



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Water, Wildlife and Fisheries Republican Members
From: Subcommittee on Water, Wildlife and Fisheries Staff: Richie O'Connell (Richie@mail.house.gov), Doug Levine (Doug.Levine@mail.house.gov), Kirby Struhar (Kirby.Struhar@mail.house.gov), and Jackson Renfro (Jackson.Renfro@mail.house.gov); x5-8331
Date: Monday, September 14, 2026
Subject: Legislative Hearing on 8 Bills

The Subcommittee on Water, Wildlife and Fisheries will hold a legislative hearing on eight bills: H.R. 177 (Rep. McClintock), "*Yosemite National Park Equal Access and Fairness Act*"; H.R. 3717 (Rep. Harder), "*Golden Mussel Eradication and Control Act of 2025*"; H.R. 5935 (Rep. Calvert), "*Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act*"; H.R. 6869 (Rep. Leger Fernandez), To amend the Aamodt Litigation Settlement Act to modify a provision relating to the extension of certain dates for the completion of the Regional Water System, and for other purposes.; H.R. 8546 (Rep. Issa), "*Pechanga Band of Indians Water Rights Settlement Technical Amendments Act*"; H.R. 9017 (Rep. Donalds), "*Restore Florida Water Independence Act of 2026*"; H.R. 9590 (Rep. Webster), "*Study and Assessment of Future Ecosystems for Manatees Act*" or "*SAFE for Manatees Act*"; and H.R. 10117 (Rep. Steube), "*Gathering Alligator Treatment, Oversight, and Response Act of 2026*" or "*GATOR Act of 2026*".

The hearing will take place on **Wednesday, September 16, 2026, at 10:00 a.m., in room 1324 Longworth House Office Building.**

Member offices are requested to notify Will Gardner (Will.Gardner@mail.house.gov) by 4:30 p.m. on Tuesday, September 15, 2026, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- H.R. 177 expands recreational opportunities within Hetch Hetchy Valley and requires the City of San Francisco, California, to pay a fair price for the water it obtains from Hetch Hetchy.
- H.R. 5935 fulfills the federal government's trust responsibility by ratifying and implementing the negotiated settlement between the Agua Caliente Band of Cahuilla Indians, the Coachella Valley Water District, the Desert Water Agency, and the federal government.
- H.R. 8546 makes technical updates to the Pechanga Band of Luiseno Mission Indians Water Rights Settlement Act to ensure that the agreement reflects current trust lands and modern water quality challenges.

- H.R. 9017 furthers House Republicans’ priority of enacting meaningful permitting reform by codifying the Endangered Species Act Biological Opinion for the State of Florida’s assumption Clean Water Act Section 404 permitting.
- H.R. 9590 furthers the conservation of manatees by working to identify warm water habitats to replace those that may disappear when certain infrastructure is decommissioned.
- H.R. 10117 directs the U.S. Government Accountability Office to study whether federal treatment of certain reptiles under the Endangered Species Act’s similarity-of-appearance provision has affected State management programs and the removal of nuisance alligators and invasive caimans.

II. WITNESSES

Panel I (Members of Congress)

- *To Be Announced*

Panel II (Administration Witnesses)

- **Mr. Dave Miko**, Acting Deputy Director for Operations, U.S. Fish and Wildlife Service, Washington, D.C. [*H.R. 3717, H.R. 9017, H.R. 9590, and H.R. 10117*]

Panel III (Outside Experts)

- **The Hon. Jeff Grubbe**, Chairman, Agua Caliente Band of Cahuilla Indians, Palm Springs, CA [*H.R. 5935*]
- **The Hon. Mark Macarro**, Chairman, Pechanga Band of Indians, Temecula, CA [*H.R. 8546*]
- **The Hon. Brett Barbre**, Director, Yorba Linda Water District, Yorba Linda, CA [*H.R. 177*]
- **Mr. George Roberts**, Board Chair, Northwest Florida Water Management District, Havana, FL [*H.R. 9017*]
- **Mr. Mike Sole**, Vice President of Environmental Services, NextEra Energy, Juno Beach, FL [*H.R. 9590*]
- **Mr. John J. Truitt**, Deputy Secretary, Florida Department of Environmental Protection, Tallahassee, FL [*H.R. 9017*]
- **The Hon. Christopher Moquino**, Governor, San Ildefonso Pueblo, Santa Fe, NM [*H.R. 6869*] [*Minority Witness*]
- **Ms. Amber Crooks**, Senior Environmental Policy Advisor, Conservancy of Southwest Florida, Naples, Florida [*H.R. 9017*] [*Minority Witness*]

III. BACKGROUND

H.R. 177 (Rep. McClintock), “Yosemite National Park Equal Access and Fairness Act”

Enacted in 1913, the Raker Act authorized the City of San Francisco, California, to dam the Hetch Hetchy Valley and Lake Eleanor Basin within Yosemite National Park to create reservoirs

for municipal water and hydroelectric power.¹ Today, Hetch Hetchy Reservoir remains the primary source of San Francisco’s water supply, serving roughly 2.7 million Bay Area residents.² But public access to the reservoir is largely restricted. In return for this water source, the San Francisco Public Utilities Commission (SFPUC) pays a nominal, outdated annual rental fee of \$30,000 to the National Park Service (NPS), which funds road and trail maintenance in Yosemite and other national parks.³ This fee has never been adjusted for inflation, even though SFPUC has reported that water and power revenues from Hetch Hetchy Reservoir average more than \$200 million per year.⁴

H.R. 177 modifies the Raker Act to increase the annual rent San Francisco pays to NPS and to direct NPS to expand public access to the reservoir.⁵ Specifically, the bill increases from \$30,000 to \$2 million SFPUC’s annual payment for the use of the reservoir system, allows for future adjustments to the annual payment to account for inflation, and prohibits SFPUC from directly recovering that increase from its wholesale water or power customers.⁶ The bill allows the U.S. Department of the Interior (DOI) to use collected rent for wildfire mitigation activities in Yosemite and other national parks in California.⁷

The bill also requires NPS to allow various recreational activities within the Hetch Hetchy Reservoir area, including swimming, bathing, fishing, camping, picnicking, non-motorized boating, and motorized or non-motorized vehicle use when necessary to conduct the previously enumerated activities.⁸ Lastly, the bill requires NPS to produce a report on ways to facilitate a more equitable pricing structure for use of Hetch Hetchy Reservoir and whether the Raker Act’s original intent to provide recreational access to the reservoir has been followed.⁹

H.R. 3717 (Rep. Harder), “Golden Mussel Eradication and Control Act of 2025”

Aquatic invasive species can destroy the habitat and food sources of, and even prey on, native species. These disruptive effects can spread to man-made systems. For example, invasive mussel species, such as quagga and zebra mussels, have inflicted extensive damage not only on aquatic ecosystems (e.g., by stripping waters of essential nutrients that support native food webs) but also on water infrastructure (e.g., by clogging water intakes).¹⁰

In October 2024, scientists first detected an invasive mussel called the Golden Mussel, native to Southeast Asia, in California.¹¹ Golden mussel detections have occurred in the highest

¹ Pub. L. No. 63-41, <https://www.govinfo.gov/content/pkg/STATUTE-38/pdf/STATUTE-38-Pg242.pdf>.

² “Surface Water: Water from Rain and Snowmelt,” San Francisco Public Utilities Commission, <https://www.sfpuc.gov/about-us/our-systems/surface-water-water-rain-and-snowmelt>.

³ Pub. L. No. 63-41, <https://www.govinfo.gov/content/pkg/STATUTE-38/pdf/STATUTE-38-Pg242.pdf>.

⁴ *Adopted Budget: Fiscal Years 2020–21 and 2021–22*, San Francisco Public Utilities Commission, 2020, https://www.sfpuc.gov/sites/default/files/about-us/policies-reports/SFPUC_Adopted_Budget_FY2020-21_2021-22.pdf.

⁵ H.R. 177, 119th Congress, <https://www.congress.gov/119/bills/hr/177/BILLS-119hr177ih.pdf>.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

¹⁰ “Assessing the Risk of Invasive Mussels Spreading throughout the Columbia River Basin,” U.S. Geological Survey, <https://www.usgs.gov/centers/western-fisheries-research-center/news/assessing-risk-invasive-mussels-spreading-throughout>.

¹¹ “Invasive Species Fact Sheet: Golden Mussel, *Limnoperna fortunei*,” California Department of Fish & Wildlife, <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227960&inline>.

concentrations in the Sacramento-San Joaquin River Delta and San Joaquin Valley in California but span as far south as the U.S.-Mexico border. Golden mussels reproduce rapidly, spawning multiple times a year and potentially producing thousands of offspring. To date, golden mussels have been connected to fish-killing algal blooms and costly repairs and maintenance to hydroelectric facilities.¹²

H.R. 3717 amends the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to include a demonstration program and a grant program to study and eradicate golden mussel populations. Under the demonstration program, the Aquatic Nuisance Species Task Force (Task Force) would partner with various entities to research the biology and environmental impacts of golden mussels and develop control and eradication methods. The demonstration program's participants would also be charged with providing guidance to both federal and non-federal government agencies, including ports of entry, to prevent further entry of golden mussels into the U.S. The bill also requires the Task Force to establish a grant program to competitively award dollars to projects that identify effective technologies to control and remove golden mussels. The bill authorizes \$15 million per year through Fiscal Year 2030 to carry out these two programs.



Figure 1. Golden Mussel detections in California
Source: Fox40.

H.R. 5935 (Rep. Calvert), “*Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act*”

H.R. 5935 ratifies and implements the negotiated settlement between the Coachella Valley Water District (CVWD), the Desert Water Agency (DWA) (collectively, the Districts), the federal government, and the Agua Caliente Band of Cahuilla Indians (Agua Caliente). Finalized in 2025, after more than a decade of litigation and negotiations, the settlement is intended to resolve longstanding disputes over Agua Caliente’s water rights in California and to provide certainty for both the tribe and the local water agencies that rely on the same groundwater system.

Specifically, the bill quantifies Agua Caliente’s water right at 20,000 acre-feet per year, with a priority date no later than the executive orders establishing the tribe’s reservation.¹³ The right would be held in trust by the U.S. and would be protected from forfeiture or abandonment.¹⁴ The bill also confirms certain existing surface-water rights and gives Agua Caliente authority to

¹² *Id.*

¹³ H.R. 5935, 119th Congress, <https://www.congress.gov/119/bills/hr/5935/BILLS-119hr5935ih.pdf>.

¹⁴ *Id.*

manage and, subject to certain conditions and federal approval, lease its water rights for off-reservation uses.¹⁵

Currently, the Districts assess fees on groundwater pumping to recover the costs of importing surface water for groundwater recharge.¹⁶ The bill exempts Agua Caliente from groundwater pumping fees.¹⁷ Moreover, the Districts' fees on third-party pumping of the tribe's groundwater would be replaced with a tribal water fee, generating revenue for Agua Caliente to fund water-related projects.¹⁸ The bill also authorizes the assessment of a tribal fee on parties located on the reservation whose water is delivered by the Districts.¹⁹

Moreover, the settlement authorizes a tribal possessory interest tax (PIT) that would preempt and replace Riverside County's PIT within the reservation but would ensure no change in the distribution of PIT revenues to the public services that currently receive them.²⁰

The bill establishes an Agua Caliente water settlement trust fund, totaling \$500 million in mandatory funding, adjusted for inflation, indexing, and interest accrual. The bill requires the funding to be allocated as follows:

- \$300 million for tribal infrastructure, facilities, and conservation projects to improve water supply, water reliability, and water quality.²¹
- \$100 million for the Districts' water supply projects that support water levels under the Reservation.²²
- \$50 million for a water management fund to support Agua Caliente's larger role as a water manager and purveyor of water.²³
- \$50 million for operation, maintenance, and replacement costs for any of the Agua Caliente Development Projects.²⁴

The bill also transfers into trust approximately 2,742 acres of federal land adjacent to the reservation and currently managed by the Bureau of Land Management (BLM).²⁵ Lastly, the legislation provides for the direct sale, for appraised value, to CVWD of BLM lands on which CVWD's groundwater recharge facility is located and currently operated pursuant to BLM-issued rights-of-way.²⁶

¹⁵ *Id.*

¹⁶ *Testimony of Jeff Grubbe, Chairman of the Agua Caliente Band of Cahuilla Indians Before the Senate Committee on Indian Affairs: S. 4368, the Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act*, U.S. Senate Committee on Indian Affairs, July 29, 2026, <https://www.indian.senate.gov/wp-content/uploads/07.29.26-Testimony-Grubbe.pdf>.

¹⁷ H.R. 5935, 119th Congress, <https://www.congress.gov/119/bills/hr5935/BILLS-119hr5935ih.pdf>.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Id.*

H.R. 6869 (Rep. Leger Fernandez), To amend the Aamodt Litigation Settlement Act to modify a provision relating to the extension of certain dates for the completion of the Regional Water System.

H.R. 6869 amends the Aamodt Litigation Settlement Act, which approved a settlement agreement between the Pueblos of Nambe, Tesuque, San Ildefonso, and Pojoaque (collectively, the Pueblos), the State of New Mexico, and other local parties. As part of the settlement, the federal government is responsible for constructing the Pojoaque Basin Regional Water System (Regional Water System), a major infrastructure project designed to provide reliable drinking water to Pueblo and non-Pueblo users in New Mexico's Tesuque-Pojoaque Basin.

Current law establishes June 30, 2028, as the deadline by which the Regional Water System must be either substantially completed or meet specified requirements demonstrating that the Bureau of Reclamation has made diligent efforts to complete it.²⁷ However, the parties have recently agreed to reassess the phased construction schedule and, if necessary, make changes, which will likely delay substantial completion beyond the existing statutory deadline.²⁸ H.R. 6869 allows the settlement parties to mutually agree to extend the statutory deadline for substantial completion of the Regional Water System.²⁹

H.R. 8546 (Rep. Issa), “Pechanga Band of Indians Water Rights Settlement Technical Amendments Act”

Enacted in 2016 as part of the Water Infrastructure Improvements for the Nation Act,³⁰ the Pechanga Band of Luiseño Mission Indians Water Right Settlement Act (2016 Act) resolved the Pechanga Band of Luiseño Mission Indians' (Pechanga) water-rights claims in the Santa Margarita River Watershed in southern California.³¹ The settlement became enforceable in 2020 after the required conditions, including the appropriation of federal funding and the execution of necessary waivers, were satisfied.³²

H.R. 8546 amends the 2016 Act to clarify which lands are considered part of the Pechanga Reservation for purposes of the settlement.³³ This modification allows the water project constructed under the settlement to serve the population residing on tribal trust lands that were not held in trust when the 2016 Act was enacted. The bill does not modify the boundaries of the Pechanga Reservation but expands the existing reservation definition to include lands identified in the 2016 Act, contiguous lands that have since been taken into trust for the benefit of the Pechanga, and any contiguous lands taken into trust on behalf of the tribe in the future.³⁴ The bill

²⁷ “S. 4368, Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act,” *Pending Legislation*, Office of Congressional and Legislative Affairs, U.S. Department of the Interior, 2026, <https://www.doi.gov/ocl/pending-legislation-122>.

²⁸ *Id.*

²⁹ H.R. 6869, 119th Congress, <https://www.congress.gov/119/bills/hr6869/BILLS-119hr6869ih.pdf>.

³⁰ Pub. L. No. 114-322.

³¹ U.S. Department of the Interior, “S. 4417, Pechanga Band of Indians Water Rights Settlement Technical Amendments Act,” *Pending Legislation*, Office of Congressional and Legislative Affairs, U.S. Department of the Interior, 2026, <https://www.doi.gov/ocl/pending-legislation-122>.

³² *Id.*

³³ H.R. 8546, 119th Congress, <https://www.congress.gov/119/bills/hr8546/BILLS-119hr8546ih.pdf>.

³⁴ *Id.*

also extends the benefits and compromises provided under the 2016 Act to contiguous lands taken into trust since the 2016 Act's enactment.³⁵

Furthermore, H.R. 8546 expands the eligible uses of the Pechanga Water Quality Account.³⁶ Under the 2016 settlement, the account can only be used for groundwater desalination activities within the Wolf Valley. H.R. 8546 broadens that authority to allow existing funds to support activities addressing water-quality issues more generally within the basin, giving the Pechanga greater flexibility to respond to changing water-quality challenges rather than restricting the account to desalination.³⁷

H.R. 9017 (Rep. Donalds), “Restore Florida Water Independence Act of 2026”

Congress passed the Clean Water Act (CWA) in 1972 to regulate discharges into, and the quality of, waters of the United States administered by the Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps). Section 404 of the CWA regulates the discharge of dredge or fill material from infrastructure projects and resource-extraction projects.³⁸ In most states, the Corps issues Section 404 permits for projects that discharge dredge or fill material into waters of the United States. To receive a Section 404 permit, the project applicant must meet certain requirements, including showing that the actions are being taken to avoid impacts to waters of the United States, minimizing those impacts, and mitigating all unavoidable impacts.³⁹

Section 404 of the CWA allows states and tribes to assume responsibility for issuing permits for dredge and fill discharge. To assume this responsibility, states and tribes must show that their programs align with the federal program in scope of jurisdiction, regulate the same activities, provide for public participation, meet environmental criteria, and have adequate enforcement authority.⁴⁰ Currently, Michigan and New Jersey are the only two states with operating state Section 404 permitting programs.⁴¹

On December 17, 2020, EPA approved a Section 404 permitting program for the State of Florida to be administered by the Florida Department of Environmental Protection (FDEP).⁴² According to FDEP, state assumption provides “greater certainty to the regulated community, conserves resources of both the applicant and regulator, and affords the state greater control over its natural resources while complying with federal law.”⁴³ Florida also has an equivalent state program for projects already within the state’s jurisdiction called the Environmental Resource Permit (ERP) program. Florida’s assuming control of the federal Section 404 program made its state ERP

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ 33 U.S.C. 1344.

³⁹ Permit Program under CWA Section 404,” U.S. Environmental Protection Agency, “<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>.”

⁴⁰ 33 U.S.C. 1344.

⁴¹ “Assumed Section 404 Programs in the United States,” U.S. Environmental Protection Agency, <https://www.epa.gov/cwa404g/tribal-and-state-section-404-assumption-efforts>.

⁴² “DEP Receives EPA Approval for Oversight of Federal Wetlands Program,” Florida Department of Environmental Protection, December 17, 2020, <https://content.govdelivery.com/accounts/FLDEP/bulletins/2b18f44>.

⁴³ “State 404 Program,” Florida Department of Environmental Protection, <https://floridadep.gov/water/submerged-lands-environmental-resources-coordination/content/state-404-program>.

program more efficient by eliminating duplicative reviews, as 85 percent of permits overlap between the state and federal programs.⁴⁴

The Center for Biological Diversity and other environmental organizations challenged EPA's approval of Florida's program in federal court, alleging that EPA violated the Administrative Procedure Act, the CWA, and the Endangered Species Act (ESA).⁴⁵ On February 15, 2024, the U.S. District Court for the District Columbia nullified Florida's assumption of Section 404 permitting, holding that EPA had failed to comply with the ESA.⁴⁶ Specifically, the court reasoned that the ESA Biological Opinion that accompanied the approval of Florida's program did not contain species-specific analysis or explicit take limits of listed species.⁴⁷ During the litigation, the U.S. Fish and Wildlife Service (USFWS) claimed it lacked enough information to make a determination of the impacts of future state-issued Section 404 permits on a species-specific basis.⁴⁸

The Department of Justice under the Biden administration appealed this decision, asserting that the program was approved based upon a Programmatic Biological Opinion that required Florida to coordinate with USFWS on species impacts on a project-by-project basis.⁴⁹ On March 27, 2026, the U.S. Court of Appeals for the District of Columbia denied the appeal. The Department of Justice on August 7, 2026, filed a petition for that court to rehear the appeal, claiming that the decision had imposed unworkable standards on both the state and federal governments.⁵⁰

H.R. 9017 deems the Biological Opinion for the assumption of Section 404 permitting by the State of Florida compliant with the ESA and requires no additional ESA consultation. The bill has eight bipartisan cosponsors from the Florida delegation.

⁴⁴ *Id.*

⁴⁵ "Federal Court Revokes Florida's CWA Section 404 Permitting Authority," The National Agriculture Law Center, <https://nationalaglawcenter.org/federal-court-revokes-floridas-cwa-section-404-permitting-authority/>.

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Michelle Diffenderfer & Katherine L. Hupp, "Florida 404 Program Denied Again by the D.C. Court of Appeals – Update from Lewis, Longman & Walker, P.A." Environmental Law Network, April 6, 2026, <https://environmentallawnetwork.com/eln-updates/florida-404-program-denied-again-by-the-d-c-court-of-appeals-update-from-lewis-longman-walker-p-a/>.

⁵⁰ Federal Appellants' Petition for Panel Rehearing or Rehearing En Banc, *Center for Biological Diversity v. Zeldin*, No. 24-5101, 24-5156, 24-5159 (DC Cir. 2026), https://floridaspecifier.com/wp-content/uploads/2026/08/Federal_Appellants_Petition_COMPRESSED.pdf

H.R. 9590 (Rep. Webster), “Study and Assessment of Future Ecosystems for Manatees Act” or “SAFE for Manatees Act”

The West Indian manatee is a large marine mammal native to the warm waters of Florida, the Caribbean, and Central and South America. There are two subspecies of West Indian manatees, the Florida manatee and the Antillean manatee, each of which is listed under the ESA and protected under the Marine Mammal Protection Act. According to the USFWS, there are least 13,000 West Indian manatees in the wild, an estimated 8,350 of which are found in Florida.⁵¹

Manatees rely upon warm-water habitats to survive; waters colder than 68 degrees Fahrenheit for extended periods can cause fatal cold stress syndrome.⁵²

Historically, manatees relied upon warm-water natural springs to provide warmer water during the winter months. However, as Florida has developed, those springs have become less prevalent and harder to access, leading manatees to adapt and utilize artificial sources of warm water, such as water discharged by coastal power plants. Over half of Florida manatees depend on these artificial sources to survive the winter.⁵³



Figure 2. Manatees gathering around a Florida power plant
Source: Science Photo Library.

According to a 2020 report from the Florida Fish and Wildlife Conservation Commission (Conservation Commission), at least ten existing coastal power plants are known primary and secondary warm-water sites used by manatees.⁵⁴ Each of these power plants was built before 1972, when CWA regulations prohibited new facilities from discharging water at a warmer temperature than when they received it.⁵⁵ Some of these power plants began to reach the end of their lifespans in 2008, and power companies began repowering them over the following decade.⁵⁶ The same report, however, anticipates that “power companies will likely phase out power plant discharges within the next 30 years.”⁵⁷ This poses a serious challenge to the future of manatee conservation, as manatees are known to return to the same warm-water areas year after year, teaching their calves to do the same.

⁵¹ “Trichechus manatus,” U.S. Fish and Wildlife Service, <https://www.fws.gov/species/manatee-trichechus-manatus>.

⁵² Reasons for Manatee Rescue,” Florida Fish and Wildlife Conservation Commission, <https://myfwc.com/research/manatee/rescue-mortality-response/rescue/reasons/>.

⁵³ “Florida Manatee Warm-Water Habitat Action Plan,” Florida Fish and Water Conservation Commission, October 2020, <https://myfwc.com/media/28270/wwwmap.pdf>.

⁵⁴ *Id.*

⁵⁵ *Id.*

⁵⁶ *Id.*

⁵⁷ *Id.*

H.R. 9590 requires USFWS to conduct a study on locations that could function as habitat for manatees that currently utilize warm-water sources from industrial sites that are subject to decommissioning. The bill requires USFWS to consult with the Corps and the Conservation Commission in conducting the study and issue a report within 180 days of the bill's enactment. The bill has six bipartisan cosponsors from the Florida delegation.

H.R. 10117 (Rep. Steube), “Gathering Alligator Treatment, Oversight, and Response Act of 2026” or “GATOR Act of 2026”

The American alligator (*Alligator mississippiensis*) is native to the southeastern United States and has substantially recovered from historical population declines. In 1987, USFWS determined that the species was no longer biologically endangered or threatened and reclassified the American alligator as “threatened due to similarity of appearance” throughout its range.⁵⁸ This designation was intended to facilitate enforcement of federal protections for other threatened and endangered crocodilian species. USFWS determined that enforcement personnel could have difficulty distinguishing processed alligator hides and products from those of protected crocodilians, creating a potential avenue for illegal wildlife trafficking. The similarity-of-appearance designation allows the federal government to maintain certain protections for the alligator without finding that the species itself is biologically threatened.⁵⁹



Figure 3. American Alligator Distribution
Source: U.S. Geological Survey.

Section 4(e) of the ESA authorizes the Secretary of the Interior to treat an otherwise unlisted species as endangered or threatened when the unlisted species closely resembles a listed species, the resemblance creates substantial difficulty for enforcement personnel, and the additional treatment would facilitate enforcement of the Act.⁶⁰ The American alligator is currently treated as threatened under this provision. Other reptiles have also been listed under the ESA due to similarity of appearance, although the underlying protected species varies by listing. For example, in 2000, USFWS listed the common caiman and brown caiman, two invasive species in Florida, as threatened due to similarity of appearance to the yacare caiman. USFWS stated that the designation was intended to facilitate inspections and detection of illegal shipments of yacare caiman and other crocodilian products.⁶¹

⁵⁸ “Endangered and Threatened Wildlife and Plants; Reclassification of the American Alligator as Threatened Due to Similarity of Appearance,” U.S. Fish and Wildlife Service, 52 Fed. Reg. 21059, June 1987, <https://www.fws.gov/species-publication-action/reclassification-american-alligator-thr-due-similarity-appearance>.

⁵⁹ *Id.*

⁶⁰ “Section 4. Determination of Endangered Species and Threatened Species,” U.S. Fish and Wildlife Service, <https://www.fws.gov/laws/endangered-species-act/section-4>.

⁶¹ “Endangered and Threatened Wildlife and Plants; Reclassification of Yacare Caiman in South America From Endangered to Threatened, and the Listing of Two Other Caiman Species as Threatened by Reason of Similarity of Appearance,” U.S. Fish and

H.R. 10117 follows the death of a 31-year-old woman, who was killed by a 13-foot American alligator near her home in Oviedo, Florida. The incident renewed attention to the management of nuisance alligators, as development brings people and alligators into closer proximity. The bill's sponsor, Rep. Greg Steube (R-FL-17), has raised concerns that federal



Figure 4. American Alligator
Source: U.S. Fish and Wildlife Service.

requirements associated with the similarity-of-appearance designation may discourage residents from reporting nuisance alligators or impede state efforts to remove them from residential and commercial waterways. The bill examines whether a federal framework originally designed to prevent illegal trade in protected crocodilian species has had unintended effects on state nuisance-alligator management.⁶²

Specifically, H.R. 10117 directs the Comptroller General, in consultation with the Secretary of the Interior and relevant state wildlife agencies, to conduct a study of the effects of federal treatment under ESA Section 4(e) on the management of the American alligator, common caiman, and brown caiman.⁶³ The study must examine the effect of the federal listing on state management programs; whether such treatment contributed to the American alligator population recovering beyond levels necessary to support its current status; whether it contributed to common or brown caiman becoming invasive in Florida; and whether the federal framework has made it more difficult to remove nuisance alligators or invasive caimans from residential and commercial waterways. The bill does not alter existing federal or state management authorities but provides Congress with information on whether the current application of Section 4(e) has hindered nuisance wildlife management and removal efforts.⁶⁴

IV. MAJOR PROVISIONS & ANALYSIS

H.R. 177 (Rep. McClintock), “Yosemite National Park Equal Access and Fairness Act”

Section 2. Expansion of Access to Hetch Hetchy Reservoir and Lake Eleanor Basin Areas for Recreational Purposes.

- Increases SFPUC’s annual payment for the use of the Hetch Hetchy Reservoir system from \$30,000 to \$2 million annually, with future adjustments for inflation, while

Wildlife Service, May, 2000, <https://www.fws.gov/species-publication-action/endangered-and-threatened-wildlife-and-plants-reclassification-yacare>.

⁶² H.R. 10117, 119th Congress, <https://www.congress.gov/119/bills/hr8546/BILLS-119hr8546ih.pdf>.

⁶³ *Id.*

⁶⁴ *Id.*

prohibiting SFPUC from directly recovering that increase from its wholesale water or power customers.

- Allows DOI to use collected rent for wildfire mitigation activities in Yosemite and other national parks in California.
- Requires NPS to develop a report on ways to facilitate a more equitable price structure for the use of Hetch Hetchy Reservoir and whether the Raker Act's original intent to provide for recreational access to the reservoir has been followed.

H.R. 3717 (Rep. Harder), “Golden Mussel Eradication and Control Act of 2025”

Section 2. Golden Mussel Demonstration Program.

- Amends the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to create a demonstration grant program for the prevention, monitoring, control, eradication, and research with respect to the golden mussel.
- Amends the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 to create a response and containment research grant program to identify effective technologies and mechanisms to control and remove golden mussels.

H.R. 5935 (Rep. Calvert), “Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act”

Section 4. Ratification of Agreement.

- Ratifies and implements the negotiated settlement between Agua Caliente, the Districts, and the federal government.

Section 5. Tribal Water Right.

- Quantifies Agua Caliente's water right at 20,000 acre-feet per year, with a priority date no later than the executive orders establishing the Reservation.
- Clarifies that the right would be held in trust by the United States and would be protected from forfeiture or abandonment.
- Confirms certain existing surface-water rights and gives the tribe authority to manage and, subject to certain conditions and federal approval, lease its water rights for off-reservation uses.
- Exempts Agua Caliente from groundwater pumping fees.
- Replaces the Districts' fees on third-party pumping of the Agua Caliente's groundwater with a tribal water fee, generating revenue for the tribe to fund water-related projects.
- Authorizes the assessment of a tribal fee on parties located on the Reservation whose water is delivered by the Districts.

Section 6. Settlement Trust Fund.

- Creates the Agua Caliente Settlement Trust Fund, divided into the following four accounts: Development Projects Account, Groundwater Augmentation Account, Water Management Account, and Operation, Maintenance, and Replacement Costs Account.

Section 7. Funding.

- Provides \$300 million for the Development Projects Account.
- Provides \$100 million for the Groundwater Augmentation Account.
- Provides \$50 million for the Water Management Account.
- Provides \$50 million for the Operation, Maintenance, and Replacement Costs Account.

Section 11. Possessory Interest Tax.

- Authorizes a tribal PIT that would preempt and replace Riverside County's PIT within the Reservation but would ensure no change in the distribution of PIT revenues to the public services that currently receive them.

Section 12. Transfer of Land into Trust.

- Transfers into trust approximately 2,742 acres of federal land adjacent to the Reservation and currently managed by BLM.

Section 13. Conveyance of Federal Land to the Coachella Valley Water District.

- Provides for the direct sale, for appraised value, to CVWD of BLM lands on which CVWD's groundwater recharge facility is located and currently operated.

H.R. 6869 (Rep. Leger Fernandez), To amend the Aamodt Litigation Settlement Act to modify a provision relating to the extension of certain dates for the completion of the Regional Water System.

Section 1. Aamodt Litigation Settlement Protection.

- Allows the settlement parties to mutually agree to extend the statutory deadline for substantial completion of the Regional Water System.

H.R. 8546 (Rep. Issa), "Pechanga Band of Indians Water Rights Settlement Technical Amendments Act"

Section 2. Pechanga Band of Indians Water Rights Settlement Technical Amendments.

- Expands the existing reservation definition to include lands identified in the Pechanga Band of Luiseno Indians Water Right Settlement Act, contiguous lands that have since been taken into trust for the benefit of the Pechanga, and any contiguous lands taken into trust on behalf of the Pechanga in the future.
- Extends the benefits and compromises provided under the Pechanga Band of Luiseno Indians Water Right Settlement Act to contiguous lands taken into trust since the act's enactment.
- Allows funds from the Pechanga Water Quality Account to support activities addressing water-quality issues more generally within the basin, rather than restricting the account to desalination.

H.R. 9017 (Rep. Donalds), “Restore Florida Water Independence Act of 2026”

Section 2. Compliance with Biological Opinion Related to Dredge and Fill Permitting Program.

- Deems the Biological Opinion for Florida’s CWA Section 404 permitting program to be in compliance with the applicable ESA requirements.

H.R. 9590 (Rep. Webster), “Study and Assessment of Future Ecosystems for Manatees Act” or “SAFE for Manatees Act”

Section 2. Study on Alternative Habitat for Certain Manatees.

- Requires the Secretary of the Interior to conduct a study on locations that could function as habitat for manatees that are currently utilizing warm water from decommissioning industrial sites for winter habitat.

H.R. 10117 (Rep. Steube), “Gathering Alligator Treatment, Oversight, and Response Act of 2026” or “GATOR Act of 2026”

Section 2. Study Regarding Certain Reptiles

- Requires the Comptroller General of the United States, in consultation with the Secretary of the Interior and relevant state wildlife agencies, to conduct a study on the effects of treating certain reptiles as threatened under Section 4(e)(A) of the ESA due to similarity of appearance to listed species.
- Directs the study to examine how such treatment has affected state management programs for the American alligator, common caiman, and brown caiman.

V. COST

The Congressional Budget Office has not provided a cost estimate for any of these bills.

VI. ADMINISTRATION POSITION

The Trump administration’s position on these bills is unknown at this time.

VII. EFFECT ON CURRENT LAW (RAMSEYER)

H.R. 177

H.R. 3717

H.R. 6869

H.R. 8546