

Subcommittee on Federal Lands
Tom McClintock, Chairman
Hearing Memo

July 10, 2015

To: Natural Resources Committee Members
From: Gary Schiff, x 6-7736
Hearing: Legislative hearing on a Discussion Draft entitled the “*Lake Tahoe Restoration Act of 2015*” (McClintock)

The Subcommittee will hold a legislative hearing on a discussion draft of bill authored by Representative Tom McClintock (R-CA), H.R. ____, “*Lake Tahoe Restoration Act of 2015*” on July 14, 2015 at 10:30 AM, in room 1334 Longworth.

Discussion Draft Summary

This discussion draft legislation is an important step to improve Lake Tahoe. The legislation, which amends the Lake Tahoe Restoration Act, recognizes the Lake Tahoe Basin as a unique and majestic forest environment under threat of catastrophic wildfire. It provides \$8.7 million in annual supplemental funding from both appropriated dollars and receipts generated within the Basin to augment the existing forest budget. These supplemental funds would be used to thin the forest and reduce the risk of catastrophic wildfire, provide for recreation improvements and staffing, and address invasive species, such as quagga mussels. The bill restricts the purchase of additional urban lots and requires increased county coordination.

Invited Witness

Mr. Michael D. Brown, Fire Chief
North Lake Tahoe Fire Protection District
Incline Village, Nevada

Ms. Leslie Weldon, Deputy Chief of the National Forest System
U.S. Forest Service
Washington, D.C.

Background

The Lake Tahoe Basin is an iconic setting which attracts visitors from around the world. Mark Twain called Lake Tahoe, “the fairest picture the whole earth affords.” However, the forest surrounding the lake has become overgrown and in an increasingly fire prone state. The 2007 Angora Fire which burned 254 residence and 75 commercial buildings and 3,100 acres is

an unfortunate example of the danger that lurks in the this forest.¹ As seen by the chart below, the amount of acres of reported wildfire in the Lake Tahoe Basin has dramatically increased over the past decade.² Ash and debris from wildfires ultimately end up in the water, damaging the lake environment. The legislation aims to address the significant active management needed to reduce the risk of wildfire in this world class setting. Additionally, the bill seeks to enhance visitors' experience by authorizing Lake Tahoe Basin managers to focus on improving recreation opportunities.

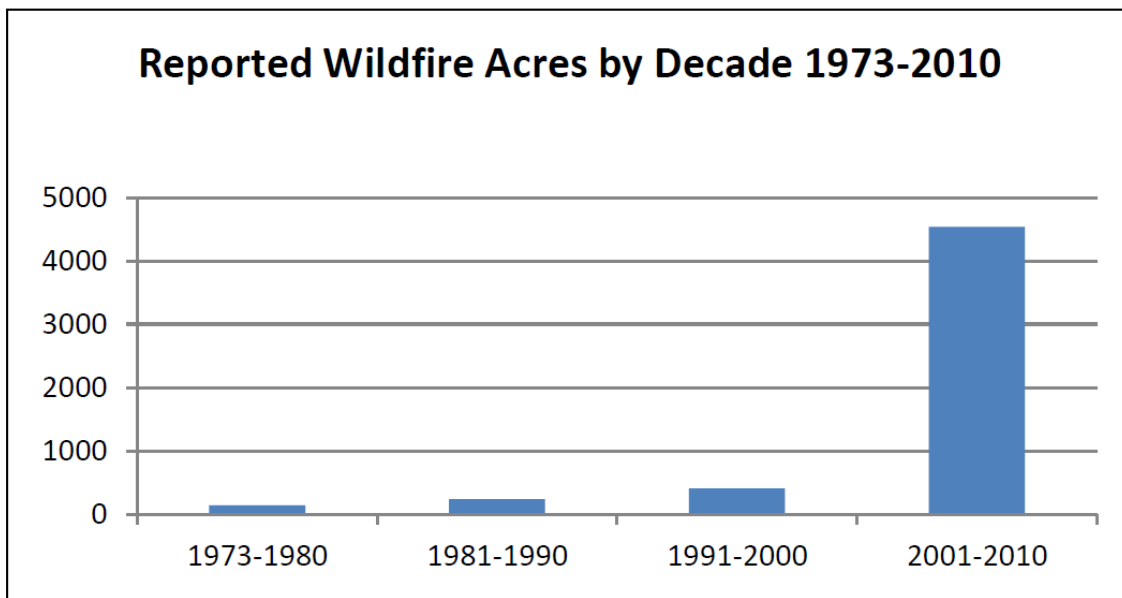


Figure 3. Wildfire acres burned in the Lake Tahoe Basin by decade (1973–2010)

This draft bill would:

- Provide over \$4 million annually to supplement the fuels budget in order to reduce the risk and potential impact of wildfire.
- Identify recreation as an important part of the agency's management responsibility and provide funding to support personnel, trails, and other improvements.
- Allow for the use of categorical exclusions to streamline the planning process.
- Allow for the use of existing recreation and utility permit receipts for recreation and non-recreation purposes as determined by local citizens and government. Currently, all revenues generated locally are returned to the US Treasury.

¹ http://cdfdata.fire.ca.gov/incidents/incidents_details_info?incident_id=184

² p. 13, Lake Tahoe Basin Multi-Jurisdictional Fuel Reduction and Wildfire Prevention Strategy, August 2014; http://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprd3812893.pdf

- Restrict government purchases of additional small residential lots (these lots take significant agency resources to manage) and permits the Forest Service to dispose of existing ones at fair market value. The bill requires that any additional land acquisition be a true inholding, surrounded on four sides by national forest, and approved by the local county government for acquisition.
- Provide supplemental funding to address the threat of invasive species in Lake Tahoe; e.g., provide for an inspection program for quagga mussels.

Section-by-Section Analysis

Sec. 1 – Short Title. – “Lake Tahoe Restoration Act of 2015”

Sec. 2 – Findings and Purposes. – Recognizes Lake Tahoe as a natural resource of special significance. Highlights recreational opportunities. Identifies overstocked, fire-prone condition of much of the national forest land, the threat of invasive species, and need to support local governments, especially in relation to forest management activities which reduce wildfire risk.

Sec. 3 – Definitions. – Terms in the Bill defined.

Sec. 4 – Improved Administration of the Lake Tahoe Basin Management Unit. – Provides for the utilization of categorical exclusions for forest management projects. Provides for an arbitration process to resolve complaints about forest management decisions. Prohibits legal actions such as temporary injunctions and restraining orders. Provides for a revolving fund from any commercial product receipts which can be reallocated utilizing a collaborative process.

Sec. 5 – Authorized Programs. – \$4,400,000 for fuels reduction work with partners; \$800,000 for water craft monitoring of invasive species such as the Quagga mussel.

Sec. 6 – Program Performance and Accountability. – \$150,000 for oversight of this supplemental program. Assistance to the community wildfire protection “defensible space program.”

Sec. 7 – Technical Corrections and Conforming Amendments.

Sec. 8 – Authorization of Appropriations. – Limits total appropriated funding to \$6,000,000 and provides for fee retention of special use utility corridor, ski area, and other fees. Provides for the use of the retained fees; allocating 50% for recreation purposes and 50% to support other activities authorized in the act as determined in a collaborative process.

Sec. 9 – Land Transfers to Improve Management Efficiencies of State and Federal Lands. – Provides for a land conveyance transaction between state governments and federal entities. Authorizes the agency with the ability to convey urban lots. Provides for acquisition of complete inholdings with local government authorization.

Sec. 10 – Modification of Land Acquisition Authority under Santini-Burton Act and Southern Nevada Public Land Management Act of 1988. – Defines a potential inholding as a parcel surrounded on all sides by federal land and requiring county approval.