

2.0 REGULATIONS

Introduction

Stormwater discharges from construction sites often contain pollutants in quantities that can adversely affect water quality. Stormwater discharges are considered point sources and require coverage by a National Pollutant Discharge Elimination System (NPDES) permit. Authorized by the Clean Water Act, NPDES permits control water pollution by regulating point sources that discharge pollutants into waters of the United States. In Tennessee, the NPDES permit program is administered by the Tennessee Department of Environment and Conservation, Division of Water Pollution Control (TDEC-WPC).

This section provides an overview of the regulations governing erosion prevention and sediment control (EPSC), stormwater management, and related programs. Note that local jurisdictions can have stormwater and/or EPSC regulations. Note that each regulation must be met, with the more stringent requirement taking precedent.

2.1 GENERAL NPDES PERMIT FOR DISCHARGES OF STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITIES

Tennessee is authorized by the Environmental Protection Agency under the Federal Water Pollution Control Act, as amended by the Clean Water Act of 1977 and Water Quality Act of 1987 and the Tennessee Water Quality Control Act of 1977 to implement the state's NPDES permit program. Construction stormwater is regulated under Tennessee's General NPDES Permit for Discharges of Stormwater Associated with Construction Activities (referred to as the CGP), Permit No. TNR100000.

Application.

This permit authorizes discharges from construction activities including clearing, grubbing, grading, filling and excavating (including borrow pits containing erodible material) or other similar construction activities that result in the disturbance of one acre or more of total land area.

Projects or developments of less than one acre of land disturbance are required to obtain authorization under this permit if the construction activities are part of a larger common plan of development or sale that is at least one acre in size. The CGP also authorizes stormwater discharges from support activities (concrete or asphalt batch plants, equipment staging yards, material storage areas, excavated material disposal areas, borrow areas) if the support activity is primarily related to a construction site that is covered under this general permit.

The CGP contains the *requirements* for managing construction related stormwater discharges. This manual contains the *required BMPs or equivalent* to meet the requirements of the CGP. Together, they form the foundation of Tennessee's EPSC program.

Obtaining coverage under the CGP

To obtain coverage under the CGP, operators of regulated construction sites are required to submit a complete stormwater pollution prevention plan (SWPPP), a Notice of Intent (NOI) and required permit fees. An NOI form is provided in the CGP document. If possible, the owner/developer and all contractors should apply for permit coverage on the same NOI form, but the TDEC-WPC may accept separate NOI forms from different operators for the same construction site when warranted.

Once the Notice of Coverage (NOC) has been issued for the site, construction activities can begin. The NOC is a written notice from the TDEC-WPC sent to the permittee, informing the permittee that the NOI was received and stormwater discharges from the construction activity have been authorized under this general permit; it is not an approval of the SWPPP. The operator is then authorized to discharge stormwater associated with construction activity, according to the SWPPP and the terms and conditions of the CGP, as of the effective date of the NOC. Operators wishing to terminate coverage under a permit must submit a completed Notice of Termination (NOT) in accordance with requirements of the CGP using the NOT form.

What is not covered by the CGP

Except for discharges from support activities and certain non-stormwater discharges, all discharges covered by the CGP shall be composed entirely of stormwater. The following discharges are *not* authorized by this permit:

- Post-Construction Discharges – Stormwater discharges associated with construction activity that originate from the construction site after construction activities have been completed, the site has undergone final stabilization, and the coverage under this permit has been terminated.
- Discharges Mixed with Non-Stormwater – Discharges that are mixed with sources of non-stormwater.
- Discharges Covered by Another Permit – Stormwater discharges associated with construction activity that have been issued an individual permit.
- Discharges Threatening Water Quality – Stormwater discharges from construction sites that the director determines will cause, have the reasonable potential to cause, or contribute to violations of water quality standards.
- Discharges into Impaired Streams – The CGP does not authorize discharges that would add loadings of a pollutant that is identified as causing or contributing to the impairment of a water body on the list of impaired waters.
- Discharges into Outstanding National Resource Waters – The director shall not grant coverage under this permit for discharges into waters that are designated by the Water Quality Control Board as Outstanding National Resource Waters.
- Discharges into Exceptional TN Waters – The director shall not grant coverage under this permit for potential discharges of pollutants which would cause degradation to waters designated by TDEC as high quality waters.
- Discharges Not Protective of Federal or State listed Threatened and Endangered Species, Species Deemed in Need of Management or Special Concern Species – Stormwater discharges and stormwater discharge-related activities that are not protective of legally protected listed or proposed threatened or endangered aquatic fauna (or species proposed for such protection) in the receiving stream(s); or discharges or activities that would result in a “take” of a state or federal listed endangered or threatened aquatic or wildlife species, or such species’ habitat.
- Discharges from a New or Proposed Mining Operation – Discharges from a new or proposed mining operation are not covered by this permit.

- Discharges Negatively Affecting a Property on the National Historic Register – Stormwater discharges that would negatively affect a property that is listed or is eligible for listing in the National Historic Register maintained by the Secretary of Interior.
- Discharging into Receiving Waters With an Approved Total Maximum Daily Load (TMDL) Analysis – Discharges of pollutants of concern to waters for which there is an EPA-approved total maximum daily load (TMDL) are not covered by this permit unless measures or controls that are consistent with the assumptions and requirements of such TMDL are incorporated into the SWPPP.

2.1.1 Impaired and Exceptional TN Waters Streams

As required by Section 303(d) of the Clean Water Act, the state identifies streams and lakes that are not meeting their designated uses. This list is commonly called the impaired streams list or 303(d) list. The water bodies in the 303(d) list have been determined by TDEC-WPC, based on water quality assessment, to have one or more properties that violate water quality standards and are not fully meeting their designated uses or are expected to exceed water quality standards in the next two years and need additional pollution controls. Therefore, a higher degree of protection is necessary for these streams to prevent additional pollutant loading. The Construction General Permit supports this concept by requiring a higher degree of protection for streams impaired due to sediment and Exceptional Tennessee Waters (ETW). These streams have more stringent design criteria.

Similarly, TDEC reviews streams to determine if they meet the criteria for an exceptional TN waters designation. ETWs also include a category of streams classified as Outstanding National Resource Waters (ONRW). These stream classifications are described below.

ONRW. ONRWs are exceptional TN waters which constitute an outstanding national resource, such as waters of national and state parks and wildlife refuges and waters of exceptional recreational or ecological significance. In surface waters designated as ONRWs, no new discharges, expansions of existing discharges, or mixing zones will be permitted unless such activity will not result in measurable degradation of the water quality. Existing water quality is the criteria in these waters. Physical alterations that cause degradation to the ONRW are not allowed.

ETW. ETWs are waters that are within state or national parks, wildlife refuges, forests, wilderness areas, or natural areas; State Scenic Rivers or Federal Wild and Scenic Rivers; waters federally designated as critical habitat or other waters with documented non-experimental populations of state or federally-listed threatened or endangered aquatic or semi-aquatic plants, or aquatic animals; waters within areas designated as Lands Unsuitable for Mining because of impacts to water resource values; naturally reproducing trout streams; exceptional biological diversity; or other waters with outstanding ecological, or recreational values. In ETWs no degradation will be allowed unless it is demonstrated to the TDEC-WPC that a change is justified as a result of necessary economic or social development and will not interfere with or become injurious to any classified uses existing in such waters.

A list of impaired streams, ONRWs and ETWs is maintained on TDEC Water Pollution Control's website:

<http://tennessee.gov/environment/wpc/publications/hqwlist.mht>

A listing of impaired streams can be found here, under the Water Quality Assessment Publications:

<http://tennessee.gov/environment/wpc/publications/>

The CGP has specific requirements for impaired and exceptional TN waters streams. To be eligible to obtain and maintain coverage under the CGP, an operator must satisfy these additional requirements for discharges into waters impaired by siltation or high quality waters.

- The SWPPP must certify that EPSCs used at the site protect the resource at a higher level. When clay and other fine particle soils are found on sites, additional physical or chemical treatment of stormwater runoff may be required.
- The permittee shall perform required inspections as specified in the approved construction general permit.
- In the event the TDEC-Water Pollution Control (WPC) finds that a discharger is complying with the SWPPP, but contributing to the impairment of a receiving stream, then the discharger will be notified by the TDEC-WPC in writing that the discharge is no longer eligible for coverage under the general permit. The permittee may be required to update their SWPPP and implement changes designed to eliminate further impairment of the receiving stream if TDEC-WPC finds that the site is contributing to impairment of receiving stream. An individual permit may be required for the site if SWPPP changes are not implemented per CGP requirements. The project must be stabilized until such time as the SWPPP is re-developed and the individual permit is issued. No earth disturbing activities, except those necessary for stabilization, are authorized to continue until the individual permit is issued.
- For an outfall in a drainage area of a total of 5 or more acres, a temporary (or permanent) sediment basin that provides storage for a calculated volume of runoff from a 5 year, 24 hour storm and runoff from each acre drained, or equivalent control measures, shall be provided until final stabilization of the site. A drainage area of 5 or more acres includes both disturbed and undisturbed portions of the site or areas adjacent to the site, all draining through the common outfall. Where an equivalent control measure is substituted for a sediment retention basin, the equivalency must be justified. Runoff from any undisturbed acreage should be diverted around the disturbed area and the sediment basin and, if so, can be omitted from the volume calculation. Sediment storage expected from the disturbed areas must be included and a marker installed signifying a cleanout need.
- For sites that contain and/or are adjacent to a receiving stream designated as impaired or Exceptional Tennessee waters a 60-foot natural riparian buffer zone adjacent to the receiving stream shall be preserved, to the maximum extent practicable, during construction activities at the site. The natural buffer zone should be established between the top of stream bank and the disturbed construction area. The 60-foot criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 30 feet at any measured location.

A 30-foot natural riparian buffer zone adjacent to all streams at the construction site shall be preserved, to the maximum extent practicable, during construction activities at the site. The riparian buffer zone should be preserved between the top of stream bank and the disturbed construction area. The 30-foot criterion for the width of the buffer zone can be established on an average width basis at a project, as long as the minimum width of the buffer zone is more than 15 feet at any measured location.

2.1.2 Total Maximum Daily Load

Additionally, TDEC-WPC develops Total Maximum Daily Loads (TMDLs) for 303(d)listed waters. A TMDL is a study that quantifies the amount of a pollutant in a designated segment of a water body, identifies the sources of the pollutant, and recommends regulatory or other actions that may need to be taken in order for the stream to no longer be polluted. A TMDL also allocates pollutant loadings among point and nonpoint pollutant sources, including stormwater runoff. For a project discharging into a TMDL-listed segment of a stream, coverage under the CGP can be obtained only if the SWPPP addresses the following additional items:

Documentation supporting a determination of permit eligibility with regard to waters that have an approved TMDL for a pollutant of concern, including:

- a) identification of whether the discharge is identified, either specifically or generally, in an approved TMDL and any associated allocations, requirements, and assumptions identified for the discharge;
- b) summaries of consultation with the division on consistency of SWPPP conditions with the approved TMDL, and
- c) measures taken to ensure that the discharge of pollutants from the site is consistent with the assumptions and requirements of the approved TMDL, including any specific wasteload allocation that has been established that would apply to the discharge.

For more information on TMDLs, see TDEC WPC's website:

<http://tennessee.gov/environment/wpc/tmdl/>

2.2 OTHER PERMITS

A construction project may need additional types of permits, depending on the resources within the project boundaries and the potential impacts to those resources. This section briefly describes some of these permits. If these permits will be needed on a construction project, more detailed information will be necessary from the permitting agency. A website address for more information has been provided in each section.

Underground Injection Wells

Anyone discharging stormwater to an improved sinkhole is required to submit an underground injection control (UIC) application to the Tennessee Division of Water Supply (DWS), Ground Water Management Section for coverage as a Class V injection well. More information on injection well permits and groundwater protection can be found here:

<http://tennessee.gov/environment/gwp/>

ARAP/COE

Any activity that results in physical alterations to Waters of the State (which includes streams, rivers, lakes and wetlands) requires an Aquatic Resource Alteration Permit (ARAP) or §401 Water Quality Certification. The ARAP affirms that the discharge would not violate Tennessee's

water quality standards. These permitted activities fall into two categories: those that can be authorized under other general permits or those that require an application for an individual ARAP. Many, if not most, of the activities requiring an ARAP also require coverage under the CGP. If a U.S. Army Corps of Engineers (COE) Section 404 permit is required, TDEC-WPC processes the application as a 401 Certification. The majority of alterations that require an ARAP will also require a COE Section 404 and possibly a Section 10 permit from the COE for projects that include the discharge of dredged or fill material into waters of the U. S. including wetlands. The COE should be contacted directly for a definitive answer. When a 404 is required from the COE, a 401 certification must first be obtained from the TDEC-WPC.

General ARAPs provide a streamlined means for the TDEC-WPC to approve activities that are considered to result in minor impacts. Some General ARAPs require prior TDEC notification and/or approval before beginning the activity. Others only require that the activity be conducted in accordance with the conditions of the General ARAP. The following table summarizes the types of General ARAPs and when prior notification and/or approval is required. This table does NOT include the exclusions for each General ARAP, which must be met to obtain coverage.

More information on each permit type can be found at TDEC's ARAP website:

www.state.tn.us/environment/permits/arapgps.shtml

Table 2-1. General ARAP Types

General Permit Name	Notice to TDEC required?	Prior Approval Required?	Notes
Alteration of Wet Weather Conveyances	No		
Bank Stabilization	No	No	<50ft of bank length and <10yd ³ soil, sand, gravel deposited; allowed once
	Yes	Yes	>50ft of bank length and >10yd ³ soil, sand, gravel deposited
Construction and Removal of Minor Road Crossings	Yes	No	<25' length of stream channel disturbed, cumulative
	Yes	Yes	>25' length of stream channel disturbed
Construction of Launching Ramps and Public Access Structures	No	No	If located on TVA or COE managed easements
	Yes	Yes	All other areas
Construction of Intake and Outfall Structures	Yes	Yes	Doesn't authorize intake or discharge of waters

Emergency Road Repair	No	No	Must notify TDEC by phone and follow-up within 10 days of repair in writing to TDEC
Maintenance Activities	No	No	Removal of sediments and bedload 100' upstream and downstream of culvert inlet and outlet
	Yes	Yes	All other activities
Minor Alterations to Wetlands	Yes	Yes	Up to 0.25 acre of isolated wetlands or 0.1 acre non-isolated wetland impact, cumulative
Minor Dredging and Filling	No	No	TVA or COE managed reservoirs
	Yes	Yes	All other reservoirs or impoundments
Sand and Gravel Dredging	No	No	Collected from and used on a private residence of farm; where trees growing on sand bar are less than 2" in diameter
	Yes	Yes	All other areas
Sediment Removal for Stream Remediation	Yes	Yes	Sediment deposited from construction sites; two step submittal process
Stream Restoration and Habitat Enhancement	Yes	Yes	
Surveying and Geotechnical Exploration	No	No	
Utility Line Crossings	Yes	Yes	More than one crossing of the same stream by gravity sewer lines requires an individual ARAP
Wetlands Restoration and Enhancement	Yes	Yes	

SAFE DAMS

The Division of Water Supply's Safe Dam Program is responsible for conducting certifications, inspections and approval of dams and reservoir projects. This program is designed to assure public safety from dangers of failures.

Dams are regulated under the Safe Dam Program if the structure can impound at least 30 acre-feet of water or is least 20 feet high. An acre-foot is an acre of water one foot deep, a 1/2 acre two feet deep, etc., or 43,560 ft³. Height is the difference between the elevation of the downstream toe and the elevation of the low point of the dam crest.

The following structures are exempt:

- Any dam owned or operated by the federal government, such as TVA and the Corps of Engineers.
- Any dam licensed by the Federal Energy Regulatory Commission (FERC).

- 1. “Diversion weirs”, “roadbeds”, “water tanks”, and “wastewater impoundment barriers” as defined in the Act.
- 2. “Farm Pond”: any dam that is used for conservation, recreation, or agriculture only by the owner and which is closed to the general public. “Farm Pond” status is based on use of the lake. Farm Ponds can be any size or hazard category.

All non-federal dams are required to have a certificate of approval from the Commissioner to construct, alter, or operate an impoundment. Non-federal dams may also require other environmental permits. Specifically, non-federal dams may require an ARAP (Aquatic Resource Alteration Permit), Storm Water Runoff Permit, and/or a Corps of Engineers' 404 Permit even though the dam may not be subject to the Safe Dams Act.

Safe Dam Program responsibilities include:

- Inspect Dams to assure ability to withstand storm events and evaluate stability
- Issue or deny certificates for construction, alteration, or operation of dams
- Assess civil penalties for violations of the Act or of the regulations and to institute court proceedings as necessary to enforce the Act or the regulations.
- Hear appeals from orders issued, certificates denied or suspended, etc.
- Request that the governor declare a state of emergency, if necessary and take whatever actions needed to render a dam safe.

2.3 TVA PERMITS

The Tennessee Valley Authority (TVA) is a federal agency serving several purposes: to improve the navigability and to provide for the flood control of the Tennessee River; to provide for reforestation and the proper use of marginal lands in the Tennessee Valley; and to provide for the agricultural and industrial development of the valley. The TVA Act Section 26A requires that TVA approval be obtained before any construction activities can be carried out that affect navigation, flood control, or public lands along the shoreline of the TVA reservoirs or in the Tennessee River or its tributaries. TVA 26A is designed to ensure that construction along the shoreline does not have a negative effect on the agency's management of the river system. These regulations apply to the entire Tennessee River watershed which is divided into 12 sections, each overseen by a TVA Watershed Team that issues the 26A permits for shoreline construction activities in its area. Permit approvals for construction under Section 26A are considered federal actions and are therefore subject to the National Environmental Policy Act and other federal laws. Typical structures and projects that require TVA Section 26A approval include boat docks, piers, boat ramps, bridges, culverts, commercial marinas, barge terminals and mooring cells, water intake and sewage outfalls, and fill or construction within the floodplain.

For more information on TVA 26A permits, see their website:

www.tva.gov/river/26apermits/

2.4 WATER QUALITY STANDARDS RELATED TO CONSTRUCTION

Tennessee's water quality is regulated through the following regulations:

- Water Quality Control Act, T.C.A., §69-3-101, et seq., and
- *Rules of Tennessee Department of Environment and Conservation Division of Water Pollution Control*, Chapter 1200-4-3, General Water Quality Criteria and Chapter 1200-4-4, Use Classifications for Surface Water.

These regulations outline designated uses for streams as well as discharge quality from many different types of discharges.

The CGP contains specific discharge quality criteria for those activities covered by the CGP, as follows:

- a) The construction activity shall be carried out in such a manner that will prevent violations of water quality criteria as stated in the TDEC Rules, Chapter 1200-4-3-.03. This includes, but is not limited to, the prevention of any discharge that causes a condition in which visible solids, bottom deposits, or turbidity impairs the usefulness of waters of the state for any of the uses designated for that water body by TDEC Rules, Chapter 1200-4-4.
- b) There shall be no distinctly visible floating scum, oil or other matter contained in the stormwater discharge.
- c) The stormwater discharge must not cause an objectionable color contrast in the receiving stream.
- d) The stormwater discharge must result in no materials in concentrations sufficient to be hazardous or otherwise detrimental to humans, livestock, wildlife, plant life, or fish and aquatic life in the receiving stream.

2.5 LOCAL STORMWATER PROGRAMS

In the early 1990's and then again in 2003, EPA finalized regulations requiring local cities and counties that met specific criteria to develop their own stormwater management programs. In Tennessee, TDEC is the agency with regulatory oversight over these jurisdiction's programs. Approximately 85-90 local jurisdictions in TN are required by TDEC to have their own stormwater programs. These programs are required to meet minimum control measures established by TDEC through the NPDES permitting program. Substantial overlap exists with the municipal NPDES stormwater permit and the CGP, in that the municipal permit requires the covered MS4s to develop construction site runoff control programs. Each covered jurisdiction is required to develop the following, as a minimum:

- Construction site runoff control programs that are at least as restrictive as the CGP requirements. Most jurisdictions require the submittal of a SWPPP prior to issuing development plans or a building permit.
- Permanent water quality buffer program for streams. While the CGP requires a water quality buffer along all streams within a construction project, once the CGP Notice of Termination has been issued, the buffer restriction is no longer in place. However, the buffer program established by each regulated jurisdiction requires perpetual water quality buffers. Each jurisdiction has the flexibility to develop water quality buffers that are protective of the natural resources in their jurisdictions, including establishing a minimum buffer width.
- Permanent stormwater quality management controls. The CGP is a temporary permit so once construction activity has been completed and the site has been stabilized, the permit can be terminated. However, runoff from built-upon land can carry stormwater pollutants to streams, ponds and wetlands. Through the NPDES municipal stormwater permit, regulated jurisdictions must develop permanent stormwater quality management programs addressing pollutants from built upon surfaces after construction is complete. These measures must be integrated into the overall development plan and considered during construction. Each jurisdiction has the flexibility to develop their stormwater quality management program based upon their unique geology, hydrology, and pollutants of concern.

When developing a site plan or planning for construction activities, check with your local jurisdiction early in the planning process to understand their unique requirements and how those requirements may affect your SWPPP. Both local requirements *and* state requirements related to construction sites must be met.

2.6 STORMWATER MULTI-SECTOR GENERAL NPDES PERMIT

All new and existing point source *industrial* stormwater discharges associated with industrial activity require coverage under TN's Stormwater Multi-Sector NPDES Permit (TMSP) issued by TDEC. The most common industrial stormwater permit is the general permit which is available to almost any industry, but there is also an option to obtain an individual NPDES permit. Construction activities that mix construction stormwater with industrial stormwater may need coverage under the TMSP. The TMSP states the permit "may authorize stormwater discharges associated with industrial activity that are mixed with stormwater discharges associated with industrial activity from construction activities provided that the stormwater discharge from the construction activity is authorized by and in compliance with the terms of a different NPDES general permit or individual permit authorizing such discharges." Requirements of the TMSP are separated by standard industrial classification, or SIC code. For more information about industrial activities and the TMSP, see TDEC-WPC's website:

www.state.tn.us/environment/permits/tmsp.shtml

2.7 ENDANGERED SPECIES ACT

Through federal action and by encouraging the establishment of state programs, the 1973 Endangered Species Act provides for the conservation of ecosystems upon which threatened and endangered species of fish, wildlife, and plants depend.

The Endangered Species Act:

- authorizes the determination and listing of species as endangered and threatened;
- prohibits unauthorized taking, possession, sale, and transport of endangered species;
- provides authority to acquire land for the conservation of listed species, using land and water conservation funds;
- authorizes establishment of cooperative agreements and grants-in-aid to States that establish and maintain active and adequate programs for endangered and threatened wildlife and plants;
- authorizes the assessment of civil and criminal penalties for violating the Act or regulations; and
- authorizes the payment of rewards to anyone furnishing information leading to arrest and conviction for any violation of the Act or any regulation issued.

A developer or his engineer must determine prior to submitting a NOI for coverage under the CGP whether listed species are located on or near the project area by contacting the local offices of the U.S. Fish and Wildlife Service (FWS), TDEC Natural Heritage Inventory Program and Tennessee Wildlife Resources Agency (TWRA). These agencies handle the legal listings of protected species in Tennessee. The TDEC Natural Heritage Inventory Program publishes a list of the rare animals of Tennessee, which can be queried online by county or watershed. If you are aware that state-listed species are located within or adjacent to your project, it is strongly suggested that the Natural Heritage Inventory Program and FWS be informally consulted.

If the TDEC-WPC or the TDEC Natural Heritage Inventory Program find that stormwater discharges or stormwater related activities are likely to result in discharges not protective of or results in a “take” of listed species or such species’ habitat, the division will deny the coverage under the CGP until project plans are changed to adequately protect the species in receiving stream(s). The TDEC-WPC may require revisions to the SWPPP necessary to prevent a negative impact to legally protected state or federally listed aquatic fauna, their habitat, or the receiving waters. For more information on the Natural Heritage Inventory Program, see their website:

www.state.tn.us/environment/na/nhp.shtml

U.S. Fish & Wildlife

The FWS is the government agency dedicated to the conservation, protection, and enhancement of fish, wildlife and plants, and their habitats. FWS is responsible for implementing and enforcing of the Endangered Species Act, Migratory Bird Treaty Act, and Marine Mammal Protection and maintains the list of federally listed endangered or threatened species. If there are listed species

in the project county, the list of critical habitat needs to be examined to determine if that area overlaps or is near the project area. Critical habitat areas may be designated independently from the listed species for the county, so even if there are no listed species in the project area county, FWS should be contacted to determine if there are any critical habitat areas on or near the project area. For more information, see the US Fish and Wildlife Service website here:

www.fws.gov/

2.8 OTHER INVASIVE SPECIES, FEDERAL EXECUTIVE ORDER 13112

On Feb 3, 1999, a federal Executive Order was signed by the President establishing the National Invasive Species Council. The Executive Order requires that a Council of Departments dealing with invasive species be created to prevent the introduction of invasive species; provide for their control; and minimize the economic, ecological, and human health impacts that invasive species cause. This order defines invasive species, 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, and established the National Invasive Species Council (NISC).

For more detailed information and a copy of the Executive Order, please visit USDA's Invasive Species website:

www.invasivespeciesinfo.gov/laws/execorder.shtml

NISC ensures that Federal programs and activities to prevent and control invasive species are coordinated, effective and efficient. NISC provide invasive species control, management and restoration information on their website:

<http://www.invasivespecies.gov/>