

WAC 365-196-730 Federal authorities. (1) Counties and cities drafting or amending comprehensive plans and development regulations under the act should consider the effects of federal authority over land or resource use within the planning area, including:

- (a) Treaties with Native Americans;
- (b) Jurisdiction on land owned or held in trust by the federal government;
- (c) Federal statutes or regulations imposing national standards;
- (d) Federal permit programs and plans;
- (e) Metropolitan planning organizations, which are also designated as regional transportation planning organizations established in chapter 47.80 RCW; and
- (f) The Central Puget Sound economic development district.

(2) Examples of such federal standards, permit programs and plans are:

- (a) National ambient air quality standards, adopted under the Federal Clean Air Act;
- (b) Drinking water standards, adopted under the Federal Safe Drinking Water Act;
- (c) Effluent limitations, adopted under the Federal Clean Water Act;
- (d) Dredge and fill permits issued by the Army Corps of Engineers under the Federal Clean Water Act;
- (e) Licenses for hydroelectric projects issued by the Federal Energy Regulatory Commission;
- (f) Plans created under the Pacific Northwest Electric Power Planning and Conservation Act;
- (g) Recovery plans and the prohibition on taking listed species under the Endangered Species Act;
- (h) State and local consolidated plans required by the Department of Housing and Urban Development under the Code of Federal Regulations (24 C.F.R. 91 and 24 C.F.R. 570);
- (i) Historic preservation requirements and standards of the National Historic Preservation Act;
- (j) Regulatory requirements of section 4(f) of the Department of Transportation Act;
- (k) Plans adopted by metropolitan planning organizations to meet federal transportation planning responsibilities established by the U.S. Federal Highway Administration (FHWA) and the U.S. Federal Transit Administration (FTA);
- (l) Habitat alteration restrictions arising from the Bald and Golden Eagle Protection Act administered by the U.S. Fish and Wildlife Service; and
- (m) Habitat alteration restrictions arising from the Migratory Bird Treaty Act administered by the U.S. Fish and Wildlife Service.

[Statutory Authority: RCW 36.70A.050 and 36.70A.190. WSR 23-08-037, § 365-196-730, filed 3/29/23, effective 4/29/23; WSR 10-03-085, § 365-196-730, filed 1/19/10, effective 2/19/10.]