

113TH CONGRESS
1ST SESSION

H. R. 3390

To provide for environmental restoration activities and forest management activities in the Lake Tahoe Basin, to amend title 18, United States Code, to prohibit the importation or shipment of quagga mussels, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 30, 2013

Mr. AMODEI (for himself, Mr. HECK of Nevada, Mr. HORSFORD, Ms. TITUS, and Mr. GARAMENDI) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and the Judiciary, 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, to amend title 18, United States Code, to prohibit the importation or shipment of quagga mussels, 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 2013”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Definitions.
- Sec. 4. Administration of the Lake Tahoe Basin Management Unit.
- Sec. 5. Consultation.
- Sec. 6. Authorized projects.
- Sec. 7. Environmental restoration priority list.
- Sec. 8. Relationship to other laws.
- Sec. 9. Authorization of appropriations.
- Sec. 10. Administration of acquired land.
- Sec. 11. Miscellaneous provisions.

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

4 The Lake Tahoe Restoration Act (Public Law 106–
 5 506; 114 Stat. 2351) is amended by striking section 2
 6 and inserting the following:

7 **“SEC. 2. FINDINGS AND PURPOSES.**

8 “(a) FINDINGS.—Congress finds that—

9 “(1) Lake Tahoe—

10 “(A) is 1 of the largest, deepest, and clear-
 11 est lakes in the world;

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

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

18 “(2) in addition to being a scenic and ecological
 19 treasure, the Lake Tahoe Basin is 1 of the out-

1 standing recreational resources of the United States,
2 which—

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

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

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

13 “(4) the Lake Tahoe Basin continues to be
14 threatened by the impacts of land use and transpor-
15 tation patterns developed in the last century that
16 damage the fragile watershed of the Basin;

17 “(5) the water clarity of Lake Tahoe declined
18 from a visibility level of 105 feet in 1967 to only 70
19 feet in 2008;

20 “(6) the rate of decline in water clarity of Lake
21 Tahoe has decreased in recent years;

22 “(7) a stable water clarity level for Lake Tahoe
23 could be achieved through feasible control measures
24 for very fine sediment particles and nutrients;

1 “(8) fine sediments that cloud Lake Tahoe, and
2 key nutrients such as phosphorus and nitrogen that
3 support the growth of algae and invasive plants, con-
4 tinue to flow into the lake from stormwater runoff
5 from developed areas, roads, turf, other disturbed
6 land, and streams;

7 “(9) the destruction and alteration of wetland,
8 wet meadows, and stream zone habitat have com-
9 promised the natural capacity of the watershed to
10 filter sediment, nutrients, and pollutants before
11 reaching Lake Tahoe;

12 “(10) approximately 25 percent of the trees in
13 the Lake Tahoe Basin are either dead or dying;

14 “(11) forests in the Tahoe Basin suffer from
15 over a century of fire suppression and periodic
16 drought, which have resulted in—

17 “(A) high tree density and mortality;

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

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

22 “(12) the establishment of several aquatic and
23 terrestrial invasive species (including perennial
24 pepperweed, milfoil, and Asian clam) threatens the
25 ecosystem of the Lake Tahoe Basin;

1 “(13) there is an ongoing threat to the Lake
2 Tahoe Basin of the introduction and establishment
3 of other invasive species (such as yellow starthistle,
4 New Zealand mud snail, and quagga mussel);

5 “(14) the report prepared by the University of
6 California, Davis, entitled the ‘State of the Lake Re-
7 port’, found that conditions in the Lake Tahoe
8 Basin had changed, including—

9 “(A) the average surface water tempera-
10 ture of Lake Tahoe has risen by more than 1.2
11 degrees Fahrenheit in the past 43 years;

12 “(B) since 1910, the percent of precipita-
13 tion that has fallen as snow in the Lake Tahoe
14 Basin decreased from 51 percent to 35.5 per-
15 cent; and

16 “(C) daily air temperatures have increased
17 by more than 4 degrees Fahrenheit and the
18 trend in daily maximum temperature has risen
19 by approximately 2 degrees Fahrenheit;

20 “(15) 75 percent of the land in the Lake Tahoe
21 Basin is owned by the Federal Government, which
22 makes it a Federal responsibility to restore environ-
23 mental health to the Basin;

1 “(16) the Federal Government has a long his-
2 tory of environmental preservation at Lake Tahoe,
3 including—

4 “(A) congressional consent to the estab-
5 lishment of the Tahoe Regional Planning Agen-
6 cy with—

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

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

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

13 “(C) the enactment of Public Law 96–586
14 (94 Stat. 3381) in 1980 to provide for the ac-
15 quisition of environmentally sensitive land and
16 erosion control grants in the Lake Tahoe Basin;

17 “(D) the enactment of sections 341 and
18 342 of the Department of the Interior and Re-
19 lated Agencies Appropriations Act, 2004 (Pub-
20 lic Law 108–108; 117 Stat. 1317), which
21 amended the Southern Nevada Public Land
22 Management Act of 1998 (Public Law 105–
23 263; 112 Stat. 2346) to provide payments for
24 the environmental restoration projects under
25 this Act; and

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

10 “(17) the Assistant Secretary of the Army for
11 Civil Works was an original signatory in 1997 to the
12 Agreement of Federal Departments on Protection of
13 the Environment and Economic Health of the Lake
14 Tahoe Basin;

15 “(18) the Chief of Engineers, under direction
16 from the Assistant Secretary of the Army for Civil
17 Works, has continued to be a significant contributor
18 to Lake Tahoe Basin restoration, including—

19 “(A) stream and wetland restoration;

20 “(B) urban stormwater conveyance and
21 treatment; and

22 “(C) programmatic technical assistance;

23 “(19) 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 environmental 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 “(20) 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 “(21) 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 \$1,620,000,000 to the Lake Tahoe
21 Basin, including—

22 “(A) \$521,100,000 from the Federal Gov-
23 ernment;

24 “(B) \$636,200,000 from the State of Cali-
25 fornia;

1 “(C) \$101,400,000 from the State of Ne-
2 vada;

3 “(D) \$68,200,000 from units of local gov-
4 ernment; and

5 “(E) \$299,600,000 from private interests;

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

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

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

13 “(C) to protect the Lake Tahoe Basin
14 from the introduction and establishment of
15 invasive species; and

16 “(23) the Secretary has indicated that the Lake
17 Tahoe Basin Management Unit has the capacity for
18 at least \$10,000,000 for the Fire Risk Reduction
19 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 of the Environmental
24 Protection Agency, in cooperation with the Planning
25 Agency and the States of California and Nevada, to

1 fund, plan, and implement significant new environ-
2 mental restoration activities and forest management
3 activities to address in the Lake Tahoe Basin the
4 issues described in paragraphs (4) through (14) of
5 subsection (a);

6 “(2) to ensure that Federal, State, local, re-
7 gional, tribal, and private entities continue to work
8 together to manage land in the Lake Tahoe Basin
9 and to coordinate on other activities in a manner
10 that supports achievement and maintenance of—

11 “(A) the environmental threshold carrying
12 capacities for the region; and

13 “(B) other applicable environmental stand-
14 ards and objectives;

15 “(3) to support local governments in efforts re-
16 lated to environmental restoration, stormwater pollu-
17 tion control, fire risk reduction, and forest manage-
18 ment activities; and

19 “(4) to ensure that agency and science commu-
20 nity representatives in the Lake Tahoe Basin work
21 together—

22 “(A) to develop and implement a plan for
23 integrated monitoring, assessment, and applied
24 research to evaluate the effectiveness of the En-
25 vironmental Improvement Program; and

1 “(B) to provide objective information as a
2 basis for ongoing decisionmaking, with an em-
3 phasis on decisionmaking relating to public and
4 private land use and resource management in
5 the Basin.”.

6 **SEC. 3. DEFINITIONS.**

7 The Lake Tahoe Restoration Act (Public Law 106–
8 506; 114 Stat. 2351) is amended by striking section 3
9 and inserting the following:

10 **“SEC. 3. DEFINITIONS.**

11 “In this Act:

12 “(1) ADMINISTRATOR.—The term ‘Adminis-
13 trator’ means the Administrator of the Environ-
14 mental Protection Agency.

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

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

20 “(4) COMPACT.—The term ‘Compact’ means
21 the Tahoe Regional Planning Compact included in
22 the first section of Public Law 96–551 (94 Stat.
23 3233).

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

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

3 “(B) the Director of the United States Ge-
4 ological Survey.

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

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

10 “(B) any amendments to the Program.

11 “(7) ENVIRONMENTAL THRESHOLD CARRYING
12 CAPACITY.—The term ‘environmental threshold car-
13 rying capacity’ has the meaning given the term in
14 article II of the compact.

15 “(8) FEDERAL PARTNERSHIP.—The term ‘Fed-
16 eral Partnership’ means the Lake Tahoe Federal
17 Interagency Partnership established by Executive
18 Order 13957 (62 Fed. Reg. 41249) (or a successor
19 Executive order).

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

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

24 “(B) mechanical and minimum tool treat-
25 ment;

1 “(C) road decommissioning or reconstruc-
2 tion;

3 “(D) stream environment zone restoration
4 and other watershed and wildlife habitat en-
5 hancements;

6 “(E) nonnative invasive species manage-
7 ment; and

8 “(F) other activities consistent with Forest
9 Service practices, as the Secretary determines
10 to be appropriate.

11 “(10) MAPS.—The term ‘Maps’ means the
12 maps—

13 “(A) entitled—

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

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

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

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

23 “(i) the Forest Service;

24 “(ii) the California Tahoe Conser-
25 vancy; and

1 “(iii) the California Department of
2 Parks and Recreation.

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

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

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

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

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

19 “(13) PRIORITY LIST.—The term ‘Priority List’
20 means the environmental restoration priority list de-
21 veloped under section 8.

22 “(14) SECRETARY.—The term ‘Secretary’
23 means the Secretary of Agriculture, acting through
24 the Chief of the Forest Service.

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

6 “(16) TOTAL MAXIMUM DAILY LOAD.—The
 7 term ‘total maximum daily load’ means the total
 8 maximum daily load allocations established under
 9 section 303(d) of the Federal Water Pollution Con-
 10 trol Act (33 U.S.C. 1313(d)).

11 “(17) WATERCRAFT.—The term ‘watercraft’
 12 means motorized and non-motorized watercraft, in-
 13 cluding boats, seaplanes, personal watercraft,
 14 kayaks, and canoes.”.

15 **SEC. 4. ADMINISTRATION OF THE LAKE TAHOE BASIN MAN-**
 16 **AGEMENT UNIT.**

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

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

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

22 “(c) TRANSIT.—

23 “(1) IN GENERAL.—The Lake Tahoe Basin
 24 Management Unit shall, consistent with the regional
 25 transportation plan adopted by the Planning Agen-

1 cy, manage vehicular parking and traffic in the Lake
2 Tahoe Basin Management Unit, with priority
3 given—

4 “(A) to improving public access to the
5 Lake Tahoe Basin, including the prioritization
6 of alternatives to the private automobile, con-
7 sistent with the requirements of the Compact;

8 “(B) to coordinating with the Nevada De-
9 partment of Transportation, Caltrans, State
10 parks, and other entities along Nevada High-
11 way 28 and California Highway 89; and

12 “(C) to providing support and assistance
13 to local public transit systems in the manage-
14 ment and operations of activities under this
15 subsection.

16 “(2) NATIONAL FOREST TRANSIT PROGRAM.—
17 Consistent with the support and assistance provided
18 under paragraph (1)(C), the Secretary, in consulta-
19 tion with the Secretary of Transportation, may enter
20 into a contract, cooperative agreement, interagency
21 agreement, or other agreement with the Department
22 of Transportation to secure operating and capital
23 funds from the National Forest Transit Program.

24 “(d) FOREST MANAGEMENT ACTIVITIES.—

25 “(1) COORDINATION.—

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

8 “(B) GOALS.—The coordination of activi-
9 ties under subparagraph (A) should aim to in-
10 crease efficiencies and maximize the compat-
11 ibility of management practices across public
12 property boundaries.

13 “(2) MULTIPLE BENEFITS.—

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

18 “(i) except as provided in subpara-
19 graph (B), attains multiple ecosystem ben-
20 efits, including—

21 “(I) reducing forest fuels;

22 “(II) maintaining or restoring bi-
23 ological diversity;

1 “(III) improving wetland and
2 water quality, including in Stream
3 Environment Zones; and

4 “(IV) increasing resilience to
5 changing water temperature and pre-
6 cipitation; and

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

10 “(B) EXCEPTION.—Notwithstanding
11 clause (A)(i), the attainment of multiple eco-
12 system benefits shall not be required if the Sec-
13 retary determines that management for mul-
14 tiple ecosystem benefits would excessively in-
15 crease the cost of a project in relation to the
16 additional ecosystem benefits gained from the
17 management activity.

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

22 “(A) establish post-project ground condi-
23 tion criteria for ground disturbance caused by
24 forest management activities; and

1 “(B) provide for monitoring to ascertain
2 the attainment of the post-project conditions.

3 “(e) WITHDRAWAL OF FEDERAL LAND.—

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

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

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

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

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

17 “(A) this Act; or

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

20 “(f) ENVIRONMENTAL THRESHOLD CARRYING CA-
21 PACITY.—The Lake Tahoe Basin Management Unit shall
22 support the attainment of the environmental threshold
23 carrying capacities.

24 “(g) COOPERATIVE AUTHORITIES.—During the 4 fis-
25 cal years following the date of enactment of the Lake

1 Tahoe Restoration Act of 2013, the Secretary, in conjunc-
2 tion with land adjustment projects or programs, may enter
3 into contracts and cooperative agreements with States,
4 units of local government, and other public and private
5 entities to provide for fuel reduction, erosion control, re-
6 forestation, Stream Environment Zone restoration, and
7 similar management activities on Federal land and non-
8 Federal land within the projects or programs.”.

9 **SEC. 5. CONSULTATION.**

10 The Lake Tahoe Restoration Act (Public Law 106–
11 506; 114 Stat. 2351) is amended by striking section 5
12 and inserting the following:

13 **“SEC. 5. CONSULTATION.**

14 “In carrying out this Act, the Secretary, the Adminis-
15 trator, and the Directors shall, as appropriate and in a
16 timely manner, consult with the heads of the Washoe
17 Tribe, applicable Federal, State, regional, and local gov-
18 ernmental agencies, and the Lake Tahoe Federal Advisory
19 Committee.”.

20 **SEC. 6. AUTHORIZED PROJECTS.**

21 The Lake Tahoe Restoration Act (Public Law 106–
22 506; 114 Stat. 2351) is amended by striking section 6
23 and inserting the following:

1 **“SEC. 6. AUTHORIZED PROJECTS.**

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

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

8 “(2) is included in the Priority List under sec-
9 tion 8; and

10 “(3) furthers the purposes of the Environ-
11 mental Improvement Program if the project has
12 been subject to environmental review and approval,
13 respectively, as required under Federal law, article 7
14 of the Compact, and State law, as applicable.

15 “(b) RESTRICTION.—The Administrator shall use not
16 more than 3 percent of the funds provided under sub-
17 section (a) for administering the projects or programs de-
18 scribed in paragraphs (1) and (2) of subsection (d).

19 “(c) MONITORING AND ASSESSMENT.—All projects
20 authorized under subsection (d) shall—

21 “(1) include funds for monitoring and assess-
22 ment of the results and effectiveness at the project
23 and program level consistent with the program de-
24 veloped under section 11; and

25 “(2) use the integrated multiagency perform-
26 ance measures established under section 13.

1 “(d) DESCRIPTION OF ACTIVITIES.—

2 “(1) STORMWATER MANAGEMENT, EROSION
3 CONTROL, AND TOTAL MAXIMUM DAILY LOAD IMPLE-
4 MENTATION.—Of the amounts made available under
5 section 17(a), \$75,000,000 shall be made avail-
6 able—

7 “(A) to the Secretary or the Administrator
8 for the Federal share of stormwater manage-
9 ment and related projects and programs con-
10 sistent with the established total maximum
11 daily load and near-shore water quality goals;
12 and

13 “(B) for grants by the Secretary and the
14 Administrator to carry out the projects and
15 programs described in subparagraph (A).

16 “(2) STREAM ENVIRONMENT ZONE AND WATER-
17 SHED RESTORATION.—Of the amounts made avail-
18 able under section 17(a), \$38,000,000 shall be made
19 available—

20 “(A) to the Secretary or the Assistant Sec-
21 retary for the Federal share of the Upper
22 Truckee River restoration projects and other
23 watershed restoration projects identified in the
24 priority list established under section 8; and

1 “(B) for grants by the Administrator to
2 carry out the projects described in subpara-
3 graph (A).

4 “(3) FIRE RISK REDUCTION AND FOREST MAN-
5 AGEMENT.—

6 “(A) IN GENERAL.—Of the amounts made
7 available under section 17(a), \$135,000,000
8 shall be made available to the Secretary to
9 carry out, including by making grants, the fol-
10 lowing projects:

11 “(i) Projects identified as part of the
12 Lake Tahoe Basin Multi-Jurisdictional
13 Fuel Reduction and Wildfire Prevention
14 Strategy 10-Year Plan.

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

21 “(iii) Biomass projects, including fea-
22 sibility assessments and transportation of
23 materials.

24 “(iv) Angora Fire Restoration projects
25 under the jurisdiction of the Secretary.

1 “(v) Washoe Tribe projects on tribal
2 lands within the Lake Tahoe Basin.

3 “(vi) Development of an updated
4 Lake Tahoe Basin multijurisdictional fuel
5 reduction and wildfire prevention strategy,
6 consistent with section 4(d).

7 “(vii) Development of updated com-
8 munity wildfire protection plans by local
9 fire districts.

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

14 “(B) MINIMUM ALLOCATION.—Of the
15 amounts made available to the Secretary to
16 carry out subparagraph (A), at least
17 \$80,000,000 shall be used by the Secretary for
18 projects 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 project goals and objectives;
14 and

15 “(bb) document in all re-
16 quests for Federal funding, and
17 include in the total project budg-
18 et, evidence of the commitment
19 to provide the non-Federal share
20 through in-kind contributions.

21 “(4) INVASIVE SPECIES MANAGEMENT.—Of the
22 amounts to be made available under section 17(a),
23 \$30,000,000 shall be made available to the Director
24 of the United States Fish and Wildlife Service for

1 the Aquatic Invasive Species Program and the
2 watercraft inspections described in section 9.

3 “(5) SPECIAL STATUS SPECIES MANAGE-
4 MENT.—Of the amounts to be made available under
5 section 17(a), \$20,000,000 shall be made available
6 to the Director of the United States Fish and Wild-
7 life Service for the Lahontan Cutthroat Trout Re-
8 covery Program.

9 “(6) LAKE TAHOE BASIN SCIENCE PROGRAM.—
10 Of the amounts to be made available under section
11 17(a), \$30,000,000 shall be made available to the
12 Chief of the Forest Service to develop and imple-
13 ment, in coordination with the Tahoe Science Con-
14 sortium, the Lake Tahoe Basin Science Program es-
15 tablished under section 11.

16 “(7) PROGRAM PERFORMANCE AND ACCOUNT-
17 ABILITY.—

18 “(A) IN GENERAL.—Of the amounts to be
19 made available under section 17(a), \$5,000,000
20 shall be made available to the Secretary to
21 carry out sections 12, 13, and 14.

22 “(B) PLANNING AGENCY.—Of the amounts
23 described in subparagraph (A), not less than 50
24 percent shall be made available to the Planning
25 Agency to carry out the program oversight, co-

1 ordination, and outreach activities established
2 under sections 12, 13, and 14.

3 “(8) LAND CONVEYANCE.—

4 “(A) IN GENERAL.—Of the amount made
5 available under section 17(a), \$2,000,000 shall
6 be made available to the Secretary to carry out
7 the activities under section 3(b)(2) of Public
8 Law 96–586 (94 Stat. 3384) (commonly known
9 as the ‘Santini-Burton Act’).

10 “(B) OTHER FUNDS.—Of the amounts
11 available to the Secretary under subparagraph
12 (A), not less than 50 percent shall be provided
13 to the California Tahoe Conservancy to facili-
14 tate the conveyance of land described in section
15 3(b)(2) of Public Law 96–586 (94 Stat. 3384)
16 (commonly known as the ‘Santini-Burton
17 Act’).”.

18 **SEC. 7. ENVIRONMENTAL RESTORATION PRIORITY LIST.**

19 The Lake Tahoe Restoration Act (Public Law 106–
20 506; 114 Stat. 2351) is amended—

21 (1) by striking sections 8 and 9;

22 (2) by redesignating sections 10, 11, and 12 as
23 sections 15, 16, and 17, respectively; and

24 (3) by inserting after section 7 the following:

1 **“SEC. 8. ENVIRONMENTAL RESTORATION PRIORITY LIST.**

2 “(a) DEADLINE.—Not later than February 15 of the
3 year after the date of enactment of the Lake Tahoe Res-
4 toration Act of 2013, the Chair, in consultation with the
5 Secretary, the Administrator, the Directors, the Planning
6 Agency, the States of California and Nevada, the Federal
7 Partnership, the Washoe Tribe, the Lake Tahoe Federal
8 Advisory Committee, and the Tahoe Science Consortium
9 shall submit to Congress a prioritized list of all Environ-
10 mental Improvement Program projects for the Lake
11 Tahoe Basin for each program category described in sec-
12 tion 6(d).

13 “(b) CRITERIA.—

14 “(1) IN GENERAL.—The priority of projects in-
15 cluded in the Priority List shall be based on the best
16 available science and the following criteria:

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

19 “(B) The ability to measure progress or
20 success of the project.

21 “(C) The potential to significantly con-
22 tribute to the achievement and maintenance of
23 the environmental threshold carrying capacities
24 identified in the Compact for—

25 “(i) air quality;

26 “(ii) fisheries;

- 1 “(iii) noise;
- 2 “(iv) recreation;
- 3 “(v) scenic resources;
- 4 “(vi) soil conservation;
- 5 “(vii) forest health;
- 6 “(viii) water quality; and
- 7 “(ix) wildlife.

8 “(D) The ability of a project to provide
9 multiple benefits.

10 “(E) The ability of a project to leverage
11 non-Federal contributions.

12 “(F) Stakeholder support for the project.

13 “(G) The justification of Federal interest.

14 “(H) Agency priority.

15 “(I) Agency capacity.

16 “(J) Cost-effectiveness.

17 “(K) Federal funding history.

18 “(2) SECONDARY FACTORS.—In addition to the
19 criteria under paragraph (1), the Chair shall, as the
20 Chair determines to be appropriate, give preference
21 to projects in the Priority List that benefit existing
22 neighborhoods in the Basin that are at or below re-
23 gional median income levels, based on the most re-
24 cent census data available.

25 “(c) REVISIONS.—

1 “(1) IN GENERAL.—The Priority List sub-
2 mitted under subsection (b) shall be revised—

3 “(A) every 2 years; or

4 “(B) on a finding of compelling need under
5 paragraph (2).

6 “(2) FINDING OF COMPELLING NEED.—

7 “(A) IN GENERAL.—If the Secretary, the
8 Administrator, or the Director of the United
9 States Fish and Wildlife Service makes a find-
10 ing of compelling need justifying a priority shift
11 and the finding is approved by the Secretary,
12 the Executive Director of the Planning Agency,
13 the California Natural Resources Secretary, and
14 the Director of the Nevada Department of Con-
15 servation, the Priority List shall be revised in
16 accordance with this subsection.

17 “(B) INCLUSIONS.—A finding of compel-
18 ling need includes—

19 “(i) major scientific findings;

20 “(ii) results from the threshold eval-
21 uation of the Planning Agency;

22 “(iii) emerging environmental threats;
23 and

24 “(iv) rare opportunities for land ac-
25 quisition.

1 “(d) FUNDING.—Of the amount made available
2 under section 17(a), \$80,000,000 shall be made available
3 to the Secretary to carry out this section.

4 **“SEC. 9. AQUATIC INVASIVE SPECIES PREVENTION.**

5 “(a) IN GENERAL.—The Director of the United
6 States Fish and Wildlife Service, in coordination with the
7 Planning Agency, the California Department of Fish and
8 Game, and the Nevada Department of Wildlife, shall de-
9 ploy strategies consistent with the Lake Tahoe Aquatic
10 Invasive Species Management Plan to prevent the intro-
11 duction of aquatic invasive species into the Lake Tahoe
12 Basin.

13 “(b) CRITERIA.—The strategies referred to in sub-
14 section (a) shall provide that—

15 “(1) combined inspection and decontamination
16 stations be established and operated at not less than
17 2 locations in the Lake Tahoe Basin; and

18 “(2) watercraft not be allowed to launch in
19 waters of the Lake Tahoe Basin if the watercraft
20 has not been inspected in accordance with the Lake
21 Tahoe Aquatic Invasive Species Management Plan.

22 “(c) CERTIFICATION.—The Planning Agency may
23 certify State and local agencies to perform the decon-
24 tamination activities described in subsection (b)(3) at loca-
25 tions outside the Lake Tahoe Basin if standards at the

1 sites meet or exceed standards for similar sites in the Lake
2 Tahoe Basin established under this section.

3 “(d) APPLICABILITY.—The strategies and criteria de-
4 veloped under this section shall apply to all watercraft to
5 be launched on water within the Lake Tahoe Basin.

6 “(e) FEES.—The Director of the United States Fish
7 and Wildlife Service may collect and spend fees for decon-
8 tamination only at a level sufficient to cover the costs of
9 operation of inspection and decontamination stations
10 under this section.

11 “(f) CIVIL PENALTIES.—

12 “(1) IN GENERAL.—Any person that launches,
13 attempts to launch, or facilitates launching of
14 watercraft not in compliance with strategies de-
15 ployed under this section shall be liable for a civil
16 penalty in an amount not to exceed \$1,000 per viola-
17 tion.

18 “(2) OTHER AUTHORITIES.—Any penalties as-
19 sessed under this subsection shall be separate from
20 penalties assessed under any other authority.

21 “(g) LIMITATION.—The strategies and criteria under
22 subsections (a) and (b), respectively, may be modified if
23 the Secretary of the Interior, in a nondelegable capacity
24 and in consultation with the Planning Agency and State
25 governments, issues a determination that alternative

1 measures will be no less effective at preventing introduc-
 2 tion of aquatic invasive species into Lake Tahoe than the
 3 strategies and criteria.

4 “(h) SUPPLEMENTAL AUTHORITY.—The authority
 5 under this section is supplemental to all actions taken by
 6 non-Federal regulatory authorities.

7 “(i) SAVINGS CLAUSE.—Nothing in this title shall be
 8 construed as restricting, affecting, or amending any other
 9 law or the authority of any department, instrumentality,
 10 or agency of the United States, or any State or political
 11 subdivision thereof, respecting the control of invasive spe-
 12 cies.

13 **“SEC. 10. CORPS OF ENGINEERS; INTERAGENCY AGREE-**
 14 **MENTS.**

15 “(a) IN GENERAL.—The Assistant Secretary may
 16 enter into interagency agreements with non-Federal inter-
 17 ests in the Lake Tahoe Basin to use Lake Tahoe Partner-
 18 ship-Miscellaneous General Investigations funds to provide
 19 programmatic technical assistance for the Environmental
 20 Improvement Program.

21 “(b) LOCAL COOPERATION AGREEMENTS.—

22 “(1) IN GENERAL.—Before providing technical
 23 assistance under this section, the Assistant Sec-
 24 retary shall enter into a local cooperation agreement

1 with a non-Federal interest to provide for the tech-
2 nical assistance.

3 “(2) COMPONENTS.—The agreement entered
4 into under paragraph (1) shall—

5 “(A) describe the nature of the technical
6 assistance;

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

11 “(C) include cost-sharing provisions in ac-
12 cordance with paragraph (3).

13 “(3) FEDERAL SHARE.—

14 “(A) IN GENERAL.—The Federal share of
15 project costs under each local cooperation
16 agreement under this subsection shall be 65
17 percent.

18 “(B) FORM.—The Federal share may be in
19 the form of reimbursements of project costs.

20 “(C) CREDIT.—The non-Federal interest
21 may receive credit toward the non-Federal
22 share for the reasonable costs of related tech-
23 nical activities completed by the non-Federal in-
24 terest before entering into a local cooperation

1 agreement with the Assistant Secretary under
2 this subsection.

3 **“SEC. 11. LAKE TAHOE BASIN SCIENCE PROGRAM.**

4 “The Secretary (acting through the Station Director
5 of the Forest Service, Pacific Southwest Research Sta-
6 tion), the Administrator, the Planning Agency, the States
7 of California and Nevada, and the Tahoe Science Consor-
8 tium, shall develop and implement the Lake Tahoe Basin
9 Science Program that—

10 “(1) develops and regularly updates an inte-
11 grated multiagency programmatic assessment and
12 monitoring plan—

13 “(A) to evaluate the effectiveness of the
14 Environmental Improvement Program;

15 “(B) to evaluate the status and trends of
16 indicators related to environmental threshold
17 carrying capacities; and

18 “(C) to assess the impacts and risks of
19 changing water temperature, precipitation, and
20 invasive species;

21 “(2) produces and synthesizes scientific infor-
22 mation necessary for—

23 “(A) the identification and refinement of
24 environmental indicators for the Lake Tahoe
25 Basin; and

1 “(B) the evaluation of standards and
2 benchmarks;

3 “(3) conducts applied research, programmatic
4 technical assessments, scientific data management,
5 analysis, and reporting related to key management
6 questions;

7 “(4) develops new tools and information to sup-
8 port objective assessments of land use and resource
9 conditions;

10 “(5) provides scientific and technical support to
11 the Federal Government and State and local govern-
12 ments in—

13 “(A) reducing stormwater runoff, air depo-
14 sition, and other pollutants that contribute to
15 the loss of lake clarity; and

16 “(B) the development and implementation
17 of an integrated stormwater monitoring and as-
18 sessment program;

19 “(6) establishes and maintains independent
20 peer review processes—

21 “(A) to evaluate the Environmental Im-
22 provement Program; and

23 “(B) to assess the technical adequacy and
24 scientific consistency of central environmental

1 documents, such as the 5-year threshold review;
2 and

3 “(7) provides scientific and technical support
4 for the development of appropriate management
5 strategies to accommodate changing water tempera-
6 ture and precipitation in the Lake Tahoe Basin.

7 **“SEC. 12. PUBLIC OUTREACH AND EDUCATION.**

8 “(a) IN GENERAL.—The Secretary, the Adminis-
9 trator, and the Directors will coordinate with the Planning
10 Agency to conduct public education and outreach pro-
11 grams, including encouraging—

12 “(1) owners of land and residences in the Lake
13 Tahoe Basin—

14 “(A) to implement defensible space; and

15 “(B) to conduct best management prac-
16 tices for water quality; and

17 “(2) owners of land and residences in the Lake
18 Tahoe Basin and visitors to the Lake Tahoe Basin,
19 to help prevent the introduction and proliferation of
20 invasive species as part of the private share invest-
21 ment in the Environmental Improvement Program.

22 “(b) SCIENTIFIC AND TECHNICAL GUIDANCE.—The
23 Director of the United States Geological Survey shall pro-
24 vide scientific and technical guidance to public outreach
25 and education programs conducted under this section.

1 “(c) REQUIRED COORDINATION.—Public outreach
2 and education programs for aquatic invasive species under
3 this section shall—

4 “(1) be coordinated with Lake Tahoe Basin
5 tourism and business organizations; and

6 “(2) include provisions for the programs to ex-
7 tend outside of the Lake Tahoe Basin.

8 **“SEC. 13. REPORTING REQUIREMENTS.**

9 “Not later than February 15 of each year, the Sec-
10 retary, in cooperation with the Chair, the Administrator,
11 the Directors, the Planning Agency, and the States of
12 California and Nevada, consistent with section 6(d)(6),
13 shall submit to Congress a report that describes—

14 “(1) the status of all Federal, State, local, and
15 private projects authorized under this Act, including
16 to the maximum extent practicable, for projects that
17 will receive Federal funds under this Act during the
18 current or subsequent fiscal year—

19 “(A) the project scope;

20 “(B) the budget for the project; and

21 “(C) the justification for the project, con-
22 sistent with the criteria established in section
23 8(b)(1);

24 “(2) Federal, State, local, and private expendi-
25 tures in the preceding fiscal year to implement the

1 Environmental Improvement Program and projects
2 otherwise authorized under this Act;

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

7 “(4) public education and outreach efforts un-
8 dertaken to implement programs and projects au-
9 thorized under this Act.

10 **“SEC. 14. ANNUAL BUDGET PLAN.**

11 “As part of the annual budget of the President, the
12 President shall submit information regarding each Federal
13 agency involved in the Environmental Improvement Pro-
14 gram (including the Forest Service, the Environmental
15 Protection Agency, the United States Fish and Wildlife
16 Service), the United States Geological Survey, and the
17 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. 8. RELATIONSHIP TO OTHER LAWS.**

8 Section 16 of the Lake Tahoe Restoration Act (Pub-
9 lic Law 106–506; 114 Stat. 2358) (as redesignated by sec-
10 tion 7(2)) is amended by inserting “, Director, or Admin-
11 istrator” after “Secretary”.

12 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

13 The Lake Tahoe Restoration Act (Public Law 106–
14 506; 114 Stat. 2351) is amended by striking section 17
15 (as redesignated by section 7(2)) and inserting the fol-
16 lowing:

17 **“SEC. 17. 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 2013.

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, Environmental Protec-
7 tion Agency, or the United States Fish and Wildlife
8 Service.

9 “(c) COST-SHARING REQUIREMENT.—Except as pro-
10 vided in subsection (d) and section 6(d)(3)(D), the States
11 of California and Nevada shall pay 50 percent of the ag-
12 gregate costs of restoration activities in the Lake Tahoe
13 Basin funded under section 6.

14 “(d) RELOCATION COSTS.—Notwithstanding sub-
15 section (c), the Secretary shall provide to local utility dis-
16 tricts two-thirds of the costs of relocating facilities in con-
17 nection with—

18 “(1) environmental restoration projects under
19 sections 6 and 8; and

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

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

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

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

3 “(B) this Act; and

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

6 **SEC. 10. ADMINISTRATION OF ACQUIRED LAND.**

7 (a) IN GENERAL.—Section 3(b) of Public Law 96–
8 586 (94 Stat. 3384) (commonly known as the “Santini-
9 Burton Act”) is amended—

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

12 “(b) ADMINISTRATION OF ACQUIRED LAND.—

13 “(1) IN GENERAL.—Land”; and

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

15 “(2) CONVEYANCE.—

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

23 “(i) may accept the offer; and

24 “(ii) not later than 180 days after the
25 date on which the Secretary receives ac-

1 ceptable title to the non-Federal land de-
2 scribed in subparagraph (B)(i), convey to
3 the State of California, subject to valid ex-
4 isting rights and for no consideration, all
5 right, title, and interest of the United
6 States in and to the Federal land that is
7 acceptable to the State of California.

8 “(B) DESCRIPTION OF LAND.—

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

12 “(I) the approximately 1,981
13 acres of land administered by the
14 Conservancy and identified on the
15 Maps as ‘Conservancy to the United
16 States Forest Service’; and

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

22 “(ii) FEDERAL LAND.—The Federal
23 land referred to in subparagraph (A) in-
24 cludes the approximately 1,995 acres of
25 Forest Service land identified on the Maps

1 as ‘U.S. Forest Service to Conservancy
2 and State Parks’.

3 “(C) CONDITIONS.—Any land conveyed
4 under this paragraph shall—

5 “(i) be for the purpose of consoli-
6 dating Federal and State ownerships and
7 improving management efficiencies;

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

10 “(iii) be subject to the condition that
11 the applicable deed include such terms , re-
12 strictions, covenants, conditions, and res-
13 ervations as the Secretary determines nec-
14 essary to—

15 “(I) ensure compliance with this
16 Act; and

17 “(II) ensure that the develop-
18 ment rights associated with the con-
19 veyed parcels shall not be recognized
20 or available for transfer under section
21 90.2 of the Code of Ordinances for
22 the Tahoe Regional Planning Agen-
23 cy.”.

1 **SEC. 11. MISCELLANEOUS PROVISIONS.**

2 (a) IMPORTATION OR SHIPMENT OF QUAGGA MUS-
3 SELS.—Section 42 of title 18, United States Code, is
4 amended—

5 (1) in subsection (a)(1), by adding “of the
6 quagga mussel of the species *Dreissena*
7 *rostriformis*,” after “*Hypophthalmichthys nobilis*”;
8 and

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

10 “(d) PUBLIC WATER SYSTEMS.—Nothing in this sec-
11 tion applies to—

12 “(1) the importation or transportation of pro-
13 hibited species through the operation of a public
14 water system or a related water conveyance, storage,
15 or distribution facility; or

16 “(2) the possession or conveyance of water sup-
17 plies containing prohibited species by a public water
18 system operator.”.

19 (b) CONTROL OF ILLEGALLY TAKEN FISH AND
20 WILDLIFE.—Section 8 of the Lacey Act Amendments of
21 1981 (16 U.S.C. 3377) is amended by adding at the end
22 the following:

23 “(d) PUBLIC WATER SYSTEMS.—Nothing in this Act
24 applies to—

25 “(1) the importation, transportation, sale, re-
26 ceipt, acquisition, or purchase of fish or wildlife that

1 results from the operation of a public water system
2 or a related water conveyance, storage, and distribu-
3 tion facility; or

4 “(2) the possession or conveyance of water sup-
5 plies containing fish or wildlife by a public water
6 system operator.”.

○