

114TH CONGRESS
1ST SESSION

H. R. 3382

To amend the Lake Tahoe Restoration Act to enhance recreational opportunities, environmental restoration activities, and forest management activities in the Lake Tahoe Basin, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2015

Mr. McCLINTOCK (for himself and Mr. AMODEI) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Agriculture and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Lake Tahoe Restoration Act to enhance recreational opportunities, environmental restoration activities, and forest management activities in the Lake Tahoe Basin, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Lake Tahoe Restoration Act of 2015”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.
- Sec. 4. Improved administration of the Lake Tahoe Basin Management Unit.
- Sec. 5. Authorized programs.
- Sec. 6. Program performance and accountability.
- Sec. 7. Technical corrections and conforming amendments.
- Sec. 8. Authorization of appropriations.
- Sec. 9. Land conveyances to improve management efficiencies of State and Federal lands.
- Sec. 10. Modification of land acquisition authority under Santini-Burton Act and Southern Nevada Public Land Management Act of 1998.

3 **SEC. 2. FINDINGS AND PURPOSES.**

4 Section 2 of the Lake Tahoe Restoration Act (Public
 5 Law 106–506; 114 Stat. 2351) is amended to read as fol-
 6 lows:

7 **“SEC. 2. FINDINGS AND PURPOSES.**

8 “(a) FINDINGS.—Congress makes the following find-
 9 ings:

10 “(1) Lake Tahoe—

11 “(A) is one of the largest, deepest, and
 12 clearest fresh-water lakes in the world;

13 “(B) has a distinctive cobalt blue color, a
 14 biologically diverse alpine setting, and remark-
 15 able water clarity; and

16 “(C) is recognized as a natural resource of
 17 special significance, so that even world-traveler
 18 Mark Twain called Lake Tahoe the ‘fairest pic-
 19 ture the whole earth affords’.

1 “(2) In addition to being a scenic and ecological
2 treasure, the Lake Tahoe Basin is one of the out-
3 standing recreational resources of the United States,
4 which—

5 “(A) offers skiing, water sports, biking,
6 camping, and hiking to millions of visitors each
7 year; and

8 “(B) contributes significantly to the econo-
9 mies of California, Nevada, and the United
10 States.

11 “(3) The economy in the Lake Tahoe Basin is
12 dependent on the natural beauty and recreation op-
13 portunities of Lake Tahoe and the surrounding area.

14 “(4) Forests in the Lake Tahoe Basin suffer
15 from over a century of fire damage, periodic
16 drought, and mismanagement, which have resulted
17 in—

18 “(A) high tree density and mortality;

19 “(B) the loss of biological diversity; and

20 “(C) a large quantity of combustible forest
21 fuels, which significantly increases the threat of
22 catastrophic fire and insect infestation.

23 “(5) The establishment of several aquatic and
24 terrestrial invasive species (including perennial
25 pepperweed, milfoil, and Asian clam) threatens the

1 ecosystem of the Lake Tahoe Basin, and the likeli-
2 hood exists for the introduction and establishment of
3 other invasive species (such as yellow starthistle,
4 New Zealand mud snail, Zebra mussel, and quagga
5 mussel).

6 “(6) 75 percent of the land in the Lake Tahoe
7 Basin is administered by the Federal Government,
8 which makes it a Federal responsibility to signifi-
9 cantly contribute to the restoration of the ecological
10 health of the Lake Tahoe Basin.

11 “(b) PURPOSES.—The purposes of this Act are as fol-
12 lows:

13 “(1) To identify ways and pursue options to ex-
14 pand the environmental threshold carrying capacity
15 of the Lake Tahoe Basin.

16 “(2) To enable the Chief of the Forest Service,
17 the Director of the United States Fish and Wildlife
18 Service, and the Administrator, in cooperation with
19 the Planning Agency and the States of California
20 and Nevada, to fund, plan, and implement signifi-
21 cant forest management and invasive species control
22 activities in the Lake Tahoe Basin.

23 “(3) To ensure that Federal, State, local, re-
24 gional, tribal, and private entities continue to work

1 together to manage lands and forests in the Lake
2 Tahoe Basin.

3 “(4) To support local governments in the Lake
4 Tahoe Basin in efforts related fire risk reduction
5 and forest management activities.

6 “(5) To prioritize public recreational access to
7 public lands in the Lake Tahoe Basin.

8 “(6) To ensure that management of Federal
9 land and forests in the Lake Tahoe Basin is con-
10 ducted with the understanding that—

11 “(A) public forests are renewable assets
12 that should be managed, rather than neglected,
13 and that excess timber should be harvested to
14 generate continuing revenue for care of the
15 public’s land, in accordance with a good neigh-
16 bor policy; and

17 “(B) the Federal Government will defer to
18 local communities whenever possible with re-
19 gard to land acquisition and land regulations or
20 restrictions.”.

21 **SEC. 3. DEFINITIONS.**

22 Section 3 of the Lake Tahoe Restoration Act (Public
23 Law 106–506; 114 Stat. 2353) is amended to read as fol-
24 lows:

1 **“SEC. 3. DEFINITIONS.**

2 “In this Act:

3 “(1) ADMINISTRATOR.—The term ‘Adminis-
4 trator’ means the Administrator of the Environ-
5 mental Protection Agency.

6 “(2) ASSISTANT SECRETARY.—The term ‘As-
7 sistant Secretary’ means the Assistant Secretary of
8 the Army for Civil Works.

9 “(3) CHAIR.—The term ‘Chair’ means the
10 Chair of the Federal Partnership.

11 “(4) COMPACT.—The term ‘Compact’ means
12 the Tahoe Regional Planning Compact included in
13 the first section of Public Law 96–551 (94 Stat.
14 3233).

15 “(5) DIRECTORS.—The term ‘Directors’
16 means—

17 “(A) the Director of the United States
18 Fish and Wildlife Service; and

19 “(B) the Director of the United States Ge-
20 ological Survey.

21 “(6) ENVIRONMENTAL THRESHOLD CARRYING
22 CAPACITY.—The term ‘environmental threshold car-
23 rying capacity’ has the meaning given the term in
24 article II of the Compact.

25 “(7) FEDERAL PARTNERSHIP.—The term ‘Fed-
26 eral Partnership’ means the Lake Tahoe Federal

1 Interagency Partnership established by Executive
2 Order 13957 (62 Fed. Reg. 41249) (or a successor
3 Executive order).

4 “(8) FOREST MANAGEMENT ACTIVITY.—The
5 term ‘forest management activity’ includes—

6 “(A) prescribed burning for ecosystem
7 health and hazardous fuels reduction;

8 “(B) mechanical treatments, including for-
9 est thinning, sale of commercial timber and
10 firewood, and brush mastication;

11 “(C) management of non-native, invasive
12 species;

13 “(D) erosion control and water runoff miti-
14 gation on land adversely impacted by wildland
15 fire; and

16 “(E) other activities consistent with Forest
17 Service practices, as the Secretary determines
18 to be appropriate.

19 “(9) MAPS.—The term ‘Maps’ means the maps
20 dated April 12, 2013, and entitled ‘LTRA USFS-CA
21 Land Exchange/North Shore’, ‘USFS-CA Land Ex-
22 change/West Shore’, and ‘USFS-CA Land Ex-
23 change/South Shore’, which shall be on file and
24 available for public inspection in the appropriate of-
25 fices of the Forest Service, the California Tahoe

1 Conservancy, and the California Department of
2 Parks and Recreation.

3 “(10) NATIONAL WILDLAND FIRE CODE.—The
4 term ‘national wildland fire code’ means—

5 “(A) the most recent publication of the
6 National Fire Protection Association codes
7 numbered 1141, 1142, 1143, and 1144;

8 “(B) the most recent publication of the
9 International Wildland-Urban Interface Code of
10 the International Code Council; or

11 “(C) any other code that the Secretary de-
12 termines provides the same, or better, stand-
13 ards for protection against wildland fire as a
14 code described in subparagraph (A) or (B).

15 “(11) PLANNING AGENCY.—The term ‘Planning
16 Agency’ means the Tahoe Regional Planning Agency
17 established under Public Law 91–148 (83 Stat. 360)
18 and Public Law 96–551 (94 Stat. 3233).

19 “(12) SECRETARY.—The term ‘Secretary’
20 means the Secretary of Agriculture, acting through
21 the Chief of the Forest Service.

22 “(13) WATERCRAFT.—The term ‘watercraft’
23 means motorized and non-motorized watercraft that
24 are capable of harboring an invasive species.”.

1 **SEC. 4. IMPROVED ADMINISTRATION OF THE LAKE TAHOE**
2 **BASIN MANAGEMENT UNIT.**

3 Section 4 of the Lake Tahoe Restoration Act (Public
4 Law 106–506; 114 Stat. 2353) is amended by adding at
5 the end the following new subsections:

6 “(c) FOREST MANAGEMENT ACTIVITIES.—

7 “(1) COORDINATION.—For the purpose of in-
8 creasing efficiencies and maximizing the compat-
9 ibility of management practices across public prop-
10 erty boundaries, in conducting forest management
11 activities in the Lake Tahoe Basin Management
12 Unit, the Secretary shall coordinate, as appropriate,
13 with—

14 “(A) the Administrator;

15 “(B) State and local agencies; and

16 “(C) county governments, local govern-
17 ments, and local fire departments.

18 “(2) MULTIPLE BENEFITS.—In conducting for-
19 est management activities in the Lake Tahoe Basin
20 Management Unit, the Secretary shall conduct the
21 activities in a manner that—

22 “(A) except as provided in paragraph (3),
23 promotes multiple management benefits, includ-
24 ing—

25 “(i) reducing forest fuels;

1 “(ii) enhancing and seeking ways to
2 increase recreational opportunities;

3 “(iii) preserving existing and tradi-
4 tional uses;

5 “(iv) producing a sustainable yield of
6 natural resource production; and

7 “(v) allowing for economic develop-
8 ment; and

9 “(B) helps achieve, maintain, and identify
10 ways to expand the environmental threshold
11 carrying capacities established by the Planning
12 Agency.

13 “(3) COST-BENEFIT DETERMINATION.—Not-
14 withstanding paragraph (2)(A), the promotion of
15 multiple management benefits shall not be required
16 if the Secretary determines that management for
17 multiple benefits would excessively increase the cost
18 of a program in relation to the additional benefits
19 gained from the management activity. The Secretary
20 shall make each cost-benefit determination made
21 under this paragraph publicly available.

22 “(4) AVAILABILITY OF CATEGORICAL EXCLU-
23 SION.—A forest management activity conducted in
24 the Lake Tahoe Basin Management Unit for the
25 purpose of reducing forest fuels is categorically ex-

1 cluded from the requirements of the National Envi-
2 ronmental Policy Act of 1969 (42 U.S.C. 4331 et
3 seq.) if the activity—

4 “(A) is developed—

5 “(i) in coordination with impacted
6 parties, specifically including representa-
7 tives of local governments, such as county
8 supervisors or county commissioners; and

9 “(ii) in consultation with other inter-
10 ested parties; and

11 “(B) is consistent with the Lake Tahoe
12 Basin Management Unit land and resource
13 management plan.

14 “(d) ARBITRATION PROCESS.—

15 “(1) IN GENERAL.—Any challenge to a forest
16 management activity in the Lake Tahoe Basin Man-
17 agement Unit shall be addressed using arbitration
18 consistent with this subsection.

19 “(2) WHO MAY SEEK.—Any person who sought
20 administrative review for the forest management ac-
21 tivity and who is not satisfied with the decision
22 made under the administrative review process may
23 file a demand for arbitration regarding the covered
24 active management project in accordance with chap-

1 ter 1 of title 9, United States Code. The demand for
2 arbitration under paragraph (1) shall—

3 “(A) be filed not more than 15 days after
4 the date on which the administrative review de-
5 cision was issued; and

6 “(B) include a proposal describing the
7 modifications sought to the forest management
8 activity.

9 “(3) INTERVENING PARTIES.—Not later than
10 15 days after the date on which the demand for ar-
11 bitration was filed, any person that submitted a pub-
12 lic comment on the forest management activity sub-
13 ject to arbitration may intervene in the arbitration—

14 “(A) by endorsing the activity or the modi-
15 fication proposal; or

16 “(B) by submitting a proposal to further
17 modify the activity.

18 “(4) APPOINTMENT OF ARBITRATOR.—The
19 United States District Court in the district in which
20 the forest management activity is located shall ap-
21 point the arbitrator to conduct the arbitration pro-
22 ceedings in accordance with this subsection and
23 chapter 1 of title 9, United States Code.

24 “(5) SELECTION OF PROPOSALS.—

1 “(A) IN GENERAL.—Within 30 days after
2 appointment under paragraph (1), the arbi-
3 trator shall determine whether the proposal
4 submitted by an objector or an intervening
5 party or the forest management activity as ap-
6 proved by the Secretary best meets the purpose
7 and needs described in the environmental anal-
8 ysis conducted, in accordance with this Act, for
9 the forest management activity.

10 “(B) MODIFICATION PROHIBITED.—The
11 arbitrator appointed under paragraph (4) may
12 not modify any of the proposals submitted with
13 the demand for arbitration or a request to in-
14 tervene.

15 “(6) EFFECT OF DECISION.—The decision of an
16 arbitrator with respect to the forest management ac-
17 tivity—

18 “(A) shall not be considered a major Fed-
19 eral action; and

20 “(B) shall be binding.

21 “(7) PROHIBITION ON RESTRAINING ORDERS,
22 PRELIMINARY INJUNCTIONS, AND INJUNCTIONS
23 PENDING APPEAL.—No restraining order, prelimi-
24 nary injunction, or injunction pending appeal shall
25 be issued by an appellate court of the United States

1 with respect to the decision of an arbitrator with re-
2 spect to the forest management activity.

3 “(e) ENVIRONMENTAL THRESHOLD CARRYING CA-
4 PACITY.—The Lake Tahoe Basin Management Unit shall
5 support the attainment of the environmental threshold
6 carrying capacities and identify and pursue the means to
7 expand those capacities.

8 “(f) COOPERATIVE AUTHORITIES.—

9 “(1) IN GENERAL.—During fiscal years 2016
10 through 2020, the Secretary, in conjunction with
11 land adjustment programs, may enter into contracts
12 and cooperative agreements with States, units of
13 local government, and other public and private enti-
14 ties to provide for fuel reduction, erosion control, re-
15 forestation, and similar management activities on
16 Federal land and non-Federal land within the pro-
17 grams.

18 “(2) EXTENDED DURATION OF STEWARDSHIP
19 CONTRACTS.—Notwithstanding subsection (d)(3) of
20 section 604 of the Healthy Forests Restoration Act
21 of 2003 (16 U.S.C. 6591e), an agreement or con-
22 tract under such section for stewardship contracting
23 projects to be carried out within the Lake Tahoe
24 Basin Management Unit may be for a term in excess
25 of 10 years, but not to exceed 20 years.

1 “(g) COMMERCIAL PRODUCT RECEIPTS.—

2 “(1) RETENTION.—The Secretary shall retain
3 any commercial product receipts generated as part
4 of forest management activities or cooperative activi-
5 ties conducted in the Lake Tahoe Basin Manage-
6 ment Unit under subsection (c) or (g), other than
7 stewardship contracts described in subsection (g)(2).

8 “(2) AVAILABILITY AND USE.—Receipts re-
9 tained under paragraph (1) shall be available to the
10 Secretary for the purpose of funding additional for-
11 est management activities and cooperative activities,
12 developed through a collaborative process with rep-
13 resentatives from local governments with jurisdiction
14 over lands within the Lake Tahoe Basin Manage-
15 ment Unit.

16 “(3) OBLIGATION LIMIT.—The obligation and
17 expenditure of receipts retained under this sub-
18 section shall be subject to such fiscal-year limitation
19 as may be specified in an Act making appropriations
20 for the Forest Service for a fiscal year.”.

21 **SEC. 5. AUTHORIZED PROGRAMS.**

22 Section 5 of the Lake Tahoe Restoration Act (Public
23 Law 106–506; 114 Stat. 2353) is amended to read as fol-
24 lows:

1 **“SEC. 5. AUTHORIZED PROGRAMS.**

2 “(a) IN GENERAL.—The Secretary, the Assistant
3 Secretary, the Directors, and the Administrator, in coordi-
4 nation with the Planning Agency and the States of Cali-
5 fornia and Nevada, may carry out or provide financial as-
6 sistance to any program described in subsection (b) or (c).

7 “(b) FIRE RISK REDUCTION AND FOREST MANAGE-
8 MENT.—

9 “(1) IN GENERAL.—Of the amounts appro-
10 priated for a fiscal year pursuant to the authoriza-
11 tion of appropriations in subsection (a) of section
12 12, as amended by section 8 of the Lake Tahoe Res-
13 toration Act of 2015, not less than \$4,400,000 shall
14 be made available to the Secretary to carry out, in-
15 cluding by making grants, the following programs:

16 “(A) The Lake Tahoe Basin Multi-Juris-
17 dictional Fuel Reduction and Wildfire Preven-
18 tion Strategy 10-Year Plan.

19 “(B) Competitive grants for fuels work to
20 be awarded by the Secretary to communities
21 that have adopted national wildland fire codes
22 to implement the applicable portion of the plan
23 referred to in subparagraph (A).

24 “(C) Restoration activities related to any
25 residual or future wildfire damage.

1 “(D) Washoe Tribe fire risk reduction and
2 forest management programs on tribal lands
3 within the Lake Tahoe Basin.

4 “(E) Development of an updated Lake
5 Tahoe Basin multijurisdictional fuel reduction
6 and wildfire prevention strategy, consistent with
7 the requirement that forest management activi-
8 ties in the Lake Tahoe Basin promote multiple
9 management benefits as described in section
10 4(e) of this Act (as added by section 4 of the
11 Lake Tahoe Restoration Act of 2015).

12 “(F) Development of updated community
13 wildfire protection plans by local fire districts.

14 “(2) PRIORITY.—Units of local government in
15 the Lake Tahoe Basin that have dedicated funding
16 for inspections and enforcement of defensible space
17 regulations shall be given priority for amounts pro-
18 vided under this subsection.

19 “(3) COST-SHARING REQUIREMENTS.—

20 “(A) IN GENERAL.—As a condition on the
21 receipt of funds, communities or local fire dis-
22 tricts that receive funds under this subsection
23 shall provide a 25-percent match.

24 “(B) FORM OF NON-FEDERAL SHARE.—

1 “(i) IN GENERAL.—The non-Federal
2 share required under subparagraph (A)
3 may be in the form of cash contributions
4 or in-kind contributions, including pro-
5 viding labor, equipment, supplies, space,
6 and other operational needs.

7 “(ii) CREDIT FOR CERTAIN DEDI-
8 CATED FUNDING.—There shall be credited
9 toward the non-Federal share required
10 under subparagraph (A) any dedicated
11 funding of the communities or local fire
12 districts for a fuels reduction management
13 program, defensible space inspections, or
14 dooryard chipping.

15 “(C) DOCUMENTATION.—Communities and
16 local fire districts shall—

17 “(i) maintain a record of in-kind con-
18 tributions that describes—

19 “(I) the monetary value of the in-
20 kind contributions; and

21 “(II) the manner in which the in-
22 kind contributions assist in accom-
23 plishing project goals and objectives;
24 and

1 “(ii) document in all requests for Fed-
2 eral funding, and include in the total
3 project budget, evidence of the commit-
4 ment to provide the non-Federal share
5 through in-kind contributions.

6 “(c) INVASIVE SPECIES MANAGEMENT.—

7 “(1) IN GENERAL.—Of the amounts appro-
8 priated for a fiscal year pursuant to the authoriza-
9 tion of appropriations in subsection (a) of section
10 12, as amended by section 8 of the Lake Tahoe Res-
11 toration Act of 2015, not less than \$800,000 shall
12 be transferred to the Director of the United States
13 Fish and Wildlife Service for the Aquatic Invasive
14 Species Program and for the watercraft inspections
15 and decontaminations described in paragraph (2).

16 “(2) DESCRIPTION OF ACTIVITIES.—The Direc-
17 tor of the United States Fish and Wildlife Service,
18 in coordination with the Planning Agency, the Cali-
19 fornia Department of Fish and Game, and the Ne-
20 vada Department of Wildlife, shall deploy strategies
21 consistent with the Lake Tahoe Aquatic Invasive
22 Species Management Plan to prevent the introduc-
23 tion of the quagga mussel into the Lake Tahoe
24 Basin.

1 “(3) REQUIRED ELEMENTS OF STRATEGIES.—

2 The strategies referred to in paragraph (2) shall
3 provide for the following:

4 “(A) Combined inspection and decon-
5 tamination stations shall be established in the
6 Lake Tahoe Basin. As provided in paragraph
7 (4), these stations may be operated by the
8 States of California and Nevada, local govern-
9 ments, or private entities.

10 “(B) Watercraft shall not be allowed to
11 launch in waters of the Lake Tahoe Basin un-
12 less the watercraft has been inspected in ac-
13 cordance with the Lake Tahoe Aquatic Invasive
14 Species Management Plan.

15 “(4) CERTIFICATION.—The Planning Agency
16 shall certify the State of California, the State of Ne-
17 vada, local agencies, or private entities to perform
18 inspection and decontamination activities described
19 in paragraph (3)(A) at locations inside or outside
20 the Lake Tahoe Basin if such activities are con-
21 ducted in a manner consistent with the standards
22 established by this subsection.

23 “(5) APPLICABILITY.—The strategies developed
24 under this subsection shall apply to all watercraft to
25 be launched on water within the Lake Tahoe Basin.

1 “(6) FEES.—An entity performing inspection
2 and decontamination activities described in para-
3 graph (3)(A) may collect fees for such activities, but
4 not higher than the level sufficient to cover the costs
5 of operation of inspection and decontamination sta-
6 tions under this subsection.

7 “(7) VIOLATIONS.—

8 “(A) IN GENERAL.—Any person that
9 launches or attempts to launch a watercraft not
10 in compliance with strategies deployed under
11 this subsection shall be guilty of an infraction
12 and shall be subject to a fine in the amount
13 provided in title 18, United States Code.

14 “(B) OTHER AUTHORITIES.—Any fine im-
15 posed under this paragraph shall be separate
16 from penalties assessed under any other author-
17 ity.

18 “(8) LIMITATION.—The strategies deployed
19 under paragraph (2), including the specific elements
20 required by paragraph (3), may be modified if the
21 Secretary of the Interior, in a nondelegable capacity
22 and in consultation with the Planning Agency, the
23 States of California and Nevada, and State and local
24 governments, issues a determination that alternative

1 measures will be no less effective at preventing intro-
2 duction of aquatic invasive species into Lake Tahoe.

3 “(9) SUPPLEMENTAL AUTHORITY.—The au-
4 thority under this subsection is supplemental to all
5 actions taken by non-Federal regulatory authorities.

6 “(10) SAVINGS CLAUSE.—Nothing in this title
7 restricts, affects, or amends any other law or the au-
8 thority of any department, instrumentality, or agen-
9 cy of the United States, or any State or political
10 subdivision thereof, respecting the control of invasive
11 species.”.

12 **SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.**

13 Section 6 of the Lake Tahoe Restoration Act (Public
14 Law 106–506; 114 Stat. 2354) is amended to read as fol-
15 lows:

16 **“SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.**

17 **“(a) PROGRAM PERFORMANCE AND ACCOUNT-**
18 **ABILITY.—**

19 **“(1) IN GENERAL.—**Of the amounts appro-
20 priated for a fiscal year pursuant to the authoriza-
21 tion of appropriations in subsection (a) of section
22 12, as amended by section 8 of the Lake Tahoe Res-
23 toration Act of 2015, not less than \$150,000 shall
24 be made available to the Secretary to carry out this
25 section.

1 “(2) PLANNING AGENCY.—Of the amounts
2 made available to the Secretary under paragraph
3 (1), not less than 50 percent shall be made available
4 to the Planning Agency to carry out the program
5 oversight, coordination, and outreach activities under
6 subsections (d) and (e).

7 “(b) CONSULTATION.—In carrying out this Act, the
8 Secretary, the Administrator, and the Directors shall, as
9 appropriate and in a timely manner, consult with the
10 heads of the Washoe Tribe, applicable Federal, State, re-
11 gional, county, and local governmental agencies, and the
12 Lake Tahoe Federal Advisory Committee.

13 “(c) CORPS OF ENGINEERS; INTERAGENCY AGREE-
14 MENTS.—

15 “(1) IN GENERAL.—The Assistant Secretary
16 may enter into interagency agreements with non-
17 Federal interests in the Lake Tahoe Basin to use
18 Lake Tahoe Partnership-Miscellaneous General In-
19 vestigations funds to provide programmatic technical
20 assistance for forest management or invasive species
21 control activities.

22 “(2) LOCAL COOPERATION AGREEMENTS.—

23 “(A) IN GENERAL.—Before providing tech-
24 nical assistance under this section, the Assist-
25 ant Secretary shall enter into a local coopera-

1 tion agreement with a non-Federal interest to
2 provide for the technical assistance.

3 “(B) COMPONENTS.—The agreement en-
4 tered into under subparagraph (A) shall—

5 “(i) describe the nature of the tech-
6 nical assistance;

7 “(ii) describe any legal and institu-
8 tional structures necessary to ensure the
9 effective long-term viability of the end
10 products by the non-Federal interest; and

11 “(iii) include cost-sharing provisions
12 in accordance with subparagraph (C).

13 “(C) FEDERAL SHARE.—

14 “(i) IN GENERAL.—The Federal share
15 of program costs under each local coopera-
16 tion agreement under this paragraph shall
17 be 75 percent.

18 “(ii) FORM.—The Federal share may
19 be in the form of reimbursements of pro-
20 gram costs.

21 “(iii) CREDIT.—The non-Federal in-
22 terest may receive credit toward the non-
23 Federal share for the reasonable costs of
24 related technical activities completed by
25 the non-Federal interest before entering

1 into a local cooperation agreement with the
2 Assistant Secretary under this paragraph.

3 “(d) PUBLIC OUTREACH AND EDUCATION.—

4 “(1) IN GENERAL.—The Secretary, the Admin-
5 istrator, and the Directors will coordinate with the
6 Planning Agency to conduct public education and
7 outreach programs, including encouraging—

8 “(A) owners of land and residences in the
9 Lake Tahoe Basin to implement defensible
10 space; and

11 “(B) owners of land and residences in the
12 Lake Tahoe Basin and visitors to the Lake
13 Tahoe Basin to help prevent the introduction
14 and proliferation of invasive species.

15 “(2) SCIENTIFIC AND TECHNICAL GUIDANCE.—

16 The Director of the United States Geological Survey
17 shall provide scientific and technical guidance to
18 public outreach and education programs conducted
19 under this subsection.

20 “(3) REQUIRED COORDINATION.—Public out-
21 reach and education programs for aquatic invasive
22 species under this subsection shall—

23 “(A) be coordinated with county govern-
24 ments in the Lake Tahoe Basin and Lake

1 Tahoe Basin tourism and business organiza-
2 tions; and

3 “(B) include provisions for the programs
4 to extend outside of the Lake Tahoe Basin.

5 “(e) EFFECTIVENESS EVALUATING AND MONI-
6 TORING.—In carrying out this Act, the Secretary, the Ad-
7 ministrator, and the Directors, in coordination with the
8 Planning Agency and States of California and Nevada,
9 shall—

10 “(1) develop and implement a plan for inte-
11 grated monitoring, assessment, and applied research
12 to evaluate the effectiveness programs funded under
13 this Act; and

14 “(2) include in each program funded under this
15 section funds for monitoring and assessment of re-
16 sults at the program level.”.

17 **SEC. 7. TECHNICAL CORRECTIONS AND CONFORMING**
18 **AMENDMENTS.**

19 (a) TECHNICAL CORRECTION.—Section 4(b)(3) of
20 the Lake Tahoe Restoration Act (Public Law 106–506;
21 114 Stat. 2353) is amended by striking “basin” and in-
22 serting “Basin”.

23 (b) RELATIONSHIP TO OTHER LAWS.—Section 11 of
24 the Lake Tahoe Restoration Act (Public Law 106–506;

1 114 Stat. 2358) is amended by inserting “, Director, or
2 Administrator” after “Secretary”.

3 (c) TAHOE REGIONAL PLANNING COMPACT UP-
4 DATE.—Paragraph (c) of Article V of the Tahoe Regional
5 Planning Compact included in the first section of Public
6 Law 96–551 (94 Stat. 3233) is amended by inserting after
7 “maintain the regional plan” the following: “and, in so
8 doing, shall ensure that the regional plan reflects changing
9 economic conditions and the economic effect of regulation
10 on commerce”.

11 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

12 Section 12 of the Lake Tahoe Restoration Act (Pub-
13 lic Law 106–506; 114 Stat. 2358) is amended to read as
14 follows:

15 **“SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

16 “(a) AUTHORIZATION OF APPROPRIATIONS.—There
17 is authorized to be appropriated to carry out this Act
18 \$6,000,000 for each of fiscal years 2016 through 2025.

19 “(b) SOURCE OF FUNDS.—Amounts made available
20 to carry out this Act shall be derived from—

21 “(1) amounts appropriated pursuant to the au-
22 thorization of appropriations in subsection (a) and
23 the amendment made by section 7 of this Act; and

1 “(2) special use fees collected within the Lake
2 Tahoe Basin Management Unit and made available
3 under subsection (c).

4 “(c) ADDITIONAL FUNDING FROM SPECIAL USE
5 FEES.—

6 “(1) RETENTION OF CERTAIN FEES.—

7 “(A) DEPOSIT.—Fees collected for recre-
8 ation and non-recreation special uses within the
9 Lake Tahoe Basin Management Unit shall be
10 deposited in a special fund in the Treasury,
11 which shall be available to the Secretary as pro-
12 vided in subparagraph (B).

13 “(B) AVAILABILITY AND USE.—Fees de-
14 posited under subparagraph (A) shall be avail-
15 able to the Secretary, in such amounts as may
16 be provided in an Act making appropriations
17 for the Forest Service for a fiscal year, for the
18 purpose of providing additional funds to carry
19 out this Act in excess of amounts appropriated
20 pursuant to the authorization of appropriations
21 in subsection (a).

22 “(C) OBLIGATION LIMIT.—The obligation
23 and expenditure of fees deposited under sub-
24 paragraph (A) shall be subject to appropriation
25 and such fiscal-year limitation as may be speci-

1 fied in an Act making appropriations for the
2 Forest Service for a fiscal year.

3 “(2) USE OF RETAINED FEES.—Of the fees de-
4 posited under paragraph (1) and appropriated for a
5 fiscal year, the Secretary shall use—

6 “(A) at least 50 percent to establish, main-
7 tain, and expand recreation improvements, spe-
8 cifically existing and traditional uses, within the
9 Lake Tahoe Basin Management Unit, including
10 trails, interpretation, and on-the-ground pres-
11 ence of Forest Service personnel; and

12 “(B) the remainder to support other activi-
13 ties authorized by this Act.

14 “(3) COLLABORATIVE PROCESS.—The Secretary
15 shall make decisions under paragraph (2) regarding
16 the use of fees appropriated for a fiscal year through
17 a collaborative process with representatives from
18 local governments, such as county supervisors and
19 county commissioners, with jurisdiction over lands
20 within the Lake Tahoe Basin Management Unit.

21 “(d) EFFECT ON OTHER FUNDS.—Amounts made
22 available to carry out this Act—

23 “(1) shall be in addition to any other amounts
24 made available to the Secretary, the Administrator,

1 or the Directors for expenditure in the Lake Tahoe
2 Basin; and

3 “(2) shall not reduce allocations for other Re-
4 gions of the Forest Service.

5 “(e) COST-SHARING REQUIREMENT.—Except as pro-
6 vided in subsection (b)(3) of section 5 of this Act, as
7 amended by section 5 of the Lake Tahoe Restoration Act
8 of 2015, funds for activities under section 5 of this Act
9 shall be available for obligation on a dollar-for-dollar basis
10 with funding of restoration activities in the Lake Tahoe
11 Basin by the States of California and Nevada.”.

12 **SEC. 9. LAND CONVEYANCES TO IMPROVE MANAGEMENT**
13 **EFFICIENCIES OF STATE AND FEDERAL**
14 **LANDS.**

15 (a) CALIFORNIA CONVEYANCE.—Section 3(b) of Pub-
16 lic Law 96–586 (94 Stat. 3384; commonly known as the
17 Santini-Burton Act) is amended—

18 (1) by striking “(b) Lands” and inserting the
19 following:

20 “(b) ADMINISTRATION OF ACQUIRED LAND.—

21 “(1) IN GENERAL.—Land”; and

22 (2) by adding at the end the following new
23 paragraph:

24 “(2) CONVEYANCE TO CALIFORNIA.—

1 “(A) IN GENERAL.—If the State of Cali-
2 fornia (acting through the California Tahoe
3 Conservancy and the California Department of
4 Parks and Recreation) offers to donate to the
5 United States acceptable title to the non-Fed-
6 eral land described in subparagraph (B)(i), the
7 Secretary of Agriculture—

8 “(i) may accept the offer; and

9 “(ii) not later than 180 days after the
10 date on which the Secretary receives ac-
11 ceptable title to the non-Federal land de-
12 scribed in subparagraph (B)(i), convey to
13 the State of California, subject to valid ex-
14 isting rights and for no consideration, all
15 right, title, and interest of the United
16 States in and to the Federal land that is
17 acceptable to the State of California.

18 “(B) DESCRIPTION OF LAND.—

19 “(i) NON-FEDERAL LAND.—The non-
20 Federal land referred to in subparagraph
21 (A) includes—

22 “(I) the approximately 1,981
23 acres of land administered by the
24 California Tahoe Conservancy and
25 identified on the Maps as ‘Conser-

1 vancy to the United States Forest
2 Service’; and

3 “(II) the approximately 187
4 acres of land administered by Cali-
5 fornia State Parks and identified on
6 the Maps as ‘State Parks to the U.S.
7 Forest Service’.

8 “(ii) FEDERAL LAND.—The Federal
9 land referred to in subparagraph (A) in-
10 cludes the approximately 1,995 acres of
11 Forest Service land identified on the Maps
12 as ‘U.S. Forest Service to Conservancy
13 and State Parks’.

14 “(C) USE OF LAND.—The land conveyance
15 authorized under this paragraph shall—

16 “(i) be for the purpose of consoli-
17 dating Federal and State ownerships and
18 improving management efficiencies; and

19 “(ii) not result in any substantial re-
20 duction in public access or reduction in
21 availability of existing and traditional pub-
22 lic recreation uses.”.

23 (b) NEVADA CONVEYANCE.—Section 3(b) of Public
24 Law 96–586 (94 Stat. 3384; commonly known as the
25 Santini-Burton Act) is further amended by inserting after

1 paragraph (2), as added by subsection (a)(2), the fol-
2 lowing new paragraph:

3 “(3) CONVEYANCE TO NEVADA.—

4 “(A) IN GENERAL.—At the request of the
5 State of Nevada, the Secretary of Agriculture
6 may convey, without consideration, the land or
7 interests in land described in subparagraph (B)
8 to the State, subject to appropriate deed re-
9 strictions to protect public access and existing
10 or traditional public recreational uses of the
11 conveyed land.

12 “(B) DESCRIPTION OF LAND.—The land
13 referred to in subsection (a) includes the ap-
14 proximately 39 acres of National Forest System
15 land identified on the map entitled ‘State of
16 Nevada Conveyances’ as ‘Van Sickle Unit
17 USFS Inholding’.

18 “(C) USE OF LAND.—The land conveyance
19 authorized under this paragraph shall—

20 “(i) be for the purpose of consoli-
21 dating Federal and State ownerships and
22 improving management efficiencies; and

23 “(ii) not result in any substantial re-
24 duction in public access or reduction in

1 availability of existing and traditional pub-
2 lic recreation uses.”.

3 (c) AUTHORIZATION FOR CONVEYANCE OF FOREST
4 SERVICE URBAN LOTS.—

5 (1) CONVEYANCE AUTHORITY.—The Secretary
6 of Agriculture is authorized to convey all urban lots
7 within the Lake Tahoe Basin under the administra-
8 tive jurisdiction of the Forest Service.

9 (2) CONSIDERATION.—A conveyance under the
10 authority of paragraph (1) shall require consider-
11 ation in an amount equal to the fair-market value of
12 the conveyed lot.

13 (3) AVAILABILITY AND USE.—The proceeds
14 from conveyances under paragraph (1) shall be re-
15 tained by the Secretary of Agriculture and used for
16 the purpose of—

17 (A) purchasing inholdings throughout the
18 Lake Tahoe Basin; or

19 (B) providing additional funds to carry out
20 the Lake Tahoe Restoration Act (Public Law
21 106–506) in excess of amounts appropriated
22 pursuant to the authorization of appropriations
23 in section 12 of such Act, as amended by sec-
24 tion 8 of this Act.

1 (4) OBLIGATION LIMIT.—The obligation and ex-
2 penditure of proceeds retained under this subsection
3 shall be subject to such fiscal-year limitation as may
4 be specified in an Act making appropriations for the
5 Forest Service for a fiscal year.

6 (5) INHOLDING DEFINED.—In paragraph
7 (3)(A), the term “inholding” means a parcel of land
8 that is surrounded on all sides by Federal land.

9 **SEC. 10. MODIFICATION OF LAND ACQUISITION AUTHORITY**
10 **UNDER SANTINI-BURTON ACT AND SOUTH-**
11 **ERN NEVADA PUBLIC LAND MANAGEMENT**
12 **ACT OF 1998.**

13 (a) ADDITIONAL LAND ACQUISITION CRITERIA.—
14 Section 3(a)(1) of Public Law 96–586 (94 Stat. 3383;
15 commonly known as the Santini-Burton Act) is amended
16 by adding before the period at the end of the first sentence
17 the following: “and, with respect to any land acquisition
18 under this section within the Lake Tahoe Basin Manage-
19 ment Unit that is proposed after the date of the enactment
20 of the Lake Tahoe Restoration Act of 2015, which will
21 provide critical access for recreational use and resolve sig-
22 nificant inholding issues in that a parcel of land to be ac-
23 quired is wholly surrounded by Federal land”.

24 (b) CONSENT OF LOCAL GOVERNMENT REQUIRED.—
25 Section 3(a) of Public Law 96–586 (94 Stat. 3383; com-

1 monly known as the Santini-Burton Act) is amended by
2 adding at the end the following new paragraph:

3 “(6) CONSENT OF LOCAL GOVERNMENT RE-
4 QUIRED.—With respect to any land acquisition
5 under this section within the Lake Tahoe Basin
6 Management Unit that is proposed after the date of
7 the enactment of the Lake Tahoe Restoration Act of
8 2015, the Secretary of Agriculture shall obtain the
9 consent of the government of the county within the
10 boundaries of which the land is located before exe-
11 cuting the land acquisition.”.

12 (c) ADMINISTRATIVE EXPENSES.—Section 3 of Pub-
13 lic Law 96–586 (94 Stat. 3383; commonly known as the
14 Santini-Burton Act) is amended by adding at the end the
15 following new subsection:

16 “(h) ADMINISTRATIVE EXPENSES RELATED TO
17 LAND ADJUSTMENTS.—Amounts appropriated pursuant
18 to the authorization of appropriations in subsection (g)
19 shall be available to the Secretary of Agriculture to cover
20 staffing costs and related expenses incurred to accomplish
21 land adjustments in the Lake Tahoe Basin Management
22 Unit to create more efficient land management patterns.”.

23 (d) CONFORMING AMENDMENTS TO SOUTHERN NE-
24 VADA PUBLIC LAND MANAGEMENT ACT OF 1998.—Sec-
25 tion 5(a) of the Southern Nevada Public Land Manage-

1 ment Act of 1998 (Public Law 105–263; 112 Stat. 2347)
2 is amended by adding at the end the following new para-
3 graph:

4 “(4) ADDITIONAL REQUIREMENTS RELATED TO
5 ACQUISITIONS IN LAKE TAHOE BASIN MANAGEMENT
6 UNIT.—With respect to any land acquisition under
7 this subsection within the Lake Tahoe Basin Man-
8 agement Unit that is proposed after the date of the
9 enactment of the Lake Tahoe Restoration Act of
10 2015, the Secretary of Agriculture shall, before exe-
11 cuting the land acquisition—

12 “(A) obtain the consent of each county
13 within whose boundaries the parcel of land is
14 located; and

15 “(B) certify that, in addition to being envi-
16 ronmentally sensitive land, the parcel of land
17 will provide critical access for recreational use
18 and resolve significant inholding issues in that
19 the parcel is wholly surrounded by National
20 Forest System land.”.

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