>	Clean Air Act (CAA), as amended [42 United States Code (U.S.C.) 7401-7671] [Public Law (PL) 91-604, PL 101-549]	Title 40 Code of Federal Regulations (CFR) parts 9, 50-53, 60, 61, 66, 67, 81, 82, and 93 (which includes General Conformity)	Environmental Protection Agency
<b>Coastal Resources</b>	Coastal Barrier Resources Act of 1982 as amended by the Coastal Barrier Improvement Act of 1990 [16 U.S.C. 3501-3510] [PL 97-348]	U.S. Department of Interior Coastal Barrier Act Advisory Guidelines (57 FR 52730, November 5, 1992)	Fish and Wildlife Service
	Coastal Zone Management Act as amended [16 U.S.C. 1451-1464] [PL 92-583]	15 CFR part 930, subparts C and D 15 CFR part 923	National Oceanic and Atmospheric Administration, Office of Coastal Zone Management Appropriate State CZM Agency
	Executive Order 13089, Coral Reef Protection (63 FR 32701, June 16, 1998)		National Oceanic and Atmospheric Administration
<b>Compatible Land Use</b>	Aviation Safety and Noise Abatement Act of 1979, as amended (49 U.S.C. 47501-47507)	14 CFR part 150	Federal Aviation Administration
<b>Construction Impacts</b>	Many of the specific types of impacts that could occur and permits or certificates that may be required are covered in the descriptions of other appropriate impact categories.		
<b>Farmland</b>	Farmland Protection Policy Act [7 U.S.C. 4201-4209] [PL 97-98, amended by section 1255 of the Food Security Act of 1985, PL 99-198]	7 CFR part 658 (59 FR 31109, June 17, 1994) 7 CFR part 657 (43 FR 4030) CEQ Memorandum on Analysis of Impacts on Prime and Unique Agricultural Lands in Implementing the National Environmental Policy Act, August 11, 1980 (45 FR 59189, September 8, 1980)	USDA Natural Resource Conservation Service Council on Environmental Quality

**Environmental Resource Categories and Associated Statutory and Regulatory References (continued)**

Resource Category	Statutes	Regulations	Oversight Agency
<b>Fish, Wildlife, and Plants</b>	Endangered Species Act of 1973 [16 U.S.C. §§1531-1544] [PL 93-205] Marine Mammal Protection Act of 1972 [16 U.S.C. §§1361-1421h] Related Essential Fish Habitat Requirements of the Magnuson-Stevens Act, as amended by the Sustainable Fisheries Act [16 U.S.C. §1855(b)(2)]	50 CFR parts 17 and 22 50 CFR part 402 50 CFR parts 450-453 50 CFR 600.920 MOU [among 14 Federal agencies] on Implementation of the Endangered Species Act, September 28, 1994 MOU on Using an Ecosystem Approach in Agency Decision-making, December 5, 1995 CEQ Guidance on Incorporating Biodiversity Considerations into Environmental Impact Analysis, January 1993	U.S. Department of the Interior, Fish and Wildlife Service U.S. Department of Commerce, National Marine Fisheries Service Council on Environmental Quality
	Sikes Act Amendments of 1974 [PL 93-452]		State Natural Heritage Programs
	Fish and Wildlife Coordination Act of 1958 [16 U.S.C. §§661-666c] [PL 85-624]		Fish and Wildlife Service
	Fish and Wildlife Conservation Act of 1980 [16 U.S.C. §§2901-2912] [PL 96-366] Executive Order 13112, Invasive Species (64 FR 6183, February 8, 1999) Migratory Bird Treaty Act of 1981 [16 U.S.C. §§703-712] Executive Order 13186, Responsibilities of Federal Agencies to Protect Migratory Birds [66 FR 3853, January 17, 2001] Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federally Landscaped Grounds (April 26, 1994); Executive Order 13148, Greening the Government	50 CFR part 83 DOT Policy on Invasive Species, April 22, 1999 50 CFR Part 10 Environmental Protection Agency, Office of the Federal Environmental Executive, Guidance for Presidential Memorandum on Environmentally and Economically Beneficial Landscape Practices on Federal Landscaped Grounds (60 FR 40837, August 10, 1995) Paragraph 3f of attachment 2; Order DOT 5610.1C	Fish and Wildlife Service Departments of the Interior, Commerce, Agriculture, and Transportation Department of the Interior Environmental Protection Agency Office of the Federal Environmental Executive

**Environmental Resource Categories and Associated Statutory and Regulatory References (continued)**

<b>Resource Category</b>	<b>Statutes</b>	<b>Regulations</b>	<b>Oversight Agency</b>
	Through Leadership in Environmental Management (April 22, 2000).		
	The Animal Damage Control Act of 1931 [7 U.S.C. 426-426c] [46 stat. 1468]		U.S. Department of Agriculture; Animal and Plant Health Inspection Service; Wildlife Services
<b>Floodplains</b>	Executive Order 11988, Floodplain Management, May 24, 1977 (42 FR 26951) Appropriate State and local construction statutes	Order DOT 5650.2, Floodplain Management and Protection Federal Emergency Management Agency "Protecting Floodplain Resources: A Guidebook for Communities," 1996	Federal Aviation Administration Federal Emergency Management Agency Appropriate State and local agencies
<b>Hazardous Materials, Pollution Prevention, and Solid Waste</b>	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (as amended by the Superfund Amendments and Reauthorization Act of 1986 and the Community Environmental Response Facilitation Act of 1992) [42 U.S.C. 9601-9675]	40 CFR parts 300, 311, 355, and 370	Environmental Protection Agency
	Pollution Prevention Act of 1990 [42 U.S.C. 1310-1319]	CEQ Memorandum on Pollution Prevention and the National Environmental Policy Act, January 12, 1993 (58 FR 6478)	Council on Environmental Quality Environmental Protection Agency
	Toxic Substances Control Act of 1976, as amended (TSCA) [15 U.S.C. 2601-2692] [PL 94-469]	40 CFR parts 761 and 763	Environmental Protection Agency
	Resource Conservation and Recovery Act of 1976 (RCRA) [PL 94-580, as amended by the Solid	40 CFR parts 240-280	Environmental Protection Agency

**Environmental Resource Categories and Associated Statutory and Regulatory References (continued)**

Resource Category	Statutes	Regulations	Oversight Agency
	Waste Disposal Act of 1980 (SWDA), PL 96-482, the Hazardous and Solid Waste Amendments of 1984, PL 98-616, and the Federal Facility Compliance Act of 1992, (FFCA) PL 103-386] [42 U.S.C. 6901-6992(k)]		
	Executive Order 12088, Federal Compliance with Pollution Control Standards, October 13, 1978 (43 FR 47707), amended by Executive Order 12580, January 23, 1987 (52 FR 2923) January 29, 1987		Environmental Protection Agency
	Executive Order 12856, Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements (58 FR 41981, August 3, 1993)		Environmental Protection Agency
	Executive Order 12580, Superfund Implementation, amended by Executive Order 13016 and 12777		
<b>Historical, Architectural, Archeological and Cultural Resources</b>	National Historic Preservation Act of 1966, as amended, including Executive Order 11593, Protection and Enhancement of the Cultural Environment (36 FR 8921, May 13, 1971) [16 U.S.C. 470, 470 note] [PL 102-575 (1992)]	36 CFR parts 60 (National Register of Historic Places (NRHP)), 61 (State and Local Preservation Programs), 62.1 (National Natural Landmarks), 63 (NRHP), 65, 65.1 (National Historic Landmarks), 68 (standards), 73 (World Heritage Program), 78 (waiver of Federal agency section 110 responsibilities), 79 (curation) and 800 (consultation), as revised (65 FR 77697; December 12, 2000, effective	National Park Service, various offices Advisory Council on Historic Preservation State Historic Preservation Officer Tribal Historic Preservation Officer

**Environmental Resource Categories and Associated Statutory and Regulatory References (continued)**

<b>Resource Category</b>	<b>Statutes</b>	<b>Regulations</b>	<b>Oversight Agency</b>
		January 1, 2001)	
	Antiquities Act of 1906 [16 U.S.C. 431, 432, 433] [PL 59-209 (1906)]	43 CFR part 3 25 CFR part 261	Department of Interior, National Park Service
	Archaeological and Historic Preservation Act of 1974, as amended [16 U.S.C. 469-469c] [PL 89-665]	Guidelines for Archeology and Historic Preservation: Standards and Guidelines (DOI) (48 FR 44716, September 29, 1983) 36 CFR part 68	Departmental Consulting Archeologist and Archeological Assistance Program, National Park Service
	Archaeological Resources Protection Act of 1979, as amended [16 U.S.C. 470aa-470mm] [PL 96-95 (1979)]	43 CFR parts 3 and 7 36 CFR part 79 25 CFR part 262 Federal Archeological Preservation Strategy	Departmental Consulting Archeologist and Archeological Assistance Program, National Park Service
	Native American Graves Protection and Repatriation Act of 1990 [25 U.S.C. 3001] [PL 101-601 (1990)]	43 CFR part 10 25 CFR 262.8	Departmental Consulting Archeologist and Archeological Assistance Program, National Park Service
	American Indian Religious Freedom Act of 1978 [ 42 U.S.C. 1996, 1996 note] [PL 95-341 (1978)]	43 CFR 7.7 and 7.32 25 CFR 262.7	
	Department of Transportation Act [49 U.S.C. 303]		Department of Transportation
	Public Building Cooperative Use Act of 1976 [40 U.S.C. 601(a), 601(a)(1), 606, 611(c), 612(a)(4)] [PL 94-541]	41 CFR parts 101-17, 101-17.002(l), (m), (n) (rural areas), 101.17.002(i)(2) (urban areas), and 101-19	General Services Administration
	Executive Order 13006, Locating Federal Facilities on Historic Properties in Our Nation's Central		Advisory Council on Historic Preservation

**Environmental Resource Categories and Associated Statutory and Regulatory References** (continued)

<b>Resource Category</b>	<b>Statutes</b>	<b>Regulations</b>	<b>Oversight Agency</b>
	Cities (61 FR 26071, May 24, 1996)		
	Executive Order 13007, Indian Sacred Sites (61 FR 26771, May 29, 1996)		Assistant to the President for Domestic Policy
	Executive Order 13175, Consultation and Coordination with Indian Tribal Governments (65 FR 67249, November 9, 2000), and the Presidential Memorandum of April 29, 1994, Government-to-government Relations with Native American Tribal Governments.		
	Executive Order 11593, Protection and Enhancement of the Cultural Environment (36 FR 8921, May 13, 1971) (16 U.S.C. 470 note)		Advisory Council on Historic Preservation
<b>Light Emissions</b>	There are no special purpose laws for light impacts and visual impacts.		
<b>Natural Resources and Energy Supply</b>	There are no special purpose laws for natural resources and energy supply.		
<b>Noise</b>	<p>49 U.S.C. 47501-47507 (Aviation Safety and Noise Abatement Act of 1979, as amended) 49 U.S.C. 40101 et seq., as amended by PL 103-305 (Aug. 23, 1994) (The Federal Aviation Act of 1958)</p> <p>The Control and Abatement of Aircraft Noise and Sonic Boom Act of 1968</p> <p>49 U.S.C. 47101 et seq., as amended by PL 103-305 (Aug. 23,</p>	<p>14 CFR part 150</p> <p>Noise Control and Compatibility Planning for Airports</p> <p>Advisory Circular, 150/5020</p> <p>14 CFR part 161 Notice and Approval of Airport Noise and Access Restrictions</p>	Federal Aviation Administration

**Environmental Resource Categories and Associated Statutory and Regulatory References (continued)**

<b>Resource Category</b>	<b>Statutes</b>	<b>Regulations</b>	<b>Oversight Agency</b>
	1994) (The Airport and Airway Improvement Act)  49 U.S.C. 2101 et seq. (Airport Noise and Capacity Act of 1990)  49 U.S.C. 44715 (The Noise Control Act of 1972)		
<b>Parks, Recreation and Refuges</b>	Department of Transportation Act of 1966, section 4(f) [recodified at 49 U.S.C. 303 (c)]		Department of Transportation
<b>Socioeconomic Impacts, Environmental Justice, and Children’s Environmental Health and Safety Risks</b>	Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (59 FR 7629, February 16, 1994).	Order DOT 5610.2, Environmental Justice in Minority and Low-Income Populations, April 15, 1997	Department of Transportation
		CEQ Environmental Justice: Guidance Under the National Environmental Policy Act, December 10, 1997.	Council on Environmental Quality
	Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks (62 CFR 19883, April 23, 1997).	Final Guidance For Consideration of Environmental Justice in Clean Air Act 309 Reviews, July 1999. 40 CFR 1508.27	Environmental Protection Agency
	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 [42 U.S.C. 4601] [PL 91-528 amended by the Surface Transportation and Uniform Relocation Act Amendments of 1987, PL 100-117]	FAA Advisory Circular 150/5100-17 49 CFR part 24 FAA Order 5100.37A, Land Acquisition and Relocation Assistance for Airport Projects.	Federal Aviation Administration



**Environmental Resource Categories and Associated Statutory and Regulatory References** (continued)

Resource Category	Statutes	Regulations	Oversight Agency
<b>Water Quality</b>	<p>Federal Water Pollution Control Act, as amended, known as the Clean Water Act [33 U.S.C. 1251-1387] [PL 92-500, as amended by the Clean Water Floodplains and Floodways Act of 1977, 33 U.S.C. 1252, PL 95-217, and PL 100-4]; as amended by the Oil Pollution Act of 1990 (section 311 of the Clean Water Act.</p> <p>Safe Drinking Water Act, as amended (SDWA, also known as the Public Health Service Act) [42 U.S.C. 300f to 300j-26] [PL 104-182]</p> <p>Fish and Wildlife Coordination Act of 1980 [16 U.S.C. 661-666c] [PL 85-624]</p>	<p>40 CFR parts 110-112, 116, 117, 122, 125, 129, 130, 131,136, and 403</p>	<p>Environmental Protection Agency</p> <p>State and Tribal Water Quality Agencies</p>
<b>Wetlands and Waterways</b>	<p>Clean Water Act, section 404 [33 U.S.C. 1344] [PL 92-500, as amended by PL 95-217 and PL 100-4]</p> <p>Rivers and Harbors Act of 1899, section 10</p> <p>Executive Order 11990, Protection of Wetlands (May 24, 1977) (42 FR 26961)</p>	<p>33 CFR parts 320–330</p> <p>Order DOT 5660.1A, Preservation of the Nation's Wetlands</p>	<p>Army Corps of Engineers</p> <p>Coast Guard</p> <p>Environmental Protection Agency</p>
<b>Wild and Scenic Rivers</b>	<p>Wild and Scenic Rivers Act of 1968 [16 U.S.C. 1271-1287] [PL 90-542 as amended by PL 96-487]</p>	<p>36 CFR part 297, subpart A (USDA Forest Service)</p>	<p>Department of the Interior, National Park Service, Fish and Wildlife Service, and</p>

**Environmental Resource Categories and Associated Statutory and Regulatory References (continued)**

Resource Category	Statutes	Regulations	Oversight Agency
		<p>Department of the Interior and Department of Agriculture, Wild and Scenic River Guidelines for Eligibility, Classification and Management of River Areas (47 FR 39454, September 7, 1982)</p> <p>CEQ Memorandum on Interagency Consultation to Avoid or Mitigate Adverse Effects on Rivers in the Nationwide Inventory, August 11, 1980 (45 FR 59190, September 8, 1980)</p>	<p>Bureau of Land Management Department of Agriculture, Forest Service Council on Environmental Quality</p>