

40 CFR 51.304

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**TITLE 40** -- PROTECTION OF ENVIRONMENT  
REVISED AS OF JULY 1, 2004  
CHAPTER I -- ENVIRONMENTAL PROTECTION AGENCY  
SUBCHAPTER C -- AIR PROGRAMS  
**PART 51** -- REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF  
IMPLEMENTATION PLANS  
SUBPART P -- PROTECTION OF VISIBILITY

40 CFR **51.304**

§ 51.304 Identification of integral vistas.

(a) On or before December 31, 1985 the Federal Land Manager may identify any integral vista. The integral vista must be identified according to criteria the Federal Land Manager develops. These criteria must include, but are not limited to, whether the integral vista is important to the visitor's visual experience of the mandatory Class I Federal area. Adoption of criteria must be preceded by reasonable notice and opportunity for public comment on the proposed criteria.

(b) The Federal Land Manager must notify the State of any integral vistas identified under paragraph (a) of this section, and the reasons therefor.

(c) The State must list in its implementation plan any integral vista the Federal Land Manager identifies at least six months prior to plan submission, and must list in its implementation plan at its earliest opportunity, and in no case later than at the time of the periodic review of the SIP required by § 51.306(c), any integral vista the Federal Land Manager identifies after that time.

(d) The State need not in its implementation plan list any integral vista the identification of which was not made in accordance with the criteria in paragraph (a) of this section. In making this finding, the State must carefully consider the expertise of the Federal Land Manager in making the judgments called for by the criteria for identification. Where the State and the Federal Land Manager disagree on the identification of any integral vista, the State must give the Federal Land Manager an opportunity to consult with the Governor of the State.

**HISTORY:**

[45 FR 80089, Dec. 2, 1980; 64 FR 35714, 35774, July 1, 1999]

**AUTHORITY:**

AUTHORITY NOTE APPLICABLE TO ENTIRE PART:  
23 U.S.C. 101; 42 U.S.C. 7401-7671q.

**NOTES:**

[EFFECTIVE DATE NOTE: 64 FR 35714, 35774, July 1, 1999, amended paragraph (c), effective Aug. 30, 1999.]

NOTES APPLICABLE TO ENTIRE CHAPTER:

[PUBLISHER'S NOTE: Nomenclature changes to Chapter I appear at 65 FR 47323, 47324, 47325, Aug. 2, 2000.]

NOTES APPLICABLE TO ENTIRE PART:

[PUBLISHER'S NOTE: For Federal Register citation concerning Part 51 State Implementation Plan, see: 65 FR 81366, Dec. 26, 2000; 66 FR 40609, Aug. 3, 2001; 67 FR 10844, Mar. 11, 2002; 67 FR 48032, July 23, 2002; 67 FR 50600, Aug. 5, 2002.]

[PUBLISHER'S NOTE: For Federal Register citation concerning Part 51 Response to court remand of rules, see: 67 FR 21868, May 1, 2002.]

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