

114TH CONGRESS  
1ST SESSION

# S. 1724

To provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 9, 2015

Mr. HELLER (for himself, Mr. REID, Mrs. BOXER, and Mrs. FEINSTEIN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

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## A BILL

To provide for 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 This Act may be cited as the “Lake Tahoe Restora-  
5 tion Act of 2015”.

### 6 **SEC. 2. FINDINGS AND PURPOSES.**

7 The Lake Tahoe Restoration Act (Public Law 106–  
8 506; 114 Stat. 2351) is amended by striking section 2  
9 and inserting the following:

1 **“SEC. 2. FINDINGS AND PURPOSES.**

2 “(a) FINDINGS.—Congress finds that—

3 “(1) Lake Tahoe—

4 “(A) is one of the largest, deepest, and  
5 clearest lakes in the world;

6 “(B) has a cobalt blue color, a biologically  
7 diverse alpine setting, and remarkable water  
8 clarity; and

9 “(C) is recognized nationally and world-  
10 wide as a natural resource of special signifi-  
11 cance;

12 “(2) in addition to being a scenic and ecological  
13 treasure, the Lake Tahoe Basin is one of the out-  
14 standing recreational resources of the United States,  
15 which—

16 “(A) offers skiing, water sports, biking,  
17 camping, and hiking to millions of visitors each  
18 year; and

19 “(B) contributes significantly to the econo-  
20 mies of California, Nevada, and the United  
21 States;

22 “(3) the economy in the Lake Tahoe Basin is  
23 dependent on the conservation and restoration of the  
24 natural beauty and recreation opportunities in the  
25 area;

1           “(4) the ecological health of the Lake Tahoe  
2 Basin continues to be challenged by the impacts of  
3 land use and transportation patterns developed in  
4 the last century;

5           “(5) the alteration of wetland, wet meadows,  
6 and stream zone habitat have compromised the ca-  
7 pacity of the watershed to filter sediment, nutrients,  
8 and pollutants before reaching Lake Tahoe;

9           “(6) forests in the Lake Tahoe Basin suffer  
10 from over a century of fire damage and periodic  
11 drought, which have resulted in—

12                   “(A) high tree density and mortality;

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

14                   “(C) a large quantity of combustible forest  
15 fuels, which significantly increases the threat of  
16 catastrophic fire and insect infestation;

17           “(7) the establishment of several aquatic and  
18 terrestrial invasive species (including perennial  
19 pepperweed, milfoil, and Asian clam) threatens the  
20 ecosystem of the Lake Tahoe Basin;

21           “(8) there is an ongoing threat to the economy  
22 and ecosystem of the Lake Tahoe Basin of the intro-  
23 duction and establishment of other invasive species  
24 (such as yellow starthistle, New Zealand mud snail,  
25 Zebra mussel, and quagga mussel);

1           “(9) 78 percent of the land in the Lake Tahoe  
2 Basin is administered by the Federal Government,  
3 which makes it a Federal responsibility to restore ec-  
4 ological health to the Lake Tahoe Basin;

5           “(10) the Federal Government has a long his-  
6 tory of environmental stewardship at Lake Tahoe,  
7 including—

8           “(A) congressional consent to the estab-  
9 lishment of the Planning Agency with—

10           “(i) the enactment in 1969 of Public  
11 Law 91–148 (83 Stat. 360); and

12           “(ii) the enactment in 1980 of Public  
13 Law 96–551 (94 Stat. 3233);

14           “(B) the establishment of the Lake Tahoe  
15 Basin Management Unit in 1973;

16           “(C) the enactment of Public Law 96–586  
17 (94 Stat. 3381) in 1980 to provide for the ac-  
18 quisition of environmentally sensitive land and  
19 erosion control grants in the Lake Tahoe Basin;

20           “(D) the enactment of sections 341 and  
21 342 of the Department of the Interior and Re-  
22 lated Agencies Appropriations Act, 2004 (Pub-  
23 lic Law 108–108; 117 Stat. 1317), which  
24 amended the Southern Nevada Public Land  
25 Management Act of 1998 (Public Law 105–

1           263; 112 Stat. 2346) to provide payments for  
2           the environmental restoration programs under  
3           this Act; and

4           “(E) the enactment of section 382 of the  
5           Tax Relief and Health Care Act of 2006 (Pub-  
6           lic Law 109–432; 120 Stat. 3045), which  
7           amended the Southern Nevada Public Land  
8           Management Act of 1998 (Public Law 105–  
9           263; 112 Stat. 2346) to authorize development  
10          and implementation of a comprehensive 10-year  
11          hazardous fuels and fire prevention plan for the  
12          Lake Tahoe Basin;

13          “(11) the Assistant Secretary was an original  
14          signatory in 1997 to the Agreement of Federal De-  
15          partments on Protection of the Environment and  
16          Economic Health of the Lake Tahoe Basin;

17          “(12) the Chief of Engineers, under direction  
18          from the Assistant Secretary, has continued to be a  
19          significant contributor to Lake Tahoe Basin restora-  
20          tion, including—

21                  “(A) stream and wetland restoration; and

22                  “(B) programmatic technical assistance;

23          “(13) at the Lake Tahoe Presidential Forum in  
24          1997, the President renewed the commitment of the  
25          Federal Government to Lake Tahoe by—

1           “(A) committing to increased Federal re-  
2           sources for ecological restoration at Lake  
3           Tahoe; and

4           “(B) establishing the Federal Interagency  
5           Partnership and Federal Advisory Committee to  
6           consult on natural resources issues concerning  
7           the Lake Tahoe Basin;

8           “(14) at the 2011 and 2012 Lake Tahoe Fo-  
9           rums, Senator Reid, Senator Feinstein, Senator  
10          Heller, Senator Ensign, Governor Gibbons, Governor  
11          Sandoval, and Governor Brown—

12          “(A) renewed their commitment to Lake  
13          Tahoe; and

14          “(B) expressed their desire to fund the  
15          Federal and State shares of the Environmental  
16          Improvement Program through 2022;

17          “(15) since 1997, the Federal Government, the  
18          States of California and Nevada, units of local gov-  
19          ernment, and the private sector have contributed  
20          more than \$1,740,000,000 to the Lake Tahoe  
21          Basin, including—

22                 “(A) \$576,300,000 from the Federal Gov-  
23                 ernment;

24                 “(B) \$654,600,000 from the State of Cali-  
25                 fornia;

1           “(C) \$112,500,000 from the State of Ne-  
2           vada;

3           “(D) \$74,900,000 from units of local gov-  
4           ernment; and

5           “(E) \$323,700,000 from private interests;

6           “(16) significant additional investment from  
7           Federal, State, local, and private sources is nec-  
8           essary—

9           “(A) to restore and sustain the ecological  
10          health of the Lake Tahoe Basin;

11          “(B) to adapt to the impacts of fluctuating  
12          water temperature and precipitation; and

13          “(C) to prevent the introduction and estab-  
14          lishment of invasive species in the Lake Tahoe  
15          Basin; and

16          “(17) the Secretary has indicated that the Lake  
17          Tahoe Basin Management Unit has the capacity for  
18          at least \$10,000,000 annually for the Fire Risk Re-  
19          duction and Forest Management Program.

20          “(b) PURPOSES.—The purposes of this Act are—

21               “(1) to enable the Chief of the Forest Service,  
22               the Director of the United States Fish and Wildlife  
23               Service, and the Administrator, in cooperation with  
24               the Planning Agency and the States of California  
25               and Nevada, to fund, plan, and implement signifi-

1 cant new environmental restoration activities and  
 2 forest management activities in the Lake Tahoe  
 3 Basin;

4 “(2) to ensure that Federal, State, local, re-  
 5 gional, tribal, and private entities continue to work  
 6 together to manage land in the Lake Tahoe Basin;

7 “(3) to support local governments in efforts re-  
 8 lated to environmental restoration, stormwater pollu-  
 9 tion control, fire risk reduction, and forest manage-  
 10 ment activities; and

11 “(4) to ensure that agency and science commu-  
 12 nity representatives in the Lake Tahoe Basin work  
 13 together—

14 “(A) to develop and implement a plan for  
 15 integrated monitoring, assessment, and applied  
 16 research to evaluate the effectiveness of the En-  
 17 vironmental Improvement Program; and

18 “(B) to provide objective information as a  
 19 basis for ongoing decisionmaking, with an em-  
 20 phasis on decisionmaking relating to resource  
 21 management in the Lake Tahoe Basin.”.

22 **SEC. 3. DEFINITIONS.**

23 The Lake Tahoe Restoration Act (Public Law 106–  
 24 506; 114 Stat. 2351) is amended by striking section 3  
 25 and inserting the following:



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 IMPROVEMENT PRO-  
22 GRAM.—The term ‘Environmental Improvement Pro-  
23 gram’ means—

24 “(A) the Environmental Improvement Pro-  
25 gram adopted by the Planning Agency; and

26 “(B) any amendments to the Program.

1           “(7) ENVIRONMENTAL THRESHOLD CARRYING  
2           CAPACITY.—The term ‘environmental threshold car-  
3           rying capacity’ has the meaning given the term in  
4           Article II of the Compact.

5           “(8) FEDERAL PARTNERSHIP.—The term ‘Fed-  
6           eral Partnership’ means the Lake Tahoe Federal  
7           Interagency Partnership established by Executive  
8           Order 13057 (62 Fed. Reg. 41249) (or a successor  
9           Executive order).

10          “(9) FOREST MANAGEMENT ACTIVITY.—The  
11          term ‘forest management activity’ includes—

12               “(A) prescribed burning for ecosystem  
13               health and hazardous fuels reduction;

14               “(B) mechanical and minimum tool treat-  
15               ment;

16               “(C) stream environment zone restoration  
17               and other watershed and wildlife habitat en-  
18               hancements;

19               “(D) nonnative invasive species manage-  
20               ment; and

21               “(E) other activities consistent with Forest  
22               Service practices, as the Secretary determines  
23               to be appropriate.

24          “(10) MAPS.—The term ‘Maps’ means the  
25          maps—

1 “(A) entitled—

2 “(i) ‘LTRA USFS-CA Land Ex-  
3 change/North Shore’;

4 “(ii) ‘USFS-CA Land Exchange/West  
5 Shore’; and

6 “(iii) ‘USFS-CA Land Exchange/  
7 South Shore’; and

8 “(B) dated April 12, 2013, and on file and  
9 available for public inspection in the appro-  
10 priate offices of—

11 “(i) the Forest Service;

12 “(ii) the California Tahoe Conser-  
13 vancy; and

14 “(iii) the California Department of  
15 Parks and Recreation.

16 “(11) NATIONAL WILDLAND FIRE CODE.—The  
17 term ‘national wildland fire code’ means—

18 “(A) the most recent publication of the  
19 National Fire Protection Association codes  
20 numbered 1141, 1142, 1143, and 1144;

21 “(B) the most recent publication of the  
22 International Wildland-Urban Interface Code of  
23 the International Code Council; or

24 “(C) any other code that the Secretary de-  
25 termines provides the same, or better, stand-

1           ards for protection against wildland fire as a  
2           code described in subparagraph (A) or (B).

3           “(12) PLANNING AGENCY.—The term ‘Planning  
4           Agency’ means the Tahoe Regional Planning Agency  
5           established under Public Law 91–148 (83 Stat. 360)  
6           and Public Law 96–551 (94 Stat. 3233).

7           “(13) PRIORITY LIST.—The term ‘Priority List’  
8           means the environmental restoration priority list de-  
9           veloped under section 5(b).

10          “(14) SECRETARY.—The term ‘Secretary’  
11          means the Secretary of Agriculture, acting through  
12          the Chief of the Forest Service.

13          “(15) STREAM ENVIRONMENT ZONE.—The  
14          term ‘Stream Environment Zone’ means an area  
15          that generally owes the biological and physical char-  
16          acteristics of the area to the presence of surface  
17          water or groundwater.

18          “(16) TOTAL MAXIMUM DAILY LOAD.—The  
19          term ‘total maximum daily load’ means the total  
20          maximum daily load allocations adopted under sec-  
21          tion 303(d) of the Federal Water Pollution Control  
22          Act (33 U.S.C. 1313(d)).

23          “(17) WATERCRAFT.—The term ‘watercraft’  
24          means motorized and non-motorized watercraft, in-

1 cluding boats, seaplanes, personal watercraft,  
 2 kayaks, and canoes.”.

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

5 Section 4 of the Lake Tahoe Restoration Act (Public  
 6 Law 106–506; 114 Stat. 2353) is amended—

7 (1) in subsection (b)(3), by striking “basin”  
 8 and inserting “Basin”; and

9 (2) by adding at the end the following:

10 “(c) FOREST MANAGEMENT ACTIVITIES.—

11 “(1) COORDINATION.—

12 “(A) IN GENERAL.—In conducting forest  
 13 management activities in the Lake Tahoe Basin  
 14 Management Unit, the Secretary shall, as ap-  
 15 propriate, coordinate with the Administrator  
 16 and State and local agencies and organizations,  
 17 including local fire departments and volunteer  
 18 groups.

19 “(B) GOALS.—The coordination of activi-  
 20 ties under subparagraph (A) should aim to in-  
 21 crease efficiencies and maximize the compat-  
 22 ibility of management practices across public  
 23 property boundaries.

24 “(2) MULTIPLE BENEFITS.—

1           “(A) IN GENERAL.—In conducting forest  
2 management activities in the Lake Tahoe Basin  
3 Management Unit, the Secretary shall conduct  
4 the activities in a manner that—

5           “(i) except as provided in subpara-  
6 graph (B), attains multiple ecosystem ben-  
7 efits, including—

8           “(I) reducing forest fuels;

9           “(II) maintaining biological di-  
10 versity;

11           “(III) improving wetland and  
12 water quality, including in Stream  
13 Environment Zones; and

14           “(IV) increasing resilience to  
15 changing water temperature and pre-  
16 cipitation; and

17           “(ii) helps achieve and maintain the  
18 environmental threshold carrying capacities  
19 established by the Planning Agency.

20           “(B) EXCEPTION.—Notwithstanding sub-  
21 paragraph (A)(i), the attainment of multiple  
22 ecosystem benefits shall not be required if the  
23 Secretary determines that management for mul-  
24 tiple ecosystem benefits would excessively in-  
25 crease the cost of a program in relation to the

1 additional ecosystem benefits gained from the  
2 management activity.

3 “(3) GROUND DISTURBANCE.—Consistent with  
4 applicable Federal law and Lake Tahoe Basin Man-  
5 agement Unit land and resource management plan  
6 direction, the Secretary shall—

7 “(A) establish post-program ground condi-  
8 tion criteria for ground disturbance caused by  
9 forest management activities; and

10 “(B) provide for monitoring to ascertain  
11 the attainment of the post-program conditions.

12 “(d) WITHDRAWAL OF FEDERAL LAND.—

13 “(1) IN GENERAL.—Subject to valid existing  
14 rights and paragraph (2), the Federal land located  
15 in the Lake Tahoe Basin Management Unit is with-  
16 drawn from—

17 “(A) all forms of entry, appropriation, or  
18 disposal under the public land laws;

19 “(B) location, entry, and patent under the  
20 mining laws; and

21 “(C) disposition under all laws relating to  
22 mineral and geothermal leasing.

23 “(2) EXCEPTIONS.—A conveyance of land shall  
24 be exempt from withdrawal under this subsection if  
25 carried out under—

1 “(A) this Act; or

2 “(B) Public Law 96–586 (94 Stat. 3381)

3 (commonly known as the ‘Santini-Burton Act’).

4 “(e) ENVIRONMENTAL THRESHOLD CARRYING CA-  
5 PACITY.—The Lake Tahoe Basin Management Unit shall  
6 support the attainment of the environmental threshold  
7 carrying capacities.

8 “(f) COOPERATIVE AUTHORITIES.—During the 4 fis-  
9 cal years following the date of enactment of the Lake  
10 Tahoe Restoration Act of 2015, the Secretary, in conjunc-  
11 tion with land adjustment programs, may enter into con-  
12 tracts and cooperative agreements with States, units of  
13 local government, and other public and private entities to  
14 provide for fuel reduction, erosion control, reforestation,  
15 Stream Environment Zone restoration, and similar man-  
16 agement activities on Federal land and non-Federal land  
17 within the programs.”.

18 **SEC. 5. AUTHORIZED PROGRAMS.**

19 The Lake Tahoe Restoration Act (Public Law 106–  
20 506; 114 Stat. 2351) is amended by striking section 5  
21 and inserting the following:

22 **“SEC. 5. AUTHORIZED PROGRAMS.**

23 “(a) IN GENERAL.—The Secretary, the Assistant  
24 Secretary, the Directors, and the Administrator, in coordi-  
25 nation with the Planning Agency and the States of Cali-



1   fornia and Nevada, may carry out or provide financial as-  
 2   sistance to any program that—

3           “(1) is described in subsection (d);

4           “(2) is included in the Priority List under sub-  
 5   section (b); and

6           “(3) furthers the purposes of the Environ-  
 7   mental Improvement Program if the program has  
 8   been subject to environmental review and approval,  
 9   respectively, as required under Federal law, Article  
 10   VII of the Compact, and State law, as applicable.

11       “(b) PRIORITY LIST.—

12           “(1) DEADLINE.—Not later than March 15 of  
 13   the year after the date of enactment of the Lake  
 14   Tahoe Restoration Act of 2015, the Chair, in con-  
 15   sultation with the Secretary, the Administrator, the  
 16   Directors, the Planning Agency, the States of Cali-  
 17   fornia and Nevada, the Federal Partnership, the  
 18   Washoe Tribe, the Lake Tahoe Federal Advisory  
 19   Committee, and the Tahoe Science Consortium (or a  
 20   successor organization) shall submit to Congress a  
 21   prioritized Environmental Improvement Program list  
 22   for the Lake Tahoe Basin for each program category  
 23   described in subsection (d).

1           “(2) CRITERIA.—The ranking of the Priority  
2 List shall be based on the best available science and  
3 the following criteria:

4                   “(A) The 4-year threshold carrying capac-  
5 ity evaluation.

6                   “(B) The ability to measure progress or  
7 success of the program.

8                   “(C) The potential to significantly con-  
9 tribute to the achievement and maintenance of  
10 the environmental threshold carrying capacities  
11 identified in Article II of the Compact.

12                   “(D) The ability of a program to provide  
13 multiple benefits.

14                   “(E) The ability of a program to leverage  
15 non-Federal contributions.

16                   “(F) Stakeholder support for the program.

17                   “(G) The justification of Federal interest.

18                   “(H) Agency priority.

19                   “(I) Agency capacity.

20                   “(J) Cost-effectiveness.

21                   “(K) Federal funding history.

22           “(3) REVISIONS.—The Priority List submitted  
23 under paragraph (1) shall be revised every 2 years.

24           “(4) FUNDING.—Of the amounts made avail-  
25 able under section 10(a), \$80,000,000 shall be made

1       available to the Secretary to carry out projects listed  
2       on the Priority List.

3       “(c) RESTRICTION.—The Administrator shall use not  
4       more than 3 percent of the funds provided under sub-  
5       section (a) for administering the programs described in  
6       paragraphs (1) and (2) of subsection (d).

7       “(d) DESCRIPTION OF ACTIVITIES.—

8               “(1) FIRE RISK REDUCTION AND FOREST MAN-  
9       AGEMENT.—

10               “(A) IN GENERAL.—Of the amounts made  
11       available under section 10(a), \$150,000,000  
12       shall be made available to the Secretary to  
13       carry out, including by making grants, the fol-  
14       lowing programs:

15               “(i) Programs identified as part of the  
16       Lake Tahoe Basin Multi-Jurisdictional  
17       Fuel Reduction and Wildfire Prevention  
18       Strategy 10-Year Plan.

19               “(ii) Competitive grants for fuels work  
20       to be awarded by the Secretary to commu-  
21       nities that have adopted national wildland  
22       fire codes to implement the applicable por-  
23       tion of the 10-year plan described in clause  
24       (i).

1 “(iii) Biomass programs, including  
2 feasibility assessments.

3 “(iv) Angora Fire Restoration under  
4 the jurisdiction of the Secretary.

5 “(v) Washoe Tribe programs on tribal  
6 lands within the Lake Tahoe Basin.

7 “(vi) Development of an updated  
8 Lake Tahoe Basin multijurisdictional fuel  
9 reduction and wildfire prevention strategy,  
10 consistent with section 4(c).

11 “(vii) Development of updated com-  
12 munity wildfire protection plans by local  
13 fire districts.

14 “(viii) Municipal water infrastructure  
15 that significantly improves the firefighting  
16 capability of local government within the  
17 Lake Tahoe Basin.

18 “(ix) Stewardship end result con-  
19 tracting projects carried out under section  
20 604 of the Healthy Forests Restoration  
21 Act of 2003 (16 U.S.C. 6591c).

22 “(B) MINIMUM ALLOCATION.—Of the  
23 amounts made available to the Secretary to  
24 carry out subparagraph (A), at least

1           \$100,000,000 shall be used by the Secretary for  
2           programs under subparagraph (A)(i).

3           “(C) PRIORITY.—Units of local govern-  
4           ment that have dedicated funding for inspec-  
5           tions and enforcement of defensible space regu-  
6           lations shall be given priority for amounts pro-  
7           vided under this paragraph.

8           “(D) COST-SHARING REQUIREMENTS.—

9           “(i) IN GENERAL.—As a condition on  
10          the receipt of funds, communities or local  
11          fire districts that receive funds under this  
12          paragraph shall provide a 25-percent  
13          match.

14          “(ii) FORM OF NON-FEDERAL  
15          SHARE.—

16          “(I) IN GENERAL.—The non-  
17          Federal share required under clause  
18          (i) may be in the form of cash con-  
19          tributions or in-kind contributions, in-  
20          cluding providing labor, equipment,  
21          supplies, space, and other operational  
22          needs.

23          “(II) CREDIT FOR CERTAIN  
24          DEDICATED FUNDING.—There shall  
25          be credited toward the non-Federal

1 share required under clause (i) any  
2 dedicated funding of the communities  
3 or local fire districts for a fuels reduc-  
4 tion management program, defensible  
5 space inspections, or dooryard chip-  
6 ping.

7 “(III) DOCUMENTATION.—Com-  
8 munities and local fire districts  
9 shall—

10 “(aa) maintain a record of  
11 in-kind contributions that de-  
12 scribes—

13 “(AA) the monetary  
14 value of the in-kind con-  
15 tributions; and

16 “(BB) the manner in  
17 which the in-kind contribu-  
18 tions assist in accomplishing  
19 program goals and objec-  
20 tives; and

21 “(bb) document in all re-  
22 quests for Federal funding, and  
23 include in the total program  
24 budget, evidence of the commit-  
25 ment to provide the non-Federal

1 share through in-kind contribu-  
2 tions.

3 “(2) INVASIVE SPECIES MANAGEMENT.—

4 “(A) IN GENERAL.—Of the amounts made  
5 available under section 10(a), \$45,000,000 shall  
6 be made available to the Director of the United  
7 States Fish and Wildlife Service for the Aquatic  
8 Invasive Species Program and the watercraft  
9 inspections described in subparagraph (B).

10 “(B) DESCRIPTION OF ACTIVITIES.—The  
11 Director of the United States Fish and Wildlife  
12 Service, in coordination with the Assistant Sec-  
13 retary, the Planning Agency, the California De-  
14 partment of Fish and Wildlife, and the Nevada  
15 Department of Wildlife, shall deploy strategies  
16 consistent with the Lake Tahoe Aquatic  
17 Invasive Species Management Plan to prevent  
18 the introduction or spread of aquatic invasive  
19 species in the Lake Tahoe region.

20 “(C) CRITERIA.—The strategies referred  
21 to in subparagraph (B) shall provide that—

22 “(i) combined inspection and decon-  
23 tamination stations be established and op-  
24 erated at not less than 2 locations in the  
25 Lake Tahoe region; and

1                   “(ii) watercraft not be allowed to  
2                   launch in waters of the Lake Tahoe region  
3                   if the watercraft has not been inspected in  
4                   accordance with the Lake Tahoe Aquatic  
5                   Invasive Species Management Plan.

6                   “(D) CERTIFICATION.—The Planning  
7                   Agency may certify State and local agencies to  
8                   perform the decontamination activities de-  
9                   scribed in subparagraph (C)(i) at locations out-  
10                  side the Lake Tahoe Basin if standards at the  
11                  sites meet or exceed standards for similar sites  
12                  in the Lake Tahoe Basin established under this  
13                  paragraph.

14                  “(E) APPLICABILITY.—The strategies and  
15                  criteria developed under this paragraph shall  
16                  apply to all watercraft to be launched on water  
17                  within the Lake Tahoe region.

18                  “(F) FEES.—The Director of the United  
19                  States Fish and Wildlife Service may collect  
20                  and spend fees for decontamination only at a  
21                  level sufficient to cover the costs of operation of  
22                  inspection and decontamination stations under  
23                  this paragraph.

24                  “(G) CIVIL PENALTIES.—



1                   “(i) IN GENERAL.—Any person that  
2                   launches, attempts to launch, or facilitates  
3                   launching of watercraft not in compliance  
4                   with strategies deployed under this para-  
5                   graph shall be liable for a civil penalty in  
6                   an amount not to exceed \$1,000 per viola-  
7                   tion.

8                   “(ii) OTHER AUTHORITIES.—Any pen-  
9                   alties assessed under this subparagraph  
10                  shall be separate from penalties assessed  
11                  under any other authority.

12                 “(H) LIMITATION.—The strategies and  
13                 criteria under subparagraphs (B) and (C), re-  
14                 spectively, may be modified if the Secretary of  
15                 the Interior, in a nondelegable capacity and in  
16                 consultation with the Planning Agency and  
17                 State governments, issues a determination that  
18                 alternative measures will be no less effective at  
19                 preventing introduction of aquatic invasive spe-  
20                 cies into Lake Tahoe than the strategies and  
21                 criteria developed under subparagraphs (B) and  
22                 (C), respectively.

23                 “(I) SUPPLEMENTAL AUTHORITY.—The  
24                 authority under this paragraph is supplemental

1 to all actions taken by non-Federal regulatory  
2 authorities.

3 “(J) SAVINGS CLAUSE.—Nothing in this  
4 title restricts, affects, or amends any other law  
5 or the authority of any department, instrumen-  
6 tality, or agency of the United States, or any  
7 State or political subdivision thereof, respecting  
8 the control of invasive species.

9 “(3) STORMWATER MANAGEMENT, EROSION  
10 CONTROL, AND TOTAL WATERSHED RESTORATION.—  
11 Of the amounts made available under section 10(a),  
12 \$113,000,000 shall be made available—

13 “(A) to the Secretary, the Secretary of the  
14 Interior, the Assistant Secretary, or the Admin-  
15 istrator for the Federal share of stormwater  
16 management and related programs consistent  
17 with the adopted Total Maximum Daily Load  
18 and near-shore water quality goals;

19 “(B) for grants by the Secretary and the  
20 Administrator to carry out the programs de-  
21 scribed in subparagraph (A);

22 “(C) to the Secretary or the Assistant Sec-  
23 retary for the Federal share of the Upper  
24 Truckee River restoration programs and other  
25 watershed restoration programs identified in

1 the Priority List established under section 5(b);  
 2 and

3 “(D) for grants by the Administrator to  
 4 carry out the programs described in subpara-  
 5 graph (C).

6 “(4) SPECIAL STATUS SPECIES MANAGE-  
 7 MENT.—Of the amounts made available under sec-  
 8 tion 10(a), \$20,000,000 shall be made available to  
 9 the Director of the United States Fish and Wildlife  
 10 Service for the Lahontan Cutthroat Trout Recovery  
 11 Program.”.

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

13 The Lake Tahoe Restoration Act (Public Law 106–  
 14 506; 114 Stat. 2351) is amended by striking section 6  
 15 and inserting the following:

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

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

19 “(1) IN GENERAL.—Of the amounts made  
 20 available under section 10(a), not less than  
 21 \$5,000,000 shall be made available to the Secretary  
 22 to carry out this section.

23 “(2) PLANNING AGENCY.—Of the amounts de-  
 24 scribed in paragraph (1), not less than 50 percent  
 25 shall be made available to the Planning Agency to

1 carry out the program oversight and coordination  
2 activities established under subsection (d).

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

9 “(c) CORPS OF ENGINEERS; INTERAGENCY AGREE-  
10 MENTS.—

11 “(1) IN GENERAL.—The Assistant Secretary  
12 may enter into interagency agreements with non-  
13 Federal interests in the Lake Tahoe Basin to use  
14 Lake Tahoe Partnership-Miscellaneous General In-  
15 vestigations funds to provide programmatic technical  
16 assistance for the Environmental Improvement Pro-  
17 gram.

18 “(2) LOCAL COOPERATION AGREEMENTS.—

19 “(A) IN GENERAL.—Before providing tech-  
20 nical assistance under this section, the Assist-  
21 ant Secretary shall enter into a local coopera-  
22 tion agreement with a non-Federal interest to  
23 provide for the technical assistance.

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

1 “(i) describe the nature of the tech-  
2 nical assistance;

3 “(ii) describe any legal and institu-  
4 tional structures necessary to ensure the  
5 effective long-term viability of the end  
6 products by the non-Federal interest; and

7 “(iii) include cost-sharing provisions  
8 in accordance with subparagraph (C).

9 “(C) FEDERAL SHARE.—

10 “(i) IN GENERAL.—The Federal share  
11 of program costs under each local coopera-  
12 tion agreement under this paragraph shall  
13 be 65 percent.

14 “(ii) FORM.—The Federal share may  
15 be in the form of reimbursements of pro-  
16 gram costs.

17 “(iii) CREDIT.—The non-Federal in-  
18 terest may receive credit toward the non-  
19 Federal share for the reasonable costs of  
20 related technical activities completed by  
21 the non-Federal interest before entering  
22 into a local cooperation agreement with the  
23 Assistant Secretary under this paragraph.

24 “(d) EFFECTIVENESS EVALUATION AND MONI-  
25 TORING.—In carrying out this Act, the Secretary, the Ad-

1   ministrator, and the Directors, in coordination with the  
2   Planning Agency and the States of California and Nevada,  
3   shall—

4           “(1) develop and implement a plan for inte-  
5           grated monitoring, assessment, and applied research  
6           to evaluate the effectiveness of the Environmental  
7           Improvement Program;

8           “(2) include funds in each program funded  
9           under this section for monitoring and assessment of  
10          results at the program level; and

11          “(3) use the integrated multiagency perform-  
12          ance measures established under this section.

13          “(e) REPORTING REQUIREMENTS.—Not later than  
14   March 15 of each year, the Secretary, in cooperation with  
15   the Chair, the Administrator, the Directors, the Planning  
16   Agency, and the States of California and Nevada, con-  
17   sistent with subsection (a), shall submit to Congress a re-  
18   port that describes—

19           “(1) the status of all Federal, State, local, and  
20           private programs authorized under this Act, includ-  
21           ing to the maximum extent practicable, for programs  
22           that will receive Federal funds under this Act during  
23           the current or subsequent fiscal year—

24                   “(A) the program scope;

25                   “(B) the budget for the program; and

1           “(C) the justification for the program, con-  
2           sistent with the criteria established in section  
3           5(b)(2);

4           “(2) Federal, State, local, and private expendi-  
5           tures in the preceding fiscal year to implement the  
6           Environmental Improvement Program;

7           “(3) accomplishments in the preceding fiscal  
8           year in implementing this Act in accordance with the  
9           performance measures and other monitoring and as-  
10          sessment activities; and

11          “(4) public education and outreach efforts un-  
12          dertaken to implement programs authorized under  
13          this Act.

14          “(f) ANNUAL BUDGET PLAN.—As part of the annual  
15          budget of the President, the President shall submit infor-  
16          mation regarding each Federal agency involved in the En-  
17          vironmental Improvement Program (including the Forest  
18          Service, the Environmental Protection Agency, the United  
19          States Fish and Wildlife Service, the United States Geo-  
20          logical Survey, and the Corps of Engineers), including—

21               “(1) an interagency crosscut budget that dis-  
22               plays the proposed budget for use by each Federal  
23               agency in carrying out restoration activities relating  
24               to the Environmental Improvement Program for the  
25               following fiscal year;

1           “(2) a detailed accounting of all amounts re-  
 2           ceived and obligated by Federal agencies to achieve  
 3           the goals of the Environmental Improvement Pro-  
 4           gram during the preceding fiscal year; and

5           “(3) a description of the Federal role in the  
 6           Environmental Improvement Program, including the  
 7           specific role of each agency involved in the restora-  
 8           tion of the Lake Tahoe Basin.”.

9   **SEC. 7. CONFORMING AMENDMENTS; UPDATES TO RE-**  
 10           **LATED LAWS.**

11           (a) LAKE TAHOE RESTORATION ACT.—The Lake  
 12           Tahoe Restoration Act (Public Law 106–506; 114 Stat.  
 13           2351) is amended—

14                   (1) by striking sections 8 and 9;

15                   (2) by redesignating sections 10, 11, and 12 as  
 16           sections 8, 9, and 10, respectively; and

17                   (3) in section 9 (as redesignated by paragraph  
 18           (2)) by inserting “, Director, or Administrator”  
 19           after “Secretary”.

20           (b) TAHOE REGIONAL PLANNING COMPACT.—Sub-  
 21           section (c) of Article V of the Tahoe Regional Planning  
 22           Compact (Public Law 96–551; 94 Stat. 3240) is amended  
 23           in the third sentence by inserting “and, in so doing, shall  
 24           ensure that the regional plan reflects changing economic



1 conditions and the economic effect of regulation on com-  
 2 merce” after “maintain the regional plan”.

3 (c) TREATMENT OF LAKE TAHOE REGION.—

4 (1) TREATMENT OF LAKE TAHOE REGION  
 5 UNDER TITLE 23, UNITED STATES CODE.—Section  
 6 134 of title 23, United States Code, is amended by  
 7 adding at the end the following:

8 “(r) TREATMENT OF LAKE TAHOE REGION.—

9 “(1) DEFINITION OF LAKE TAHOE REGION.—In  
 10 this subsection, the term ‘Lake Tahoe Region’ has  
 11 the meaning given the term ‘region’ in subsection (a)  
 12 of Article II of the Lake Tahoe Regional Planning  
 13 Compact (Public Law 96–551; 94 Stat. 3234).

14 “(2) TREATMENT.—For the purpose of this  
 15 title, the Lake Tahoe Region shall be treated as—

16 “(A) a metropolitan planning organization;

17 “(B) a transportation management area  
 18 under subsection (k); and

19 “(C) an urbanized area, which is com-  
 20 prised of a population of 145,000 in the State  
 21 of California and a population of 65,000 in the  
 22 State of Nevada.

23 “(3) SUBALLOCATED FUNDING.—In deter-  
 24 mining the amount that shall be obligated for a fis-  
 25 cal year for each of the States of California and Ne-

1 vada under section 133(d)(1)(A) and section  
2 213(c)(1)(A), the Secretary shall—

3 “(A) calculate the population under each  
4 of clauses (i) through (iii) of section  
5 133(d)(1)(A) and section 213(c)(1)(A);

6 “(B) decrease the amount under clause  
7 (iii) of each of section 133(d)(1)(A) and section  
8 213(c)(1)(A) by the population described in  
9 paragraph (2)(C) for the Lake Tahoe Region in  
10 the State; and

11 “(C) increase the amount under clause (i)  
12 of each of section 133(d)(1)(A) and section  
13 213(c)(1)(A) by the population described in  
14 paragraph (2)(C) for the Lake Tahoe Region in  
15 the State.”.

16 (2) TREATMENT OF LAKE TAHOE REGION  
17 UNDER TITLE 49, UNITED STATES CODE.—Section  
18 5303 of title 49, United States Code, is amended by  
19 adding at the end the following:

20 “(r) TREATMENT OF LAKE TAHOE REGION.—

21 “(1) DEFINITION OF LAKE TAHOE REGION.—In  
22 this subsection, the term ‘Lake Tahoe Region’ has  
23 the meaning given the term ‘region’ in subsection (a)  
24 of Article II of the Lake Tahoe Regional Planning  
25 Compact (Public Law 96–551; 94 Stat. 3234).

1           “(2) TREATMENT.—For the purpose of this  
2 title, the Lake Tahoe Region shall be treated as—

3                   “(A) a metropolitan planning organization;

4                   “(B) a transportation management area  
5 under subsection (k); and

6                   “(C) an urbanized area, which is com-  
7 prised of a population of 145,000 and 25  
8 square miles of land area in the State of Cali-  
9 fornia and a population of 65,000 and 12  
10 square miles of land area in the State of Ne-  
11 vada.”.

12 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

13       The Lake Tahoe Restoration Act (Public Law 106–  
14 506; 114 Stat. 2351) is amended by striking section 10  
15 (as redesignated by section 7(a)(2)) and inserting the fol-  
16 lowing:

17 **“SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

18       “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
19 is authorized to be appropriated to carry out this Act  
20 \$415,000,000 for a period of 10 fiscal years beginning the  
21 first fiscal year after the date of enactment of the Lake  
22 Tahoe Restoration Act of 2015.

23       “(b) EFFECT ON OTHER FUNDS.—Amounts author-  
24 ized under this section and any amendments made by this  
25 Act—

1           “(1) shall be in addition to any other amounts  
2           made available to the Secretary, the Administrator,  
3           or the Directors for expenditure in the Lake Tahoe  
4           Basin; and

5           “(2) shall not reduce allocations for other Re-  
6           gions of the Forest Service, the Environmental Pro-  
7           tection Agency, or the United States Fish and Wild-  
8           life Service.

9           “(c) COST-SHARING REQUIREMENT.—Except as pro-  
10          vided in subsection (d) and section 5(d)(1)(D), funds for  
11          activities carried out under section 5 shall be available for  
12          obligation on a 1-to-1 basis with funding of restoration  
13          activities in the Lake Tahoe Basin by the States of Cali-  
14          fornia and Nevada.

15          “(d) RELOCATION COSTS.—Notwithstanding sub-  
16          section (c), the Secretary shall provide to local utility dis-  
17          tricts  $\frac{2}{3}$  of the costs of relocating facilities in connection  
18          with—

19                 “(1) environmental restoration programs under  
20                 sections 5 and 6; and

21                 “(2) erosion control programs under section 2  
22                 of Public Law 96–586 (94 Stat. 3381).

23          “(e) SIGNAGE.—To the maximum extent practicable,  
24          a program provided assistance under this Act shall include  
25          appropriate signage at the program site that—

1 “(1) provides information to the public on—

2 “(A) the amount of Federal funds being  
3 provided to the program; and

4 “(B) this Act; and

5 “(2) displays the visual identity mark of the  
6 Environmental Improvement Program.”.

7 **SEC. 9. LAND TRANSFERS TO IMPROVE MANAGEMENT EF-**  
8 **FICIENCIES OF FEDERAL AND STATE LAND.**

9 Section 3(b) of Public Law 96–586 (94 Stat. 3384)  
10 (commonly known as the “Santini-Burton Act”) is amend-  
11 ed—

12 (1) by striking “(b) Lands” and inserting the  
13 following:

14 “(b) ADMINISTRATION OF ACQUIRED LAND.—

15 “(1) IN GENERAL.—Land”; and

16 (2) by adding at the end the following:

17 “(2) CALIFORNIA CONVEYANCES.—

18 “(A) IN GENERAL.—If the State of Cali-  
19 fornia (acting through the California Tahoe  
20 Conservancy and the California Department of  
21 Parks and Recreation) offers to donate to the  
22 United States acceptable title to the non-Fed-  
23 eral land described in subparagraph (B)(i), the  
24 Secretary—

25 “(i) may accept the offer; and

1           “(ii) not later than 180 days after the  
 2           date on which the Secretary receives ac-  
 3           ceptable title to the non-Federal land de-  
 4           scribed in subparagraph (B)(i), convey to  
 5           the State of California, subject to valid ex-  
 6           isting rights and for no consideration, all  
 7           right, title, and interest of the United  
 8           States in and to the Federal land that is  
 9           acceptable to the State of California.

10          “(B) DESCRIPTION OF LAND.—

11           “(i) NON-FEDERAL LAND.—The non-  
 12           Federal land referred to in subparagraph  
 13           (A) includes—

14                   “(I) the approximately 1,981  
 15                   acres of land administered by the  
 16                   California Tahoe Conservancy and  
 17                   identified on the Maps as ‘Conser-  
 18                   vancy to the United States Forest  
 19                   Service’; and

20                   “(II) the approximately 187  
 21                   acres of land administered by Cali-  
 22                   fornia State Parks and identified on  
 23                   the Maps as ‘State Parks to the U.S.  
 24                   Forest Service’.

1                   “(ii) FEDERAL LAND.—The Federal  
 2                   land referred to in subparagraph (A) in-  
 3                   cludes the approximately 1,995 acres of  
 4                   Forest Service land identified on the Maps  
 5                   as ‘U.S. Forest Service to Conservancy  
 6                   and State Parks’.

7                   “(C) CONDITIONS.—Any land conveyed  
 8                   under this paragraph shall—

9                   “(i) be for the purpose of consoli-  
 10                  dating Federal and State ownerships and  
 11                  improving management efficiencies;

12                  “(ii) not result in any significant  
 13                  changes in the uses of the land; and

14                  “(iii) be subject to the condition that  
 15                  the applicable deed include such terms, re-  
 16                  strictions, covenants, conditions, and res-  
 17                  ervations as the Secretary determines nec-  
 18                  essary—

19                         “(I) to ensure compliance with  
 20                         this Act; and

21                         “(II) to ensure that the transfer  
 22                         of development rights associated with  
 23                         the conveyed parcels shall not be rec-  
 24                         ognized or available for transfer under  
 25                         chapter 51 of the Code of Ordinances

1                   for the Tahoe Regional Planning  
2                   Agency.

3           “(3) NEVADA CONVEYANCES.—

4                   “(A) IN GENERAL.—In accordance with  
5                   this section and on request by the Governor of  
6                   Nevada, the Secretary may transfer the land or  
7                   interests in land described in subparagraph (B)  
8                   to the State of Nevada without consideration,  
9                   subject to appropriate deed restrictions to pro-  
10                  tect the environmental quality and public rec-  
11                  reational use of the land transferred.

12                  “(B) DESCRIPTION OF LAND.—The land  
13                  referred to in subparagraph (A) includes—

14                       “(i) the approximately 38.68 acres of  
15                       Forest Service land identified on the map  
16                       entitled ‘State of Nevada Conveyances’ as  
17                       ‘Van Sickle Unit USFS Inholding’; and

18                       “(ii) the approximately 92.28 acres of  
19                       Forest Service land identified on the map  
20                       entitled ‘State of Nevada Conveyances’ as  
21                       ‘Lake Tahoe Nevada State Park USFS  
22                       Inholding’.

23                  “(C) CONDITIONS.—Any land conveyed  
24                  under this paragraph shall—



1 “(i) be for the purpose of consoli-  
2 dating Federal and State ownerships and  
3 improving management efficiencies;

4 “(ii) not result in any significant  
5 changes in the uses of the land; and

6 “(iii) be subject to the condition that  
7 the applicable deed include such terms, re-  
8 strictions, covenants, conditions, and res-  
9 ervations as the Secretary determines nec-  
10 essary—

11 “(I) to ensure compliance with  
12 this Act; and

13 “(II) to ensure that the develop-  
14 ment rights associated with the con-  
15 veyed parcels shall not be recognized  
16 or available for transfer under section  
17 90.2 of the Code of Ordinances for  
18 the Tahoe Regional Planning Agency.

19 “(4) REVERSION.—If a parcel of land trans-  
20 ferred under paragraph (2) or (3) is used in a man-  
21 ner that is inconsistent with the use described for  
22 the parcel of land in paragraph (2) or (3), respec-  
23 tively, the parcel of land, shall, at the discretion of  
24 the Secretary, revert to the United States.

25 “(5) FUNDING.—

1           “(A) IN GENERAL.—Of the amounts made  
2           available under section 10(a) of the Lake Tahoe  
3           Restoration Act (Public Law 106–506; 114  
4           Stat. 2351), \$2,000,000 shall be made available  
5           to the Secretary to carry out the activities  
6           under paragraphs (2) and (3).

7           “(B) OTHER FUNDS.—Of the amounts  
8           available to the Secretary under paragraph (1),  
9           not less than 50 percent shall be provided to  
10          the California Tahoe Conservancy to facilitate  
11          the conveyance of land described in paragraphs  
12          (2) and (3).”.

○