

CAR1373/CAFR6373 “Finite Carbon-Stevenson AL IFM”
Attachment K: Legal Constraints

Evaluation of Rules and Regulations subject to the Project Area

Rule/Regulation	Description	Notes
Clean Water Act & Alabama Environmental Management Act & State Best Management Practices	These guidelines deal with problems caused by soil erosion, siltation and inattention to aesthetics. Authorizes the Alabama Department of Environmental Management (ADEM) to establish and enforce water quality standards, regulations and penalties in order to carry out the provisions of state and federal water quality laws. From that authorization, ADEM Administrative Code prohibits the deposition of pollutants into or the degradation of the physical, chemical, or biological integrity of waters of the state. (see the BMP Manual glossary for definitions). With regard to silviculture, nonpoint source pollutants include, but are not limited to, sediment, organic materials, temperature, trash, pesticides and nutrients (see glossary for definitions and impacts) that are man induced.	Alabama’s Best management practices are non-regulatory guidelines suggested to help Alabama’s forestry community maintain and protect the physical, chemical and biological integrity of waters of the state as required by the Federal Water Pollution Control Act, the Alabama Water Pollution Control Act, the Clean Water Act, the Water Quality Act, and the Coastal Zone Management Act. The BMP’s recommend the establishment of Streamside management zones no less than 35 ft from a definable bank and 50% canopy cover on perennial streams. A 50ft buffer was applied in baseline modeling to be conservative and promote wildlife as the manual states.
National Wild & Scenic Rivers Act	The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations.	There are no nationally designated wild and scenic rivers within the project area. www.rivers.gov/
Endangered Species Act (ESA)	The Endangered Species Act (ESA) provides a program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The lead federal agencies for implementing ESA are the U.S. Fish and Wildlife Service (FWS) and the U.S. National Oceanic and Atmospheric Administration (NOAA) Fisheries Service. The FWS maintains a worldwide list of endangered species. Species include birds, insects, fish, reptiles, mammals, crustaceans, flowers, grasses, and trees.	There are no endangered species identified within the Project Area. This was confirmed by inspecting the public database (https://ecos.fws.gov/ecp/report/table/critical-habitat.html) & https://www.fws.gov/daphne/es/specieslst.html)
Local Ordinances	n/a	There are no local ordinances or regulations in the local towns or in Jackson, Marshall, or Madison Counties that affect timber harvesting.