

S 432

Lake Tahoe Restoration Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Water Resources Development

Introduced: Mar 2, 2011

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Sponsor

Name: Sen. Feinstein, Dianne [D-CA]

Party: Democratic • **State:** CA • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Boxer, Barbara [D-CA]	D · CA		Mar 2, 2011
Sen. Ensign, John [R-NV]	R · NV		Mar 2, 2011
Sen. Reid, Harry [D-NV]	D · NV		Mar 2, 2011
Sen. Heller, Dean [R-NV]	R · NV		Jul 24, 2012

Committee Activity

Committee	Chamber	Activity	Date
Environment and Public Works Committee	Senate	Reported By	Feb 7, 2012

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

No related bills are listed.

Lake Tahoe Restoration Act of 2011 - Reauthorizes the Lake Tahoe Restoration Act.

(Sec. 2) Restates the findings and purposes of such Act. Sets forth as its purposes to: (1) enable the Chief of the Forest Service, the Director of the U.S. Fish and Wildlife Service, and the Administrator of the Environmental Protection Agency (EPA) to fund, plan, and implement significant new environmental restoration activities and forest management activities to address specified watershed issues in the Lake Tahoe Basin; (2) ensure that governmental and private entities continue to work together to manage land in the Basin and to coordinate on activities in a manner that supports achievement and maintenance of the environmental threshold carrying capacities for the region and other applicable environmental standards and objectives; (3) support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and (4) ensure that agency and science community representatives in the Basin work together to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program (EIP) and to provide objective information as a basis for ongoing decision making related to land use and resource management in the Basin.

(Sec. 4) Requires the Lake Tahoe Basin Management Unit to: (1) manage vehicular parking and traffic in the Unit with priority given to improving public access to the Basin, coordinating with the Nevada Department of Transportation, Caltrans, state parks and other entities along Nevada highway 28 and California Highway 89, and providing support to local public transit systems in the management and operations of activities under such Act; and (2) support the attainment of the environmental threshold carrying capacities.

Authorizes the Secretary of Agriculture (USDA), acting through the Chief of the U.S. Forest Service, to enter into a contract or agreement with the Department of Transportation (DOT) to secure operating and capital funds from the National Forest Transit Program.

Requires the Secretary, acting through the Chief, to: (1) conduct forest management activities in the Basin in a manner that helps achieve and maintain the environmental threshold carrying capacities established by the Tahoe Regional Planning Agency (TRPA) and attains multiple ecosystem benefits, unless the attainment of such benefits would excessively increase project costs in relation to the additional benefits gained; (2) establish post-project ground condition criteria for ground disturbance caused by forest management activities; and (3) provide for monitoring to ascertain the attainment of such conditions.

Withdraws federal land located in the Unit from: (1) all forms of entry, appropriation, or disposal under the public land laws; (2) location, entry, and patent under the mining laws; and (3) disposition under all laws relating to mineral and geothermal leasing. Exempts from such withdrawal a land exchange that is carried out under the Lake Tahoe Restoration Act or the Santini-Burton Act.

Authorizes the Secretary, in conjunction with land adjustment projects or programs and during the four fiscal years following this Act's enactment, to enter into contracts and cooperative agreements with entities to provide for fuel reduction, erosion control, reforestation, Stream Environmental Zone restoration, and similar management activities on land within such projects or programs.

Requires the Secretary to report to Congress within two years on the management of land in the Lake Tahoe Basin Management Unit Urban Lots Program.

(Sec. 5) Revises consultation requirements by requiring the Secretary, the Administrator, and the Director to consult with the heads of the Washoe Tribe, governmental agencies, and the Lake Tahoe Federal Advisory Committee (currently TRPA, the Tahoe Federal Interagency Partnership, the Lake Tahoe Basin Federal Advisory Committee, representatives of the Unit, and the Lake Tahoe Transportation and Water Quality Coalition).

(Sec. 6) Authorizes the Secretary, the Director, and the Administrator to implement or provide financial assistance for stormwater and watershed restoration projects, wildfire prevention and fire restoration projects, multiple benefit fuels projects, the Aquatic Invasive Species Program, the Lahontan Cutthroat Trout Recovery Program, the Lake Tahoe Basin Program, and projects included in the prioritized list that have been subject to environmental review and approval under federal and state law and the Tahoe Regional Planning Compact. Authorizes funding for such projects.

(Sec. 7) Requires the Chair of the Lake Tahoe Federal Interagency Partnership to submit to Congress by February 15 of the year after this Act's enactment a prioritized list of all EIP projects for the Basin. Requires the priority of projects included on the list to be based on the best available science and on specified criteria, including the potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities and the ability to provide multiple benefits and leverage non-federal contributions. Requires the Chair to give preference to projects that benefit existing neighborhoods in the Basin that are at or below regional median income levels. Requires the list to be revised every four years or on a finding of compelling need justifying a priority shift.

Requires the Director, within 60 days of this Act's enactment, to deploy strategies that meet or exceed specified criteria for preventing the introduction of aquatic invasive species into the Basin and that apply to all watercraft to be launched on water within the Basin. Authorizes the Director to certify state agencies to perform decontamination activities at locations outside the Basin if standards at the sites meet or exceed standards for similar sites in the Basin. Authorizes the strategies and criteria to be modified if the Secretary of the Interior issues a determination that alternative measures will be no less effective at preventing the introduction of aquatic invasive species into Lake Tahoe. Authorizes the Director to collect and spend fees for decontamination only at a level sufficient to cover the costs of operation of inspection and decontamination stations. Sets forth civil penalties for launching watercraft not in compliance with such strategies.

Provides that this Act does not restrict, affect, or amend any other law or the authority of any U.S. instrumentality or any state or political subdivisions with respect to the control of invasive species.

Authorizes the Assistant Secretary of the Army for Civil Works to enter into interagency agreements with nonfederal interests in the Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for EIP.

Requires the Administrator to implement a Lake Tahoe Basin Program that includes: (1) developing and updating an integrated multiagency programmatic assessment and monitoring plan to evaluate the effectiveness of EIP and the status and trends of indicators related to environmental threshold carrying capacities and to assess the impacts and risks of changing water temperature and precipitation and invasive species; (2) producing and synthesizing scientific information necessary for the identification and refinement of environmental indicators for the Basin and the evaluation of standards and benchmarks; (3) conducting applied research, programmatic technical assessments, scientific data management, analysis, and reporting related to key management questions; (4) developing new tools and information to support objective assessments for land use and resource conditions; (5) providing support to governments in reducing pollutants that contribute to the loss of lake clarity and implementing an integrated stormwater monitoring assessment program; and (6) providing support for the development of management strategies to accommodate changing water temperature and precipitation in the Basin.

Requires the Secretary, Administrator, and Director to conduct public education and outreach programs, including encouraging: (1) owners of land and residences in the Basin to implement defensible space and conduct best management practices for water quality, and (2) such owners and visitors to the Basin to help prevent the introduction and proliferation of invasive species as part of the private share investment in EIP.

Requires the Administrator to report to Congress on the status of projects authorized by this Act, expenditures to implement EIP and projects authorized under this Act, accomplishments in implementing this Act, and public education and outreach efforts undertaken to implement programs and projects authorized under this Act.

Requires the President, as part of the annual budget, to submit information regarding each federal agency involved in EIP.

Authorizes the Administrator to provide a grant to develop a Basin watershed strategy.

Authorizes appropriations for such Act for a period of ten fiscal years beginning the first fiscal year after enactment of this Act.

Authorizes the Secretary to delegate monitoring and enforcement duties relating to a conservation easement under such Act to a conservation agency of a local government or an Indian tribe, the Tahoe Regional Planning Agency, and an eligible conservation organization by transferring title of ownership to an easement to such entity to hold and enforce.

Actions Timeline

- **Feb 7, 2012:** Committee on Environment and Public Works. Reported by Senator Boxer with amendments. With written report No. 112-148.
- **Feb 7, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 317.
- **Dec 8, 2011:** Committee on Environment and Public Works. Ordered to be reported with an amendment favorably.
- **Mar 2, 2011:** Introduced in Senate
- **Mar 2, 2011:** Sponsor introductory remarks on measure. (CR S1121-1123)
- **Mar 2, 2011:** Read twice and referred to the Committee on Environment and Public Works. (text of measure as introduced: CR S1123-1128)