

U.S. Senator Dianne Feinstein
Statement for the Record
Lake Tahoe Restoration Act of 2013
August 1, 2013

Mr. President, I rise today to again discuss the need to restore and protect Lake Tahoe. Lake Tahoe is a national treasure. Her alpine beauty has drawn and inspired people for centuries: artists and poets, John Muir and Mark Twain, and countless millions the world over.

As a girl, I went to Lake Tahoe to ride horses through the woods, to swim in the clear blue waters and to bike around the magnificent Basin.

For over 16 years, representatives from different ends of the political spectrum have come together to Keep Tahoe Blue.

The challenges are great. Climate change and drought have created a persistent threat from catastrophic wildfire. Sedimentation and pollution threaten water quality and the lake's treasured clarity. And invasive species threaten the economy of the region.

The time to act to is now, and the federal government must take a leading role—78% of the land surrounding Lake Tahoe is public land, primarily the Eldorado, Toiyabe and Tahoe National Forests.

Lake Tahoe Restoration Act of 2013

That's why today I am reintroducing the Lake Tahoe Restoration Act of 2013, which is co-sponsored by Senators Harry Reid (D-Nev.), Dean Heller (R-Nev.) and Barbara Boxer (D-Calif.).

The bill would continue the federal commitment at Lake Tahoe by authorizing \$415 million over ten years to improve water clarity, reduce the threat of catastrophic fire, combat invasive species, and restore and protect the environment in the Lake Tahoe Basin.

Specifically, it would do the following:

- **Provide \$243 million over ten years for the highest priority restoration projects, according to scientific data.** The legislation authorizes at least \$138 million for stormwater management and watershed restoration projects scientifically determined to be the most effective ways to improve water clarity.

This bill also requires prioritized ranking of environmental restoration projects and authorizes \$80 million for state and local agencies to implement these projects with costs being split evenly between the federal agencies and non-federal partners.

Eligible projects must demonstrate their cost effectiveness, stakeholder support, ability to leverage non-federal contributions and meet environmental improvement goals.

Implementation of priority projects will improve water quality, forest health, air quality and fish and wildlife habitat around Lake Tahoe.

- **Authorizes \$135 million over ten years to reduce the threat of wildfire in Lake Tahoe.** These funds will finance hazardous fuels reduction projects including grants to local fire agencies, who must contribute at least 25% of project costs.

The bill also authorizes important restoration work related to the devastating 2007 Angora fire, which destroyed 242 residences and 67 commercial structures. Fuels treatment on Washoe Tribal lands, wildfire prevention planning, and improvements to local water district infrastructure to fight wildfires that reach urban areas are eligible for grant funding.

The bill also creates incentives for local communities to have dedicated funding for defensible space inspections and enforcement.

- **Protecting Lake Tahoe from the threat of quagga mussels and other invasive aquatic species.** Protecting Lake Tahoe from the threat of quagga mussels and other invasive aquatic species is a major priority because of the serious threats posed to Lake Tahoe.

University of California, Davis and University of Nevada, Reno scientists report that they have found up to 3,000 Asian clams per square meter at spots between Zephyr Point and Elk Point in Lake Tahoe. The spreading Asian clam population could put sharp shells and rotting algae on the Lake's beaches and help spread other invasive species such as quagga mussels.

The bill would authorize \$30 million for watercraft inspections and removal of existing invasive species. It would require all watercraft to be inspected and decontaminated if they are determined to be a risk to the lake.

These invasive species threats are serious. For example, one quagga or zebra mussel can lay 1 million eggs in a year. This means that a single boat carrying quagga could devastate the lake's biology, local infrastructure, and the local economy.

The threat to Lake Tahoe cannot be overstated. In 2007 quagga mussels were discovered in Lake Mead. In the six years since, there population has swelled exponentially. Today there are more than 3 trillion. The infestation is probably irreversible.

And there's good news. There's promising news on this front. Scientists have begun testing a new strategy by placing long rubber mats across the bottom of Lake Tahoe to cut off the oxygen to the Asian clams. Early research suggests that these mats were very effective at killing the clams. We continue to learn from this important research about how best to manage invasive species.

We can fight off these invaders. But it will require drive and imagination – and the help authorized within this bill.

- **Supports reintroduction of the Lahontan Cutthroat Trout.** The legislation authorizes \$20 million over ten years for the Lahontan Cutthroat Trout Recovery Plan. The Lahontan Cutthroat Trout is an iconic species that has an important historic legacy in Lake Tahoe.

When John C. Fremont first explored the Truckee River in January of 1844, he called it the Salmon Trout River because he found the

Pyramid Lake Lahontan Cutthroat Trout. The trout relied on the Truckee River and its tributaries for their spawning runs in spring, traveling up the entire river's length as far as Lake Tahoe and Donner Lake, where they used the cool, pristine waters and clean gravel beds to lay their eggs. But dams, pollution and overfishing caused the demise of the Lahontan Cutthroat Trout.

Lake Tahoe is one of the historic 11 lakes where Lahontan Cutthroat Trout flourished in the past, and it's a critical part of the strategy to recover the species.

- **Funds scientific research.** The legislation authorizes \$30 million over ten years for scientific programs and research which will produce information on long-term trends in the Basin and inform the most cost-effective projects.
- **Prohibiting mining operations in the Tahoe Basin.** This legislation would prohibit new mining operations in the Basin, ensuring that the fragile watershed and Lake Tahoe's water clarity are not threatened by pollution from mining operations.
- **Increases accountability and oversight.** Every project funded by this legislation will have monitoring and assessment to determine the most cost-effective projects and best management practices for future projects.

The legislation also requires the Chair of the Federal Partnership to work with the Forest Service, Environmental Protection Agency, Fish and Wildlife Service and regional and state agencies, to prepare an annual report to Congress detailing the status of all projects undertaken, including project scope, budget and justification and overall expenditures and accomplishments.

This will ensure that Congress can have oversight on the progress of environmental restoration in Lake Tahoe.

- **Provides for public outreach and education.** The Forest Service, Environmental Protection Agency, Fish and Wildlife Service and Tahoe Regional Planning Agency will implement new public outreach and education programs including encouraging Basin residents and

visitors to implement defensible space, conducting best management practices for water quality and preventing the introduction and proliferation of invasive species. In addition, the legislation requires signage on federally financed projects to improve public awareness of restoration efforts.

- **Allows for increased efficiency in the management of public land.** Under this legislation, the Forest Service would have increased flexibility to exchange land with state agencies which will allow for more cost-efficient management of public land. There is currently a checkerboard pattern of ownership in some areas of the Basin.

Under this new authority, the Forest Service could exchange land with the California Tahoe Conservancy and the California Department of Parks and Recreation of approximately equal value without going through a lengthy process to assess the land.

For example, if there are several plots of Forest Service land that surround or are adjacent to Tahoe Conservancy or California State Parks land, the state could transfer that land to the Forest Service so that it can be managed more efficiently.

Why Legislation is Needed

This legislation is needed because the “Jewel of the Sierra” is in big trouble. If we don’t act now, we could lose Lake Tahoe -- lose it with stunning speed -- to several devastating threats.

Anyone doubting that climate change poses a severe threat to Lake Tahoe should read an alarming recent report by the UC Davis Tahoe Environmental Research Center.

It was written for the U.S. Forest Service by scientists who have devoted their professional careers to studying Lake Tahoe. And it paints a distinctly bleak picture of the future for the “Jewel of the Sierra.”

Among its findings: The Tahoe Basin’s regional snowpack could decline by as much as 60 percent in the next century, with increased floods likely by 2050 and prolonged droughts by 2100.

Even “under the most optimistic projections,” average snowpack in the Sierra Nevada around Tahoe will decline by 40 to 60 percent by 2100, according to the report.

This would likely bankrupt Tahoe’s ski industry, threaten the water supply of Reno and other communities, and degrade the lake’s fabled water clarity. It is devastating.

According to the UC Davis report, an all-out attack on pollution and sedimentation may be the lake’s last best hope.

Geoff Schladow, director of the UC Davis Tahoe Environmental Research Center and one of the report’s authors, noted the need to restore short-term water quality in Lake Tahoe – while there’s still time to do it.

“Reducing the load of external nutrients entering the lake in the coming decades may be the only possible mitigation measure to reduce the impact of climate change on lake clarity...,” the report said.

Without such an effort, the “internal loading of nutrients” could fundamentally change the lake and fuel algal growth, creating a downward spiral in water quality and clarity.

Water clarity is one of the central problems the legislation would address.

Pollution and sedimentation have threatened Lake Tahoe’s water clarity for years now. In 1968, the first year UC Davis scientists made measurements using a device called a Secchi disk, clarity was measured at an average depth of 102.4 feet. Clarity declined over the next three decades, hitting a low of 64 feet in 1997.

There has been some improvement in this decade. Last year scientists recorded average clarity at 75.3 feet – the clearest readings in a decade. But it is a fragile gain. Sedimentation and stormwater runoff pose a persistent threat.

Climate change has already made itself apparent at Lake Tahoe. It makes the basin dry and tinder-hot, raising the risks of catastrophic wildfire.

Daily air temperatures have increased 4 degrees since 1911. Snow has declined as a fraction of total precipitation, from an average of 52 percent in 1910 to just 36 percent in recent years.

And climate change has caused Lake Tahoe's surface water temperature to rise over 2 degrees in 44 years. That means the cyclical deep-water mixing of the lake's waters will occur less frequently, and this could significantly disrupt Lake Tahoe's ecosystem.

This legislation is intended to address these problems.

Status of the legislation

Last year, the Lake Tahoe Restoration Act of 2011 the Senate Environment and Public Works Committee reported out the bill favorably, but there was not enough time for a floor vote. It is my hope that this legislation can move through committee quickly and be passed later this year.

Conclusion

A lot of good work has been done. But there's a lot more work to do, and time is running out.

Mark Twain called Lake Tahoe "the fairest picture the whole world affords." Mr. President, we must not be the generation who lets this picture fall into ruin. We must rise to the challenge, and do all we can to preserve this "noble sheet of water."

I ask for unanimous consent that my statement be added to the record.