

Lake Tahoe Restoration Act

[Public Law 106–506]

[As Amended Through P.L. 118–94, Enacted October 1, 2024]

【Currency: This publication is a compilation of the text of Public Law 106–506. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To promote environmental restoration around the Lake Tahoe basin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Lake Tahoe Restoration Act”.

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds that—

(1) Lake Tahoe—

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

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

(C) is recognized nationally and worldwide as a natural resource of special significance;

(2) in addition to being a scenic and ecological treasure, the Lake Tahoe Basin is one of the outstanding recreational resources of the United States, which—

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

(B) contributes significantly to the economies of California, Nevada, and the United States;

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

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

(5) the alteration of wetland, wet meadows, and stream zone habitat have compromised the capacity of the watershed to filter sediment, nutrients, and pollutants before reaching Lake Tahoe;

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

(A) high tree density and mortality;

(B) the loss of biological diversity; and

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

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

(8) there is an ongoing threat to the economy and ecosystem of the Lake Tahoe Basin of the introduction and establishment of other invasive species (such as yellow starthistle, New Zealand mud snail, Zebra mussel, and quagga mussel);

(9) 78 percent of the land in the Lake Tahoe Basin is administered by the Federal Government, which makes it a Federal responsibility to restore ecological health to the Lake Tahoe Basin;

(10) the Federal Government has a long history of environmental stewardship at Lake Tahoe, including—

(A) congressional consent to the establishment of the Planning Agency with—

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

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

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

(C) the enactment of Public Law 96–586 (94 Stat. 3381) in 1980 to provide for the acquisition of environmentally sensitive land and erosion control grants in the Lake Tahoe Basin;

(D) the enactment of sections 341 and 342 of the Department of the Interior and Related Agencies Appropriations Act, 2004 (Public Law 108–108; 117 Stat. 1317), which amended the Southern Nevada Public Land Management Act of 1998 (Public Law 105–263; 112 Stat. 2346) to provide payments for the environmental restoration programs under this Act; and

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

(11) the Assistant Secretary was an original signatory in 1997 to the Agreement of Federal Departments on Protection of the Environment and Economic Health of the Lake Tahoe Basin;

(12) the Chief of Engineers, under direction from the Assistant Secretary, has continued to be a significant contributor to Lake Tahoe Basin restoration, including—

- (A) stream and wetland restoration; and
- (B) programmatic technical assistance;
- (13) at the Lake Tahoe Presidential Forum in 1997, the President renewed the commitment of the Federal Government to Lake Tahoe by—
 - (A) committing to increased Federal resources for ecological restoration at Lake Tahoe; and
 - (B) establishing the Federal Interagency Partnership and Federal Advisory Committee to consult on natural resources issues concerning the Lake Tahoe Basin;
- (14) at the 2011 and 2012 Lake Tahoe Forums, Senator Reid, Senator Feinstein, Senator Heller, Senator Ensign, Governor Gibbons, Governor Sandoval, and Governor Brown—
 - (A) renewed their commitment to Lake Tahoe; and
 - (B) expressed their desire to fund the Federal and State shares of the Environmental Improvement Program through 2022;
- (15) since 1997, the Federal Government, the States of California and Nevada, units of local government, and the private sector have contributed more than \$1,955,500,000 to the Lake Tahoe Basin, including—
 - (A) \$635,400,000 from the Federal Government;
 - (B) \$758,600,000 from the State of California;
 - (C) \$123,700,000 from the State of Nevada;
 - (D) \$98,900,000 from units of local government; and
 - (E) \$338,900,000 from private interests;
- (16) significant additional investment from Federal, State, local, and private sources is necessary—
 - (A) to restore and sustain the ecological health of the Lake Tahoe Basin;
 - (B) to adapt to the impacts of fluctuating water temperature and precipitation; and
 - (C) to prevent the introduction and establishment of invasive species in the Lake Tahoe Basin; and
- (17) the Secretary has indicated that the Lake Tahoe Basin Management Unit has the capacity for at least \$10,000,000 annually for the Fire Risk Reduction and Forest Management Program.
- (b) PURPOSES.—The purposes of this Act are—
 - (1) to enable the Chief of the Forest Service, the Director of the United States Fish and Wildlife Service, and the Administrator, in cooperation with the Planning Agency and the States of California and Nevada, to fund, plan, and implement significant new environmental restoration activities and forest management activities in the Lake Tahoe Basin;
 - (2) to ensure that Federal, State, local, regional, tribal, and private entities continue to work together to manage land in the Lake Tahoe Basin;
 - (3) to support local governments in efforts related to environmental restoration, stormwater pollution control, fire risk reduction, and forest management activities; and
 - (4) to ensure that agency and science community representatives in the Lake Tahoe Basin work together—

(A) to develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program; and

(B) to provide objective information as a basis for ongoing decisionmaking, with an emphasis on decision-making relating to resource management in the Lake Tahoe Basin.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(2) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of the Army for Civil Works.

(3) CHAIR.—The term “Chair” means the Chair of the Federal Partnership.

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

(5) DIRECTORS.—The term “Directors” means—

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

(B) the Director of the United States Geological Survey.

(6) ENVIRONMENTAL IMPROVEMENT PROGRAM.—The term “Environmental Improvement Program” means—

(A) the Environmental Improvement Program adopted by the Planning Agency; and

(B) any amendments to the Program.

(7) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The term “environmental threshold carrying capacity” has the meaning given the term in Article II of the Compact.

(8) FEDERAL PARTNERSHIP.—The term “Federal Partnership” means the Lake Tahoe Federal Interagency Partnership established by Executive Order 13057 (62 Fed. Reg. 41249) (or a successor Executive order).

(9) FOREST MANAGEMENT ACTIVITY.—The term “forest management activity” includes—

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

(B) mechanical and minimum tool treatment;

(C) stream environment zone restoration and other watershed and wildlife habitat enhancements;

(D) nonnative invasive species management; and

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

(10) MAPS.—The term “Maps” means the maps—

(A) entitled—

(i) “LTRA USFS–CA Land Exchange/North Shore”;

(ii) “LTRA USFS–CA Land Exchange/West Shore”;

and

(iii) “LTRA USFS–CA Land Exchange/South Shore”; and

(B) dated January 4, 2016, and on file and available for public inspection in the appropriate offices of—

(i) the Forest Service;

(ii) the California Tahoe Conservancy; and

(iii) the California Department of Parks and Recreation.

(11) NATIONAL WILDLAND FIRE CODE.—The term “national wildland fire code” means—

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

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

(C) any other code that the Secretary determines provides the same, or better, standards for protection against wildland fire as a code described in subparagraph (A) or (B).

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

(13) PRIORITY LIST.—The term “Priority List” means the environmental restoration priority list developed under section 5(b).

(14) SECRETARY.—The term “Secretary” means the Secretary of Agriculture, acting through the Chief of the Forest Service.

(15) STREAM ENVIRONMENT ZONE.—The term “Stream Environment Zone” means an area that generally owes the biological and physical characteristics of the area to the presence of surface water or groundwater.

(16) TOTAL MAXIMUM DAILY LOAD.—The term “total maximum daily load” means the total maximum daily load allocations adopted under section 303(d) of the Federal Water Pollution Control Act (33 U.S.C. 1313(d)).

(17) WATERCRAFT.—The term “watercraft” means motorized and non-motorized watercraft, including boats, seaplanes, personal watercraft, kayaks, and canoes.

SEC. 4. ADMINISTRATION OF THE LAKE TAHOE BASIN MANAGEMENT UNIT.

(a) IN GENERAL.—The Lake Tahoe Basin Management Unit shall be administered by the Secretary in accordance with this Act and the laws applicable to the National Forest System.

(b) RELATIONSHIP TO OTHER AUTHORITY.—

(1) PRIVATE OR NON-FEDERAL LAND.—Nothing in this Act grants regulatory authority to the Secretary over private or other non-Federal land.

(2) PLANNING AGENCY.—Nothing in this Act affects or increases the authority of the Planning Agency.

(3) ACQUISITION UNDER OTHER LAW.—Nothing in this Act affects the authority of the Secretary to acquire land from willing sellers in the Lake Tahoe Basin under any other law.

(c) FOREST MANAGEMENT ACTIVITIES.—

(1) COORDINATION.—

(A) IN GENERAL.—In conducting forest management activities in the Lake Tahoe Basin Management Unit, the Secretary shall, as appropriate, coordinate with the Administrator and State and local agencies and organizations, including local fire departments and volunteer groups.

(B) GOALS.—The coordination of activities under subparagraph (A) should aim to increase efficiencies and maximize the compatibility of management practices across public property boundaries.

(2) MULTIPLE BENEFITS.—

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

(i) except as provided in subparagraph (B), attains multiple ecosystem benefits, including—

(I) reducing forest fuels;

(II) maintaining biological diversity;

(III) improving wetland and water quality, including in Stream Environment Zones; and

(IV) increasing resilience to changing water temperature and precipitation; and

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

(B) EXCEPTION.—Notwithstanding subparagraph (A)(i), the attainment of multiple ecosystem benefits shall not be required if the Secretary determines that management for multiple ecosystem benefits would excessively increase the cost of a program in relation to the additional ecosystem benefits gained from the management activity.

(3) GROUND DISTURBANCE.—Consistent with applicable Federal law and Lake Tahoe Basin Management Unit land and resource management plan direction, the Secretary shall—

(A) establish post-program ground condition criteria for ground disturbance caused by forest management activities; and

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

(4) AVAILABILITY OF CATEGORICAL EXCLUSION FOR CERTAIN FOREST MANAGEMENT PROJECTS.—A forest management activity conducted in the Lake Tahoe Basin Management Unit for the purpose of reducing forest fuels is categorically excluded from the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) if the forest management activity—

(A) notwithstanding section 423 of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2009 (division E of Public Law 111–8; 123

Stat. 748), does not exceed 10,000 acres, including not more than 3,000 acres of mechanical thinning;

(B) is developed—

(i) in coordination with impacted parties, specifically including representatives of local governments, such as county supervisors or county commissioners; and

(ii) in consultation with other interested parties; and

(C) is consistent with the Lake Tahoe Basin Management Unit land and resource management plan.

(d) WITHDRAWAL OF FEDERAL LAND.—

(1) IN GENERAL Subject to valid existing rights and paragraph (2), the Federal land located in the Lake Tahoe Basin Management Unit is withdrawn from—

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

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

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

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

(A) this Act; or

(B) Public Law 96–586 (94 Stat. 3381) (commonly known as the “Santini-Burton Act”).

(e) ENVIRONMENTAL THRESHOLD CARRYING CAPACITY.—The Lake Tahoe Basin Management Unit shall support the attainment of the environmental threshold carrying capacities.

(f) COOPERATIVE AUTHORITIES.—During the period beginning on the date of enactment of this subsection and ending on the date described in section 10(a), the Secretary, in conjunction with land adjustment programs, may enter into contracts and cooperative agreements with States, units of local government, and other public and private entities to provide for fuel reduction, erosion control, reforestation, Stream Environment Zone restoration, and similar management activities on Federal land and non-Federal land within the programs.

SEC. 5. AUTHORIZED PROGRAMS.

(a) IN GENERAL.—The Secretary, the Assistant Secretary, the Directors, and the Administrator, in coordination with the Planning Agency and the States of California and Nevada, may carry out or provide financial assistance to any program that—

(1) is described in subsection (d);

(2) is included in the Priority List under subsection (b);

and

(3) furthers the purposes of the Environmental Improvement Program if the program has been subject to environmental review and approval, respectively, as required under Federal law, Article VII of the Compact, and State law, as applicable.

(b) PRIORITY LIST.—

(1) DEADLINE.—Not later than March 15 of the year after the date of enactment of the Water Resources Development Act of 2016, the Chair, in consultation with the Secretary, the Administrator, the Directors, the Planning Agency, the States of California and Nevada, the Federal Partnership, the Washoe Tribe, the Lake Tahoe Federal Advisory Committee, and the Tahoe Science Consortium (or a successor organization) shall submit to Congress a prioritized Environmental Improvement Program list for the Lake Tahoe Basin for the program categories described in subsection (d).

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

(A) The 4-year threshold carrying capacity evaluation.

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

(C) The potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities identified in Article II of the Compact.

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

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

(F) Stakeholder support for the program.

(G) The justification of Federal interest.

(H) Agency priority.

(I) Agency capacity.

(J) Cost-effectiveness.

(K) Federal funding history.

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

(4) FUNDING.—Of the amounts made available under section 10(a), \$80,000,000 shall be made available to the Secretary to carry out projects listed on the Priority List.

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

(d) DESCRIPTION OF ACTIVITIES.—

(1) FIRE RISK REDUCTION AND FOREST MANAGEMENT.—

(A) IN GENERAL.—Of the amounts made available under section 10(a), \$150,000,000 shall be made available to the Secretary to carry out, including by making grants, the following programs:

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

(ii) Competitive grants for fuels work to be awarded by the Secretary to communities that have adopted national wildland fire codes to implement the applicable portion of the 10-year plan described in clause (i).

(iii) Biomass programs, including feasibility assessments.

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

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

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

(vii) Development of updated community wildfire protection plans by local fire districts.

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

(ix) Stewardship end result contracting projects carried out under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c).

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

(C) PRIORITY.—Units of local government that have dedicated funding for inspections and enforcement of defensible space regulations shall be given priority for amounts provided under this paragraph.

(D) COST-SHARING REQUIREMENTS.—

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

(ii) FORM OF NON-FEDERAL SHARE.—

(I) IN GENERAL.—The non-Federal share required under clause (i) may be in the form of cash contributions or in-kind contributions, including providing labor, equipment, supplies, space, and other operational needs.

(II) CREDIT FOR CERTAIN DEDICATED FUNDING.—There shall be credited toward the non-Federal share required under clause (i) any dedicated funding of the communities or local fire districts for a fuels reduction management program, defensible space inspections, or dooryard chipping.

(III) DOCUMENTATION.—Communities and local fire districts shall—

(aa) maintain a record of in-kind contributions that describes—

(AA) the monetary value of the in-kind contributions; and

(BB) the manner in which the in-kind contributions assist in accomplishing program goals and objectives; and

(bb) document in all requests for Federal funding, and include in the total program budget, evidence of the commitment to provide the non-Federal share through in-kind contributions.

(2) INVASIVE SPECIES MANAGEMENT.—

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

(B) DESCRIPTION OF ACTIVITIES.—The Director of the United States Fish and Wildlife Service, in coordination with the Assistant Secretary, the Planning Agency, the California Department of Fish and Wildlife, and the Nevada Department of Wildlife, shall deploy strategies consistent with the Lake Tahoe Aquatic Invasive Species Management Plan to prevent the introduction or spread of aquatic invasive species in the Lake Tahoe region.

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

(i) combined inspection and decontamination stations be established and operated at not less than 2 locations in the Lake Tahoe region; and

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

(D) CERTIFICATION.—The Planning Agency may certify State and local agencies to perform the decontamination activities described in subparagraph (C)(i) at locations outside the Lake Tahoe Basin if standards at the sites meet or exceed standards for similar sites in the Lake Tahoe Basin established under this paragraph.

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

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

(G) CIVIL PENALTIES.—

(i) IN GENERAL.—Any person that launches, attempts to launch, or facilitates launching of watercraft not in compliance with strategies deployed under this paragraph shall be liable for a civil penalty in an amount not to exceed \$1,000 per violation.

(ii) OTHER AUTHORITIES.—Any penalties assessed under this subparagraph shall be separate from penalties assessed under any other authority.

(H) LIMITATION.—The strategies and criteria under subparagraphs (B) and (C), respectively, may be modified if the Secretary of the Interior, in a nondelegable capacity and in consultation with the Planning Agency and State governments, issues a determination that alternative measures will be no less effective at preventing introduction of aquatic invasive species into Lake Tahoe than the

strategies and criteria developed under subparagraphs (B) and (C), respectively.

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

(J) SAVINGS CLAUSE.—Nothing in this title restricts, affects, or amends any other law or the authority of any department, instrumentality, or agency of the United States, or any State or political subdivision thereof, respecting the control of invasive species.

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

(A) to the Secretary, the Secretary of the Interior, the Assistant Secretary, or the Administrator for the Federal share of stormwater management and related programs consistent with the adopted Total Maximum Daily Load and near-shore water quality goals;

(B) for grants by the Secretary and the Administrator to carry out the programs described in subparagraph (A);

(C) to the Secretary or the Assistant Secretary for the Federal share of the Upper Truckee River restoration programs and other watershed restoration programs identified in the Priority List established under section 5(b); and

(D) for grants by the Administrator to carry out the programs described in subparagraph (C).

(4) SPECIAL STATUS SPECIES MANAGEMENT.—Of the amounts made available under section 10(a), \$20,000,000 shall be made available to the Director of the United States Fish and Wildlife Service for the Lahontan Cutthroat Trout Recovery Program.

SEC. 6. PROGRAM PERFORMANCE AND ACCOUNTABILITY.

(a) PROGRAM PERFORMANCE AND ACCOUNTABILITY.—

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

(2) PLANNING AGENCY.—Of the amounts described in paragraph (1), not less than 50 percent shall be made available to the Planning Agency to carry out the program oversight and coordination activities established under subsection (d).

(b) CONSULTATION.—In carrying out this Act, the Secretary, the Administrator, and the Directors shall, as appropriate and in a timely manner, consult with the heads of the Washoe Tribe, applicable Federal, State, regional, and local governmental agencies, and the Lake Tahoe Federal Advisory Committee.

(c) CORPS OF ENGINEERS; INTERAGENCY AGREEMENTS.—

(1) IN GENERAL.—The Assistant Secretary may enter into interagency agreements with non-Federal interests in the Lake Tahoe Basin to use Lake Tahoe Partnership-Miscellaneous General Investigations funds to provide programmatic technical assistance for the Environmental Improvement Program.

(2) LOCAL COOPERATION AGREEMENTS.—

- (A) IN GENERAL.—Before providing technical assistance under this section, the Assistant Secretary shall enter into a local cooperation agreement with a non-Federal interest to provide for the technical assistance.
- (B) COMPONENTS.—The agreement entered into under subparagraph (A) shall—
- (i) describe the nature of the technical assistance;
 - (ii) describe any legal and institutional structures necessary to ensure the effective long-term viability of the end products by the non-Federal interest; and
 - (iii) include cost-sharing provisions in accordance with subparagraph (C).
- (C) FEDERAL SHARE.—
- (i) IN GENERAL.—The Federal share of program costs under each local cooperation agreement under this paragraph shall be 65 percent.
 - (ii) FORM.—The Federal share may be in the form of reimbursements of program costs.
 - (iii) CREDIT.—The non-Federal interest may receive credit toward the non-Federal share for the reasonable costs of related technical activities completed by the non-Federal interest before entering into a local cooperation agreement with the Assistant Secretary under this paragraph.
- (d) EFFECTIVENESS EVALUATION AND MONITORING.—In carrying out this Act, the Secretary, the Administrator, and the Directors, in coordination with the Planning Agency and the States of California and Nevada, shall—
- (1) develop and implement a plan for integrated monitoring, assessment, and applied research to evaluate the effectiveness of the Environmental Improvement Program;
 - (2) include funds in each program funded under this section for monitoring and assessment of results at the program level; and
 - (3) use the integrated multiagency performance measures established under this section.
- (e) REPORTING REQUIREMENTS.—Not later than March 15 of each year, the Secretary, in cooperation with the Chair, the Administrator, the Directors, the Planning Agency, and the States of California and Nevada, consistent with subsection (a), shall submit to Congress a report that describes—
- (1) the status of all Federal, State, local, and private programs authorized under this Act, including to the maximum extent practicable, for programs that will receive Federal funds under this Act during the current or subsequent fiscal year—
 - (A) the program scope;
 - (B) the budget for the program; and
 - (C) the justification for the program, consistent with the criteria established in section 5(b)(2);
 - (2) Federal, State, local, and private expenditures in the preceding fiscal year to implement the Environmental Improvement Program;

(3) accomplishments in the preceding fiscal year in implementing this Act in accordance with the performance measures and other monitoring and assessment activities; and

(4) public education and outreach efforts undertaken to implement programs authorized under this Act.

(f) ANNUAL BUDGET PLAN.—As part of the annual budget of the President, the President shall submit information regarding each Federal agency involved in the Environmental Improvement Program (including the Forest Service, the Environmental Protection Agency, the United States Fish and Wildlife Service, the United States Geological Survey, and the Corps of Engineers), including—

(1) an interagency crosscut budget that displays the proposed budget for use by each Federal agency in carrying out restoration activities relating to the Environmental Improvement Program for the following fiscal year;

(2) a detailed accounting of all amounts received and obligated by Federal agencies to achieve the goals of the Environmental Improvement Program during the preceding fiscal year; and

(3) a description of the Federal role in the Environmental Improvement Program, including the specific role of each agency involved in the restoration of the Lake Tahoe Basin.

SEC. 7. ENVIRONMENTAL IMPROVEMENT PAYMENTS.

Section 2 of Public Law 96-586 (94 Stat. 3381) is amended by striking subsection (g) and inserting the following:

“(g) PAYMENTS TO LOCALITIES.

“(1) IN GENERAL. The Secretary of Agriculture shall, subject to the availability of appropriations, make annual payments to the governing bodies of each of the political subdivisions (including any public utility the service area of which includes any part of the Lake Tahoe basin), any portion of which is located in the area depicted on the final map filed under section 3(a).

“(2) USE OF PAYMENTS. Payments under this subsection may be used—

“(A) first, for erosion control and water quality projects; and

“(B) second, unless emergency projects arise, for projects to address other threshold categories after thresholds for water quality and soil conservation have been achieved and maintained.

“(3) ELIGIBILITY FOR PAYMENTS.

“(A) IN GENERAL. To be eligible for a payment under this subsection, a political subdivision shall annually submit a priority list of proposed projects to the Secretary of Agriculture.

“(B) COMPONENTS OF LIST. A priority list under subparagraph (A) shall include, for each proposed project listed—

“(i) a description of the need for the project;

“(ii) all projected costs and benefits; and

“(iii) a detailed budget.

“(C) USE OF PAYMENTS. A payment under this subsection shall be used only to carry out a project or proposed project that is part of the environmental improvement program adopted by the Tahoe Regional Planning Agency in February 1998 and amendments to the program.

“(D) FEDERAL OBLIGATION. All projects funded under this subsection shall be part of Federal obligation under the environmental improvement program.

“(4) DIVISION OF FUNDS.

“(A) IN GENERAL. The total amounts appropriated for payments under this subsection shall be allocated by the Secretary of Agriculture based on the relative need for and merits of projects proposed for payment under this section.

“(B) MINIMUM. To the maximum extent practicable, for each fiscal year, the Secretary of Agriculture shall ensure that each political subdivision in the Lake Tahoe basin receives amounts appropriated for payments under this subsection.

“(5) AUTHORIZATION OF APPROPRIATIONS. In addition to the amounts authorized to be appropriated to carry out section 6 of the Lake Tahoe Restoration Act, there is authorized to be appropriated for making payments under this subsection \$10,000,000 for the first fiscal year that begins after the date of the enactment of this paragraph and for each of the 9 fiscal years thereafter.”.

SEC. 8. AMENDMENT OF PUBLIC LAW 96-586.

Section 3(a) of Public Law 96-586 (94 Stat. 3383) is amended by adding at the end the following:

“(5) WILLING SELLERS. Land within the Lake Tahoe Basin Management Unit subject to acquisition under this section that is owned by a private person shall be acquired only from a willing seller.”.

SEC. 9. RELATIONSHIP TO OTHER LAWS.

Nothing in this Act exempts the Secretary, Director, or Administrator from the duty to comply with any applicable Federal law.

SEC. 10. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this Act \$415,000,000, to remain available until September 30, 2034.

(b) EFFECT ON OTHER FUNDS.—Amounts authorized under this section and any amendments made by this Act—

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

(2) shall not reduce allocations for other Regions of the Forest Service, the Environmental Protection Agency, or the United States Fish and Wildlife Service.

(c) COST-SHARING REQUIREMENT.—Except as provided in subsection (d) and section 5(d)(1)(D), funds for activities carried out under section 5 shall be available for obligation on a 1-to-1 basis with funding of restoration activities in the Lake Tahoe Basin by the States of California and Nevada.

(d) RELOCATION COSTS.—Notwithstanding subsection (c), the Secretary shall provide to local utility districts two-thirds of the costs of relocating facilities in connection with—

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

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

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

(1) provides information to the public on—

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

(B) this Act; and

(2) displays the visual identity mark of the Environmental Improvement Program.