

119TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To amend Public Law 96–586 to modernize the authority of the Forest Service to acquire and administer land under that Act, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Ms. CORTEZ MASTO (for herself, Ms. ROSEN, Mr. PADILLA, and Mr. SCHIFF) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend Public Law 96–586 to modernize the authority of the Forest Service to acquire and administer land under that Act, 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.**

4       This Act may be cited as the “Santini-Burton Mod-  
5       ernization Act of 2026”.

1 **SEC. 2. ENVIRONMENTALLY SENSITIVE LAND IN THE LAKE**  
2 **TAHOE BASIN.**

3 (a) FINDINGS; PURPOSE.—Section 1 of Public Law  
4 96–586 (94 Stat. 3381) (commonly known as the  
5 “Santini-Burton Act”) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (6), by striking “and” at  
8 the end;

9 (B) in paragraph (7), by striking the pe-  
10 riod at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(8) the Lake Tahoe Basin is the homeland of  
13 the Washoe Tribe of Nevada and California, but  
14 that Tribe owns less than 0.5 percent of the land in  
15 the Lake Tahoe Basin, and that limited land owner-  
16 ship and the presence of that land in the Lake  
17 Tahoe Basin hamper the ability of the Washoe Tribe  
18 of Nevada and California to provide access and cul-  
19 tural resources for the members of that Tribe.”; and

20 (2) in subsection (b), by inserting “and man-  
21 agement” after “acquisition”.

22 (b) ACQUISITIONS; LAND MANAGEMENT.—Section 3  
23 of Public Law 96–586 (94 Stat. 3383; 114 Stat. 2357;  
24 130 Stat. 1790) (commonly known as the “Santini-Burton  
25 Act”) is amended—

(1) in subsection (a)(3), in the first sentence,  
by inserting “the Washoe Tribe of Nevada and Cali-  
fornia, and” after “local government agencies,”;

4 (2) in subsection (b)—

5 (A) in paragraph (1)—

6 (i) by striking “Land” and inserting  
7 the following:

8 “(A) NATIONAL FOREST SYSTEM.—Except  
9 as provided in subparagraph (B), land”;

(ii) in subparagraph (A) (as so designated), by striking “United States National Forest System; except that the Secretary” and inserting the following: “National Forest System.

15 “(B) TRANSFERS.—

16 “(i) IN GENERAL.—The Secretary”;  
17 and

18 (iii) in subparagraph (B) (as so des-  
19 ignated)—

20 (I) in clause (i)—

21 (aa) by striking “lands”  
22 each place it appears and insert-  
23 ing “land”;

24 (bb) by striking “which are  
25 unsuitable” and inserting “ac-

1                   quired under this section that is  
2                   unsuitable”; and

3                   (cc) by inserting “or to the  
4                   Washoe Tribe of Nevada and  
5                   California” after “local govern-  
6                   ment”; and

7                   (II) by adding at the end the fol-  
8                   lowing:

9                   “(ii) FUNDING.—Amounts made  
10                  available to carry out this section may be  
11                  used for the administrative costs of trans-  
12                  fers of land and interests in land under  
13                  this subsection.”; and

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

15                  “(7) LAND MANAGEMENT.—

16                  “(A) ACQUIRED LAND.—Notwithstanding  
17                  any other provision of law, funds appropriated  
18                  pursuant to this Act for the purpose of the ac-  
19                  quisition of land and interests in land under  
20                  this section may be used by the Secretary of  
21                  Agriculture, acting through the Chief of the  
22                  Forest Service, for—

23                  “(i) land management activities on  
24                  land acquired under this section within the  
25                  Lake Tahoe Basin; and

1                   “(ii) land management activities on  
2                   National Forest System land within the  
3                   boundaries of the Lake Tahoe Basin Man-  
4                   agement Unit.

5                   “(B) TRANSFERRED LAND.—Notwith-  
6                   standing any other provision of law, the Sec-  
7                   retary of Agriculture may transfer funds made  
8                   available pursuant to this Act for the purpose  
9                   of the acquisition of land and interests in land  
10                  under this section to appropriate units of State  
11                  or local government or to the Washoe Tribe of  
12                  Nevada and California to carry out land man-  
13                  agement activities on land acquired under this  
14                  section and transferred to that unit of State or  
15                  local government or to that Tribe.

16                  “(C) INCLUDED LAND MANAGEMENT AC-  
17                  TIVITIES.—Land management activities that  
18                  may be carried out under subparagraphs (A)  
19                  and (B) shall include activities for the purposes  
20                  of—

21                         “(i) maintaining forest health;

22                         “(ii) maintaining the wildland-urban  
23                         interface (as defined in section 101 of the  
24                         Healthy Forests Restoration Act of 2003  
25                         (16 U.S.C. 6511));

1 “(iii) maintaining water quality;

2 “(iv) preventing and mitigating envi-  
3 ronmental impacts due to recreational use;

4 “(v) preserving cultural sites and in-  
5 digenous management practices; and

6 “(vi) scientific research to support de-  
7 cisions relating to land management activi-  
8 ties described in clauses (i) through (v).

9 “(D) PARTNERSHIPS.—

10 “(i) FEDERAL AGENCIES.—The Sec-  
11 retary of Agriculture, acting through the  
12 Chief of the Forest Service, may enter into  
13 partnerships with the heads of applicable  
14 Federal agencies to carry out land man-  
15 agement activities under subparagraph  
16 (A).

17 “(ii) OTHER PARTNERSHIPS.—Not-  
18 withstanding any other provision of law,  
19 the Secretary of Agriculture, acting  
20 through the Chief of the Forest Service,  
21 may enter into partnerships with, and  
22 transfer funds appropriated pursuant to  
23 this Act for the purpose of the acquisition  
24 of land and interests in land under this  
25 section to, appropriate units of State or

1 local government, the Tahoe Regional  
2 Planning Agency, or the Washoe Tribe of  
3 Nevada and California to develop and im-  
4 plement the land management activities  
5 described in subparagraph (C) and projects  
6 to provide public access to—

7 “(I) land in the Lake Tahoe  
8 Basin acquired under this section;

9 “(II) land with a nexus to Fed-  
10 eral land in the Lake Tahoe Basin or  
11 the shoreline of Lake Tahoe; or

12 “(III) land in the Lake Tahoe  
13 Basin that is of cultural significance  
14 to the Washoe Tribe of Nevada and  
15 California.

16 “(E) SPENDING PLAN.—

17 “(i) IN GENERAL.—Not later than  
18 March 15 of each fiscal year, the Secretary  
19 of Agriculture, acting through the Forest  
20 Supervisor of the Lake Tahoe Basin Man-  
21 agement Unit, shall develop a spending  
22 plan for activities under this paragraph for  
23 the next fiscal year consistent with the pri-  
24 orities of the Lake Tahoe Environmental  
25 Improvement Program.

“(ii) CONSULTATION.—In developing the spending plan under clause (i), the Secretary of Agriculture, acting through the Forest Supervisor of the Lake Tahoe Basin Management Unit, shall consult with—

“(I) the Tahoe Regional Planning Agency;

“(II) the States of California and Nevada;

“(III) the Washoe Tribe of Nevada and California; and

“(IV) appropriate units of local government.

“(iii) CRITERIA.—The ranking of management activities in the spending plan developed under clause (i) shall be based on—

“(I) the potential to significantly contribute to the achievement and maintenance of the environmental threshold carrying capacities adopted by the Tahoe Regional Planning Agency and the Tahoe Regional Plan-



1                   ning Compact (Public Law 96–551;  
2                   94 Stat. 3233);

3                   “(II) the 4-year threshold car-  
4                   rying capacity evaluation;

5                   “(III) the ability to measure  
6                   progress or success of the manage-  
7                   ment activity;

8                   “(IV) the ability of the manage-  
9                   ment activity to have multiple bene-  
10                  fits;

11                  “(V) the ability of the manage-  
12                  ment activity to leverage other con-  
13                  tributions;

14                  “(VI) inclusion on the 5-year pri-  
15                  ority list for the Lake Tahoe Environ-  
16                  mental Improvement Program; and

17                  “(VII) whether there is stake-  
18                  holder support for the management  
19                  activity.

20                  “(iv) FUNDING FOR ADMINISTRATION;  
21                  AVAILABILITY.—Any funds made available  
22                  under this paragraph and allocated under  
23                  the spending plan developed under clause  
24                  (i)—

1                   “(I) may be used for administra-  
2                   tive costs of carrying out the spending  
3                   plan; and

4                   “(II) shall remain available until  
5                   expended.

6                   “(F) MAINTENANCE OF FUNDING.—Not-  
7                   withstanding any other provision of law, any  
8                   funds made available under this paragraph shall  
9                   supplement, and not supplant, any other  
10                  amounts available to the Secretary of Agri-  
11                  culture for expenditure in the Lake Tahoe  
12                  Basin and any other amounts made available by  
13                  Congress.

14                  “(G) CONSIDERATION AS NON-FEDERAL  
15                  MATCHING FUNDS.—Notwithstanding any other  
16                  provision of law, any funds transferred under  
17                  this paragraph to the Washoe Tribe of Nevada  
18                  and California, an appropriate unit of State or  
19                  local government, or the Tahoe Regional Plan-  
20                  ning Agency shall be considered to be non-Fed-  
21                  eral matching funds for purposes of any other  
22                  provision of Federal law.”;

23                  (3) in subsection (c)(4)—

24                  (A) in subparagraph (A), by striking  
25                  “and” at the end;

1 (B) by redesignating subparagraph (B) as  
2 subparagraph (C); and

3 (C) by inserting after subparagraph (A)  
4 the following:

5 “(B) ‘Lake Tahoe Basin Management  
6 Unit’ means the land area included in the man-  
7 agement unit created by the Forest Service in  
8 1973; and”;

9 (4) by redesignating subsection (g) as sub-  
10 section (h); and

11 (5) by inserting after subsection (f) the fol-  
12 lowing:

13 “(g) ACQUISITION AND MANAGEMENT OF LAND OF  
14 CULTURAL SIGNIFICANCE TO THE WASHOE TRIBE OF  
15 NEVADA AND CALIFORNIA.—Notwithstanding any other  
16 provision of law, the Secretary of Agriculture, acting  
17 through the Chief of the Forest Service, may transfer  
18 funds appropriated pursuant to this Act for the purpose  
19 of the acquisition of land and interests in land under this  
20 section to the Washoe Tribe of Nevada and California to  
21 acquire and manage land of cultural significance to that  
22 Tribe in the Lake Tahoe Basin for the purposes of preser-  
23 vation, access, and land management.”.