

114TH CONGRESS
1ST SESSION

H. R. 3692

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

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 6, 2015

Mr. GARAMENDI (for himself, Mr. FARR, Mr. HONDA, Mr. LOWENTHAL, and Mr. THOMPSON of California) 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 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; TABLE OF CONTENTS.**

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

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

- Sec. 1. Short title; table of contents.
 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. Conforming amendments; updates to related laws.
 Sec. 8. Authorization of appropriations.
 Sec. 9. Land transfers to improve management efficiencies of Federal and State land.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 The Lake Tahoe Restoration Act (Public Law 106–
 3 506; 114 Stat. 2351) is amended by striking section 2
 4 and inserting the following:

5 **“SEC. 2. FINDINGS AND PURPOSES.**

6 “(a) FINDINGS.—Congress finds that—

7 “(1) Lake Tahoe—

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

10 “(B) has a cobalt blue color, a biologically
 11 diverse alpine setting, and remarkable water
 12 clarity; and

13 “(C) is recognized nationally and world-
 14 wide as a natural resource of special signifi-
 15 cance;

16 “(2) in addition to being a scenic and ecological
 17 treasure, the Lake Tahoe Basin is one of the out-
 18 standing recreational resources of the United States,
 19 which—

1 “(A) offers skiing, water sports, biking,
2 camping, and hiking to millions of visitors each
3 year; and

4 “(B) contributes significantly to the econo-
5 mies of California, Nevada, and the United
6 States;

7 “(3) the economy in the Lake Tahoe Basin is
8 dependent on the conservation and restoration of the
9 natural beauty and recreation opportunities in the
10 area;

11 “(4) the ecological health of the Lake Tahoe
12 Basin continues to be challenged by the impacts of
13 land use and transportation patterns developed in
14 the last century;

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

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

22 “(A) high tree density and mortality;

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

1 “(C) a large quantity of combustible forest
2 fuels, which significantly increases the threat of
3 catastrophic fire and insect infestation;

4 “(7) the establishment of several aquatic and
5 terrestrial invasive species (including perennial
6 pepperweed, milfoil, and Asian clam) threatens the
7 ecosystem of the Lake Tahoe Basin;

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

13 “(9) 78 percent of the land in the Lake Tahoe
14 Basin is administered by the Federal Government,
15 which makes it a Federal responsibility to restore ec-
16 ological health to the Lake Tahoe Basin;

17 “(10) the Federal Government has a long his-
18 tory of environmental stewardship at Lake Tahoe,
19 including—

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

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

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

1 “(B) the establishment of the Lake Tahoe
2 Basin Management Unit in 1973;

3 “(C) the enactment of Public Law 96–586
4 (94 Stat. 3381) in 1980 to provide for the ac-
5 quisition of environmentally sensitive land and
6 erosion control grants in the Lake Tahoe Basin;

7 “(D) the enactment of sections 341 and
8 342 of the Department of the Interior and Re-
9 lated Agencies Appropriations Act, 2004 (Pub-
10 lic Law 108–108; 117 Stat. 1317), which
11 amended the Southern Nevada Public Land
12 Management Act of 1998 (Public Law 105–
13 263; 112 Stat. 2346) to provide payments for
14 the environmental restoration programs under
15 this Act; and

16 “(E) the enactment of section 382 of the
17 Tax Relief and Health Care Act of 2006 (Pub-
18 lic Law 109–432; 120 Stat. 3045), which
19 amended the Southern Nevada Public Land
20 Management Act of 1998 (Public Law 105–
21 263; 112 Stat. 2346) to authorize development
22 and implementation of a comprehensive 10-year
23 hazardous fuels and fire prevention plan for the
24 Lake Tahoe Basin;

1 “(11) the Assistant Secretary was an original
2 signatory in 1997 to the Agreement of Federal De-
3 partments on Protection of the Environment and
4 Economic Health of the Lake Tahoe Basin;

5 “(12) the Chief of Engineers, under direction
6 from the Assistant Secretary, has continued to be a
7 significant contributor to Lake Tahoe Basin restora-
8 tion, including—

9 “(A) stream and wetland restoration; and

10 “(B) programmatic technical assistance;

11 “(13) at the Lake Tahoe Presidential Forum in
12 1997, the President renewed the commitment of the
13 Federal Government to Lake Tahoe by—

14 “(A) committing to increased Federal re-
15 sources for ecological restoration at Lake
16 Tahoe; and

17 “(B) establishing the Federal Interagency
18 Partnership and Federal Advisory Committee to
19 consult on natural resources issues concerning
20 the Lake Tahoe Basin;

21 “(14) at the 2011 and 2012 Lake Tahoe Fo-
22 rums, Senator Reid, Senator Feinstein, Senator
23 Heller, Senator Ensign, Governor Gibbons, Governor
24 Sandoval, and Governor Brown—

1 “(A) renewed their commitment to Lake
2 Tahoe; and

3 “(B) expressed their desire to fund the
4 Federal and State shares of the Environmental
5 Improvement Program through 2022;

6 “(15) since 1997, the Federal Government, the
7 States of California and Nevada, units of local gov-
8 ernment, and the private sector have contributed
9 more than \$1,740,000,000 to the Lake Tahoe
10 Basin, including—

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

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

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

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

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

20 “(16) significant additional investment from
21 Federal, State, local, and private sources is nec-
22 essary—

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

1 “(B) to adapt to the impacts of fluctuating
2 water temperature and precipitation; and

3 “(C) to prevent the introduction and estab-
4 lishment of invasive species in the Lake Tahoe
5 Basin; and

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

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

11 “(1) to enable the Chief of the Forest Service,
12 the Director of the United States Fish and Wildlife
13 Service, and the Administrator, in cooperation with
14 the Planning Agency and the States of California
15 and Nevada, to fund, plan, and implement signifi-
16 cant new environmental restoration activities and
17 forest management activities in the Lake Tahoe
18 Basin;

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

22 “(3) to support local governments in efforts re-
23 lated to environmental restoration, stormwater pollu-
24 tion control, fire risk reduction, and forest manage-
25 ment activities; and

1 “(4) to ensure that agency and science commu-
2 nity representatives in the Lake Tahoe Basin work
3 together—

4 “(A) to develop and implement a plan for
5 integrated monitoring, assessment, and applied
6 research to evaluate the effectiveness of the En-
7 vironmental Improvement Program; and

8 “(B) to provide objective information as a
9 basis for ongoing decisionmaking, with an em-
10 phasis on decisionmaking relating to resource
11 management in the Lake Tahoe Basin.”.

12 **SEC. 3. DEFINITIONS.**

13 The Lake Tahoe Restoration Act (Public Law 106–
14 506; 114 Stat. 2351) is amended by striking section 3
15 and inserting the following:

16 **“SEC. 3. DEFINITIONS.**

17 “In this Act:

18 “(1) ADMINISTRATOR.—The term ‘Adminis-
19 trator’ means the Administrator of the Environ-
20 mental Protection Agency.

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

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

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

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

7 “(A) the Director of the United States
8 Fish and Wildlife Service; and

9 “(B) the Director of the United States Ge-
10 ological Survey.

11 “(6) ENVIRONMENTAL IMPROVEMENT PRO-
12 GRAM.—The term ‘Environmental Improvement Pro-
13 gram’ means—

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

16 “(B) any amendments to the Program.

17 “(7) ENVIRONMENTAL THRESHOLD CARRYING
18 CAPACITY.—The term ‘environmental threshold car-
19 rying capacity’ has the meaning given the term in
20 Article II of the Compact.

21 “(8) FEDERAL PARTNERSHIP.—The term ‘Fed-
22 eral Partnership’ means the Lake Tahoe Federal
23 Interagency Partnership established by Executive
24 Order 13057 (62 Fed. Reg. 41249) (or a successor
25 Executive order).

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

3 “(A) prescribed burning for ecosystem
4 health and hazardous fuels reduction;

5 “(B) mechanical and minimum tool treat-
6 ment;

7 “(C) stream environment zone restoration
8 and other watershed and wildlife habitat en-
9 hancements;

10 “(D) nonnative invasive species manage-
11 ment; and

12 “(E) other activities consistent with Forest
13 Service practices, as the Secretary determines
14 to be appropriate.

15 “(10) MAPS.—The term ‘Maps’ means the
16 maps—

17 “(A) entitled—

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

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

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

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

4 “(i) the Forest Service;

5 “(ii) the California Tahoe Conser-
6 vancy; and

7 “(iii) the California Department of
8 Parks and Recreation.

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

11 “(A) the most recent publication of the
12 National Fire Protection Association codes
13 numbered 1141, 1142, 1143, and 1144;

14 “(B) the most recent publication of the
15 International Wildland-Urban Interface Code of
16 the International Code Council; or

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

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

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

4 “(14) SECRETARY.—The term ‘Secretary’
5 means the Secretary of Agriculture, acting through
6 the Chief of the Forest Service.

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

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

17 “(17) WATERCRAFT.—The term ‘watercraft’
18 means motorized and non-motorized watercraft, in-
19 cluding boats, seaplanes, personal watercraft,
20 kayaks, and canoes.”.

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

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

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

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

4 “(c) FOREST MANAGEMENT ACTIVITIES.—

5 “(1) COORDINATION.—

6 “(A) IN GENERAL.—In conducting forest
7 management activities in the Lake Tahoe Basin
8 Management Unit, the Secretary shall, as ap-
9 propriate, coordinate with the Administrator
10 and State and local agencies and organizations,
11 including local fire departments and volunteer
12 groups.

13 “(B) GOALS.—The coordination of activi-
14 ties under subparagraph (A) should aim to in-
15 crease efficiencies and maximize the compat-
16 ibility of management practices across public
17 property boundaries.

18 “(2) MULTIPLE BENEFITS.—

19 “(A) IN GENERAL.—In conducting forest
20 management activities in the Lake Tahoe Basin
21 Management Unit, the Secretary shall conduct
22 the activities in a manner that—

23 “(i) except as provided in subpara-
24 graph (B), attains multiple ecosystem ben-
25 efits, including—

- 1 “(I) reducing forest fuels;
- 2 “(II) maintaining biological di-
- 3 versity;
- 4 “(III) improving wetland and
- 5 water quality, including in Stream
- 6 Environment Zones; and
- 7 “(IV) increasing resilience to
- 8 changing water temperature and pre-
- 9 cipitation; and
- 10 “(ii) helps achieve and maintain the
- 11 environmental threshold carrying capacities
- 12 established by the Planning Agency.
- 13 “(B) EXCEPTION.—Notwithstanding sub-
- 14 paragraph (A)(i), the attainment of multiple
- 15 ecosystem benefits shall not be required if the
- 16 Secretary determines that management for mul-
- 17 tiple ecosystem benefits would excessively in-
- 18 crease the cost of a program in relation to the
- 19 additional ecosystem benefits gained from the
- 20 management activity.
- 21 “(3) GROUND DISTURBANCE.—Consistent with
- 22 applicable Federal law and Lake Tahoe Basin Man-
- 23 agement Unit land and resource management plan
- 24 direction, the Secretary shall—

1 “(A) establish post-program ground condi-
2 tion criteria for ground disturbance caused by
3 forest management activities; and

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

6 “(d) WITHDRAWAL OF FEDERAL LAND.—

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

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

13 “(B) location, entry, and patent under the
14 mining laws; and

15 “(C) disposition under all laws relating to
16 mineral and geothermal leasing.

17 “(2) EXCEPTIONS.—A conveyance of land shall
18 be exempt from withdrawal under this subsection if
19 carried out under—

20 “(A) this Act; or

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

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

23 “(e) ENVIRONMENTAL THRESHOLD CARRYING CA-
24 PACITY.—The Lake Tahoe Basin Management Unit shall

1 support the attainment of the environmental threshold
2 carrying capacities.

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

13 **SEC. 5. AUTHORIZED PROGRAMS.**

14 The Lake Tahoe Restoration Act (Public Law 106–
15 506; 114 Stat. 2351) is amended by striking section 5
16 and inserting the following:

17 **“SEC. 5. AUTHORIZED PROGRAMS.**

18 “(a) IN GENERAL.—The Secretary, the Assistant
19 Secretary, the Directors, and the Administrator, in coordi-
20 nation with the Planning Agency and the States of Cali-
21 fornia and Nevada, may carry out or provide financial as-
22 sistance to any program that—

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

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

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

6 “(b) PRIORITY LIST.—

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

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

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

24 “(B) The ability to measure progress or
25 success of the program.

1 “(C) The potential to significantly con-
2 tribute to the achievement and maintenance of
3 the environmental threshold carrying capacities
4 identified in Article II of the Compact.

5 “(D) The ability of a program to provide
6 multiple benefits.

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

9 “(F) Stakeholder support for the program.

10 “(G) The justification of Federal interest.

11 “(H) Agency priority.

12 “(I) Agency capacity.

13 “(J) Cost-effectiveness.

14 “(K) Federal funding history.

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

17 “(4) FUNDING.—Of the amounts made avail-
18 able under section 10(a), \$80,000,000 shall be made
19 available to the Secretary to carry out projects listed
20 on the Priority List.

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

25 “(d) DESCRIPTION OF ACTIVITIES.—

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

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

8 “(i) Programs identified as part of the
9 Lake Tahoe Basin Multi-Jurisdictional
10 Fuel Reduction and Wildfire Prevention
11 Strategy 10-Year Plan.

12 “(ii) Competitive grants for fuels work
13 to be awarded by the Secretary to commu-
14 nities that have adopted national wildland
15 fire codes to implement the applicable por-
16 tion of the 10-year plan described in clause
17 (i).

18 “(iii) Biomass programs, including
19 feasibility assessments.

20 “(iv) Angora Fire Restoration under
21 the jurisdiction of the Secretary.

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

24 “(vi) Development of an updated
25 Lake Tahoe Basin multijurisdictional fuel

1 reduction and wildfire prevention strategy,
2 consistent with section 4(c).

3 “(vii) Development of updated com-
4 munity wildfire protection plans by local
5 fire districts.

6 “(viii) Municipal water infrastructure
7 that significantly improves the firefighting
8 capability of local government within the
9 Lake Tahoe Basin.

10 “(ix) Stewardship end result con-
11 tracting projects carried out under section
12 604 of the Healthy Forests Restoration
13 Act of 2003 (16 U.S.C. 6591e).

14 “(B) MINIMUM ALLOCATION.—Of the
15 amounts made available to the Secretary to
16 carry out subparagraph (A), at least
17 \$100,000,000 shall be used by the Secretary for
18 programs under subparagraph (A)(i).

19 “(C) PRIORITY.—Units of local govern-
20 ment that have dedicated funding for inspec-
21 tions and enforcement of defensible space regu-
22 lations shall be given priority for amounts pro-
23 vided under this paragraph.

24 “(D) COST-SHARING REQUIREMENTS.—

1 “(i) IN GENERAL.—As a condition on
2 the receipt of funds, communities or local
3 fire districts that receive funds under this
4 paragraph shall provide a 25-percent
5 match.

6 “(ii) FORM OF NON-FEDERAL
7 SHARE.—

8 “(I) IN GENERAL.—The non-
9 Federal share required under clause
10 (i) may be in the form of cash con-
11 tributions or in-kind contributions, in-
12 cluding providing labor, equipment,
13 supplies, space, and other operational
14 needs.

15 “(II) CREDIT FOR CERTAIN
16 DEDICATED FUNDING.—There shall
17 be credited toward the non-Federal
18 share required under clause (i) any
19 dedicated funding of the communities
20 or local fire districts for a fuels reduc-
21 tion management program, defensible
22 space inspections, or dooryard chip-
23 ping.

1 “(III) DOCUMENTATION.—Com-
2 munities and local fire districts
3 shall—

4 “(aa) maintain a record of
5 in-kind contributions that de-
6 scribes—

7 “(AA) the monetary
8 value of the in-kind con-
9 tributions; and

10 “(BB) the manner in
11 which the in-kind contribu-
12 tions assist in accomplishing
13 program goals and objec-
14 tives; and

15 “(bb) document in all re-
16 quests for Federal funding, and
17 include in the total program
18 budget, evidence of the commit-
19 ment to provide the non-Federal
20 share through in-kind contribu-
21 tions.

22 “(2) INVASIVE SPECIES MANAGEMENT.—

23 “(A) IN GENERAL.—Of the amounts made
24 available under section 10(a), \$45,000,000 shall
25 be made available to the Director of the United

1 States Fish and Wildlife Service for the Aquatic
2 Invasive Species Program and the watercraft
3 inspections described in subparagraph (B).

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

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

16 “(i) combined inspection and decon-
17 tamination stations be established and op-
18 erated at not less than 2 locations in the
19 Lake Tahoe region; and

20 “(ii) watercraft not be allowed to
21 launch in waters of the Lake Tahoe region
22 if the watercraft has not been inspected in
23 accordance with the Lake Tahoe Aquatic
24 Invasive Species Management Plan.

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

9 “(E) APPLICABILITY.—The strategies and
10 criteria developed under this paragraph shall
11 apply to all watercraft to be launched on water
12 within the Lake Tahoe region.

13 “(F) FEES.—The Director of the United
14 States Fish and Wildlife Service may collect
15 and spend fees for decontamination only at a
16 level sufficient to cover the costs of operation of
17 inspection and decontamination stations under
18 this paragraph.

19 “(G) CIVIL PENALTIES.—

20 “(i) IN GENERAL.—Any person that
21 launches, attempts to launch, or facilitates
22 launching of watercraft not in compliance
23 with strategies deployed under this para-
24 graph shall be liable for a civil penalty in

1 an amount not to exceed \$1,000 per viola-
2 tion.

3 “(ii) OTHER AUTHORITIES.—Any pen-
4 alties assessed under this subparagraph
5 shall be separate from penalties assessed
6 under any other authority.

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

18 “(I) SUPPLEMENTAL AUTHORITY.—The
19 authority under this paragraph is supplemental
20 to all actions taken by non-Federal regulatory
21 authorities.

22 “(J) SAVINGS CLAUSE.—Nothing in this
23 title restricts, affects, or amends any other law
24 or the authority of any department, instrumen-
25 tality, or agency of the United States, or any

1 State or political subdivision thereof, respecting
2 the control of invasive species.

3 “(3) STORMWATER MANAGEMENT, EROSION
4 CONTROL, AND TOTAL WATERSHED RESTORATION.—
5 Of the amounts made available under section 10(a),
6 \$113,000,000 shall be made available—

7 “(A) to the Secretary, the Secretary of the
8 Interior, the Assistant Secretary, or the Admin-
9 istrator for the Federal share of stormwater
10 management and related programs consistent
11 with the adopted Total Maximum Daily Load
12 and near-shore water quality goals;

13 “(B) for grants by the Secretary and the
14 Administrator to carry out the programs de-
15 scribed in subparagraph (A);

16 “(C) to the Secretary or the Assistant Sec-
17 retary for the Federal share of the Upper
18 Truckee River restoration programs and other
19 watershed restoration programs identified in
20 the Priority List established under section 5(b);
21 and

22 “(D) for grants by the Administrator to
23 carry out the programs described in subpara-
24 graph (C).

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

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

8 The Lake Tahoe Restoration Act (Public Law 106–
9 506; 114 Stat. 2351) is amended by striking section 6
10 and inserting the following:

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

12 “(a) PROGRAM PERFORMANCE AND ACCOUNT-
13 ABILITY.—

14 “(1) IN GENERAL.—Of the amounts made
15 available under section 10(a), not less than
16 \$5,000,000 shall be made available to the Secretary
17 to carry out this section.

18 “(2) PLANNING AGENCY.—Of the amounts de-
19 scribed in paragraph (1), not less than 50 percent
20 shall be made available to the Planning Agency to
21 carry out the program oversight and coordination
22 activities established under subsection (d).

23 “(b) CONSULTATION.—In carrying out this Act, the
24 Secretary, the Administrator, and the Directors shall, as
25 appropriate and in a timely manner, consult with the

1 heads of the Washoe Tribe, applicable Federal, State, re-
2 gional, and local governmental agencies, and the Lake
3 Tahoe Federal Advisory Committee.

4 “(c) CORPS OF ENGINEERS; INTERAGENCY AGREE-
5 MENTS.—

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

13 “(2) LOCAL COOPERATION AGREEMENTS.—

14 “(A) IN GENERAL.—Before providing tech-
15 nical assistance under this section, the Assist-
16 ant Secretary shall enter into a local coopera-
17 tion agreement with a non-Federal interest to
18 provide for the technical assistance.

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

21 “(i) describe the nature of the tech-
22 nical assistance;

23 “(ii) describe any legal and institu-
24 tional structures necessary to ensure the

1 effective long-term viability of the end
2 products by the non-Federal interest; and

3 “(iii) include cost-sharing provisions
4 in accordance with subparagraph (C).

5 “(C) FEDERAL SHARE.—

6 “(i) IN GENERAL.—The Federal share
7 of program costs under each local coopera-
8 tion agreement under this paragraph shall
9 be 65 percent.

10 “(ii) FORM.—The Federal share may
11 be in the form of reimbursements of pro-
12 gram costs.

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

20 “(d) EFFECTIVENESS EVALUATION AND MONI-
21 TORING.—In carrying out this Act, the Secretary, the Ad-
22 ministrator, and the Directors, in coordination with the
23 Planning Agency and the States of California and Nevada,
24 shall—

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

5 “(2) include funds in each program funded
6 under this section for monitoring and assessment of
7 results at the program level; and

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

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

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

21 “(A) the program scope;

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

23 “(C) the justification for the program, con-
24 sistent with the criteria established in section
25 5(b)(2);

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

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

8 “(4) public education and outreach efforts un-
9 dertaken to implement programs authorized under
10 this Act.

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

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

23 “(2) a detailed accounting of all amounts re-
24 ceived and obligated by Federal agencies to achieve

1 the goals of the Environmental Improvement Pro-
2 gram during the preceding fiscal year; and

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

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

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

12 (1) by striking sections 8 and 9;

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

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

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

25 (c) TREATMENT OF LAKE TAHOE REGION.—

1 (1) TREATMENT OF LAKE TAHOE REGION
2 UNDER TITLE 23, UNITED STATES CODE.—Section
3 134 of title 23, United States Code, is amended by
4 adding at the end the following:

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

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

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

13 “(A) a metropolitan planning organization;

14 “(B) a transportation management area
15 under subsection (k); and

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

20 “(3) SUBALLOCATED FUNDING.—In deter-
21 mining the amount that shall be obligated for a fis-
22 cal year for each of the States of California and Ne-
23 vada under section 133(d)(1)(A) and section
24 213(c)(1)(A), the Secretary shall—

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

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

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

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

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

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

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

1 “(A) a metropolitan planning organization;

2 “(B) a transportation management area
3 under subsection (k); and

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

10 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

11 The Lake Tahoe Restoration Act (Public Law 106–
12 506; 114 Stat. 2351) is amended by striking section 10
13 (as redesignated by section 7(a)(2)) and inserting the fol-
14 lowing:

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

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

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

24 “(1) shall be in addition to any other amounts
25 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, the Environmental Pro-
5 tection Agency, or the United States Fish and Wild-
6 life Service.

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

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

17 “(1) environmental restoration programs under
18 sections 5 and 6; and

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

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

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

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

3 “(B) this Act; and

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

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

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

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

13 “(b) ADMINISTRATION OF ACQUIRED LAND.—

14 “(1) IN GENERAL.—Land”; and

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

16 “(2) CALIFORNIA CONVEYANCES.—

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

24 “(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).”.

○