



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: House Committee on Natural Resources Republican Members
From: House Committee on Natural Resources Republican Staff
Date: February 10, 2025
Subject: Markup of 8 bills and the Committee Authorization and Oversight Plan

The Committee on Natural Resources will hold a markup on **Wednesday, February 12, 2025, at 10:00 a.m.** in room 1324 Longworth House Office Building. The bills to be considered include: H.R. 231 (Rep. Hageman); H.R. 249 (Rep. Pallone); H.R. 302 (Rep. Maloy); H.R. 331 (Rep. Fulcher); H.R. 618 (Rep. Horsford); H.R. 1001 (Rep. Hageman); H.R. 1044 (Rep. Valadao); and H.R. 1110 (Rep. LaMalfa).

Member offices are requested to notify Madeline Kelley (madeline.kelley@mail.house.gov) by 4:30 p.m. on Tuesday, February 11, 2025, to confirm their Member's attendance at the mark-up.

I. KEY MESSAGES & TOPLINE ACTIONS

- Bill expected to move by regular order: H.R. 302 (Rep. Maloy), "*Water Rights Protection Act of 2025*." Please note that H.R. 302 will have an amendment in the nature of a substitute (ANS). Members should ensure that amendments are drafted to the ANS.
- Bills expected to move by unanimous consent: H.R. 231 (Rep. Hageman), "*Colorado River Basin System Conservation Extension Act of 2025*"; H.R. 249 (Rep. Pallone), To redesignate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.; H.R. 331 (Rep. Fulcher), To amend the Aquifer Recharge Flexibility Act to clarify a provision relating to conveyances for aquifer recharge purposes; H.R. 618 (Rep. Horsford), To amend the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to include the City of North Las Vegas and the Apex Industrial Park Owners Association, and for other purposes; H.R. 1001 (Rep. Hageman), To provide for a memorandum of understanding to address the impacts of a certain record of decision on the Upper Colorado River Basin Fund; H.R. 1044 (Rep. Valadao), To amend Public Law 99-338 with respect to Kaweah Project permits; and H.R. 1110 (Rep. LaMalfa), "*Grazing for Wildfire Risk Reduction Act*".
- The Committee's Authorization and Oversight Plan for the 119th Congress will move under regular order. Minority amendments and roll-call votes on the amendments and on the plan's adoption are expected.

II. EXPECTED LEGISLATION & MEASURES

H.R. 231 (Rep. Hageman), “*Colorado River Basin System Conservation Extension Act of 2025*”

The Colorado River Basin (Basin) covers seven states (Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming) and parts of Mexico. In the United States, the Basin provides water for the irrigation of nearly 4.5 million acres, municipal water supply to about 40 million people, and generates more than 4,200 megawatts (MW) of hydroelectricity.¹

In 2014, the Bureau of Reclamation (Reclamation), the Colorado River Basin States, and Colorado River water users explored ideas that could mitigate the impacts of the ongoing drought in the Colorado River Basin.² They created the System Conservation Pilot Program (SCPP), a 4-year pilot program designed to explore solutions to address declining water levels and drought in the Upper Colorado River Basin.³ The program implemented and tested on-the-ground voluntary water conservation opportunities to manage record drought conditions in the Basin.

From 2015-2017, this program funded 45 projects, for a consumptive use reduction of approximately 22,116 acre-feet at a total cost of \$4.5 million.⁴ In 2022, this program was authorized until September 30, 2024.⁵

H.R. 231 would extend the program’s funding authorization until September 30, 2026, and require the Secretary of the Interior (Secretary) to report to Congress on the continued effectiveness of the program by September 30, 2027. An amendment will be offered that directs the bill’s report to include recommendations to increase participation if the pilot projects are continued.

More information on the hearing, including testimony, is available [here](#), and the hearing memo can be viewed [here](#).

Staff contact: Annick Miller (Annick.Miller@mail.house.gov)

H.R. 249 (Rep. Pallone), **To redesignate certain facilities at Paterson Great Falls National Historical Park in honor of Congressman Bill Pascrell, Jr.**

Paterson Great Falls National Historical Park (NHP) is a unit of the National Park System located in Paterson, New Jersey. H.R. 249 would re-name two sites in the NHP, Overlook Park

¹ U.S. Bureau of Reclamation, [Colorado River Basin Report](https://www.usbr.gov/climate/secure/docs/2021secure/basinreports/ColoradoBasin.pdf), March 2021, <https://www.usbr.gov/climate/secure/docs/2021secure/basinreports/ColoradoBasin.pdf>.

² U.S. Bureau of Reclamation, [Pilot Projects to Increase Colorado River System Water in Lake Powell and Lake Mead](https://www.usbr.gov/lc/region/programs/LCBConservation&EfficiencyProgram/report_to_congressW_appendices2021.pdf), August 2021, https://www.usbr.gov/lc/region/programs/LCBConservation&EfficiencyProgram/report_to_congressW_appendices2021.pdf.

³ Upper Colorado River Commission, [SYSTEM CONSERVATION PILOT PROGRAM \(2015-2018\)](http://www.ucrcommission.com/system-conservation-pilot-program/), <http://www.ucrcommission.com/system-conservation-pilot-program/>.

⁴ Upper Colorado River Commission, [Final Report Colorado River System Conservation Pilot Program in the Upper Colorado River Basin](http://www.ucrcommission.com/RepDoc/SCPPDocuments/2018_SCPP_FUBRD.pdf), February 2018. http://www.ucrcommission.com/RepDoc/SCPPDocuments/2018_SCPP_FUBRD.pdf

⁵ [Pub. L. 117–328, div. CC, §102, Dec. 29, 2022, 136 Stat. 5573.](#)

and the Great Falls Scenic Overlook Trail Bridge, after the late Congressman Bill Pascrell, Jr. Representative Pascrell was known as a plain-spoken New Jerseyan who served his country in the U.S. Army as well as in the House of Representatives for nearly three decades until his death in 2024.⁶ In 2009, Rep. Pascrell sponsored the legislation designating Paterson Great Falls as an NHP.⁷ H.R. 249 honors the legacy of former Congressman Pascrell and his role in establishing the NHP. This bipartisan bill is cosponsored by the entire New Jersey Congressional delegation.

Hearing information, including testimony, may be viewed [here](#), and the hearing memo may be viewed [here](#).

Staff contacts: Aniela Butler (Aniela@mail.house.gov) and Colen Morrow (Colen.Morrow@mail.house.gov)

H.R. 302 (Rep. Maloy), “*Water Rights Protection Act of 2025*”

H.R. 302 requires that any federal action taken by the Departments of the Interior and of Agriculture (Departments) that impact water rights impose no greater restriction on those rights than applicable state law and does not adversely affect state authority over water rights. In 1952, Congress passed the so-called “McCarran Amendment” (43 U.S.C. 666), which established a tradition of federal deference to State water laws. It also established a framework under which the federal government was treated like a private entity when seeking water rights within Western States.⁸

However, this issue resurfaced in 2014 when the United States Forest Service (USFS) published a press release stating that USFS needed to “improve the Forest Service’s ability to manage and analyze the potential uses of National Forest Service (NFS) land that could affect groundwater resources.”⁹ The Forest Service indicated that this proposal would not impact a state’s ability to manage its water rights, but USFS would “evaluate all applications to States for water rights on NFS lands and applications for water rights on adjacent lands that could adversely affect NFS groundwater resources.”¹⁰ Additionally, in 2011, the USFS issued a national interim directive for all 122 public land ski areas in the United States. The directive included a clause requiring applicant ski areas to relinquish privately held water rights to the United States as a permit condition.¹¹

This bill would ensure the long-standing precedent giving States primacy over water rights determinations. Similar versions of this bill have been introduced since the 113th Congress. A similar version passed the House by a bipartisan vote of 238-174 during the 113th Congress,¹²

⁶ Browning-Forshay Funeral Home, “Official Obituary of William J. Pascrell, Jr.”, <https://www.browningforshay.com/obituaries/William-J-Pascrell-Jr?obId=32868567>.

⁷ Public Law 111-11.

⁸ Id.

⁹ United States Department of Agriculture: U.S. Forest Service Proposes New Management Practices for Stewardship of Water Resources, May 5, 2014 (press release).

¹⁰ Forest Service Groundwater Resource Management Chapter 2560.03.03; p. 9-10.

¹¹ Bill Report, Water Rights Protection Act of 2017. July 25, 2017.

¹² [Text - H.R. 3189 - 113th Congress \(2013-2014\): Water Rights Protection Act | Congress.gov | Library of Congress](#)

and another was reported favorably by the Committee on Natural Resources in the 115th Congress.¹³ H.R. 302 has five Republican co-sponsors.

An ANS will be introduced at the markup to name this bill the “*Water Rights Protection Act*.”

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H.R. 331 (Rep. Fulcher), To amend the Aquifer Recharge Flexibility Act to clarify a provision relating to conveyances for aquifer recharge purposes.

H.R. 331 seeks to amend the Aquifer Recharge Flexibility Act (P.L. 116-260) to allow holders of an existing right-of-way (ROW) to utilize that grant for the purposes of aquifer recharge without further authorization from the Secretary of the Interior. The Aquifer Recharge Flexibility Act was enacted in 2020 to facilitate aquifer recharge programs using existing federally owned irrigation canals and ditches on lands owned by the U.S. Bureau of Land Management. H.R. 331 clarifies that this use shall not be considered an expansion or modification and ensures that the intent of the current law can be fully implemented.

An amendment will be offered that clarifies the intent of the legislation.

More information on the hearing, including testimony, is available [here](#), and the hearing memo can be viewed [here](#).

Staff contact: Annick Miller (Annick.Miller@mail.house.gov)

H.R. 618 (Rep. Horsford), “*Apex Area Technical Corrections Act*”

Congress created the Apex Industrial Park (Apex) in 1989 by authorizing the sale of roughly 21,000 acres of Bureau of Land Management (BLM) land to Clark County, Nevada, to establish an industrial park.¹⁴ While the original law directed BLM to issue utility and transportation rights-of-way for the Apex, businesses that want to start construction or expand at the Apex must endure a complicated permitting process. The delayed installation of utilities has stalled the growth of existing businesses in the Apex area. Additionally, the prolonged permitting process acts as a deterrent for new businesses, hindering economic development in North Las Vegas.

H.R. 618 amends the Apex Project, Nevada Land Transfer and Authorization Act of 1989 to streamline the permitting process for the site. Specifically, the legislation allows the Secretary of the Interior to grant utility and transportation rights-of-way to the Apex Industrial Park Owners Association (Association) and City of North Las Vegas, along with Clark County, for electric, power, water, natural gas, telephone, railroad, or highway facilities.¹⁵ The legislation also strengthens the requirement to grant such rights-of-way by amending the law to state the Secretary “*shall*” issue the rights-of-way rather than the current “*may*” issue the rights-of-way.

¹³ [Actions - H.R. 2939 - 115th Congress \(2017-2018\): Water Rights Protection Act of 2017 | Congress.gov | Library of Congress](#)

¹⁴ KTNV, North Las Vegas Industrial Center Expected to Generate Thousands of Job Opportunities, <https://www.ktnv.com/news/apex-industrial-center-set-to-generate-thousands-of-job-opportunities-for-valley-residents#:~:text=The%20focus%20is%20on%20an.6%2C500%20employees%20when%20built%20out>.

¹⁵ Public Law 101-67; 103 Stat. 168.

These changes are necessary, as the Association and North Las Vegas, rather than Clark County, now own most of the site. Finally, the legislation eases requirements regarding the sale of mineral materials from the Apex due to grading or land balancing.

Hearing information, including testimony, may be viewed [here](#), and the hearing memo may be viewed [here](#).

Staff contacts: Aniela Butler (Aniela@mail.house.gov) and Colen Morrow (Colen.Morrow@mail.house.gov)

H.R. 1001 (Rep. Hageman), To provide for a memorandum of understanding to address the impacts of a certain record of decision on the Upper Colorado River Basin Fund.

H.R. 1001 would require Reclamation and the Western Area Power Administration (WAPA) to enter into a memorandum of understanding to address the impacts of the recent record of decision (ROD) to allow flow experiments at Glen Canyon Dam on the Upper Colorado River Basin Fund (Basin Fund).

On July 3, 2024, Reclamation finalized and signed the ROD for the Long Term Experimental and Management Plan (LTEMP) Supplemental Environmental Impact Statement (EIS) for Glen Canyon Dam.¹⁶ This decision modifies the original LTEMP to allow for water releases that bypass the hydropower generators to disrupt the establishment of a smallmouth bass population.

However, by bypassing the dam's hydroelectric generators, Reclamation is putting at risk funding to the Basin Fund. According to the Final EIS, from May 2024, the average impact to the Basin Fund for these experiments ranges from \$13.5 to \$26.9 million, with the worst scenario of more than \$200 million.¹⁷ This revenue loss could greatly impact the CRSP system, as the Basin Fund is the main source of funding for the operation and maintenance of dams in the system. The loss of power generation will also impact the energy supply and the cost of energy in the region, as power distributors would need to purchase more expensive replacement power on the open market to honor existing contractual obligations.

In November 2024, the Subcommittee held a legislative hearing on identical legislation. Information on that hearing, including testimony, is available [here](#), and the hearing memo is available [here](#).

Staff contact: Annick Miller (Annick.Miller@mail.house.gov)

¹⁶ “Supplement to the 2016 Glen Canyon Dam Long-Term Experimental and Management Plan.” *Record of Decision*. U.S. Bureau of Reclamation. 7/3/2024. <https://www.usbr.gov/uc/DocLibrary/EnvironmentalImpactStatements/GlenCanyonDamLong-TermExperimentalManagementPlan/20240703-GCDLTEMP-FinalSEIS-RecordofDecision-508-AMWD.pdf>

¹⁷ “Glen Canyon Dam Long-Term Experimental and Management Plan.” *Final Environmental Impact Statement*. U.S. Bureau of Reclamation. 5/30/2024. See 3-41. <https://www.usbr.gov/uc/DocLibrary/EnvironmentalImpactStatements/GlenCanyonDamLong-TermExperimentalManagementPlan/20240500-GCDLTEMP-FinalSEIS-508-AMWD.pdf>

[H.R. 1044](#) (Rep. Valadao), To amend Public Law 99-338 with respect to Kaweah Project permits.

Since 1899, Southern California Edison has operated the Kaweah Hydroelectric Project (Project) on the Kaweah and East Fork Kaweah Rivers.¹⁸ The Kaweah Project has a generating capacity of 8.85 megawatts and is split into three developments.¹⁹ In 1943, Congress expanded the boundaries of Sequoia National Park and acquired lands that contained part of the Project.²⁰ As a result, Kaweah #3 has diversion dams and 4.4 miles of flow line in the national park.²¹ From 1943 to 1986, Congress authorized the Secretary of the Interior to extend Southern California Edison's special use permit to use these lands for the continued operation of the project.²² Congress subsequently reauthorized the extension of this permit for ten years and provided the option to renew for ten additional years. The Consolidated Appropriations Act of 2005 allowed for two additional renewals, expiring in 2026.²³ H.R. 1044 would authorize the Secretary of the Interior to issue four additional renewals, extending the project for 40 years. Without renewal, Southern California Edison would be forced to remove their infrastructure from the area, a significant cost for the company's ratepayers. Extending the special use permit will allow Southern California Edison to continue supplying reliable and affordable energy to this region.

Hearing information, including testimony, may be viewed [here](#), and the hearing memo may be viewed [here](#).

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[H.R. 1110](#) (Rep. LaMalfa), To require the Secretary of Agriculture to develop a strategy to increase opportunities to utilize livestock grazing as a means of wildfire risk reduction.

Federal agencies must be equipped with all available tools to reduce wildfire risk, improve forest health, and minimize the vulnerability of communities in the wildland-urban interface. Targeted grazing is a proven method of reducing hazardous fuels and decreasing the speed and severity with which wildfires would otherwise rip through our forests and put vulnerable communities at risk. The USFS consistently recognizes grazing as an effective tool for wildfire management and has listed grazing as a key aspect of the agency's Wildfire Crisis Strategy.²⁴ Building on this progress, H.R. 1110 would direct USFS to expand proactive, targeted grazing in fuels management programs to lower wildfire risk. Specifically, the bill would direct USFS to coordinate with grazing permittees to develop wildfire risk-reduction strategies, including proactive fuels reduction to prevent wildfire and the use of grazing as a post-fire recovery strategy. An identical provision was included in the House-passed "Fix Our Forests Act."²⁵ An

¹⁸ Southern California Edison Company, "Kaweah FERC Project No. 298." January 2019, https://www.sce.com/sites/default/files/inline-files/CUL1_BuiltEnvironmentTSR.pdf.

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ Public Law 108-447.

²⁴ Fiscal Year 2025 Budget Justification, United States Department of Agriculture Forest Service, accessed November 12, 2024, <https://www.fs.usda.gov/sites/default/files/fs-fy25-congressional-budget-justification.pdf>.

²⁵ H.R. 471, the Fix Our Forests Act, <https://www.congress.gov/bill/119th-congress/house-bill/471>

amendment in the nature of a substitute (ANS) will be offered at markup, making technical improvements to the legislation.

Hearing information, including testimony, may be viewed [here](#), and the hearing memo may be viewed [here](#).

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[Authorization and Oversight Plan for the Committee on Natural Resources – 119th Congress](#)

The Committee will consider the Authorization and Oversight Plan for the 119th Congress. Under clause 2 of House Rule X, the Committee has general oversight responsibilities to determine whether laws and programs addressing subjects within its jurisdiction are being implemented and carried out in accordance with congressional intent.

Pursuant to clause 2(d)(1) of House Rule X, the Committee is required to adopt an Authorization and Oversight Plan for the 119th Congress no later than March 1 of the first session of each Congress. Upon adoption, the Committee is required to submit the Authorization and Oversight Plan to the Committee on Oversight and Accountability and the Committee on House Administration.

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III. CBO SCORES

None available.

IV. EFFECT ON CURRENT LAW (RAMSEYER)

[H.R. 231](#)

[H.R. 331](#)

[H.R. 618](#)

[H.R. 1044](#)