

**Statement for the Record
U.S. Department of the Interior
House Committee on Natural Resources
Subcommittee on Water, Wildlife and Fisheries**

H.R. 177, Yosemite National Park Equal Access and Fairness Act; H.R. 5935, Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act; H.R. 6869, 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; and H.R. 8546, Pechanga Band of Indians Water Rights Settlement Technical Amendments Act

September 16, 2026

H.R. 177, Yosemite National Park Equal Access and Fairness Act

H.R. 177 would expand recreational access to the Hetch Hetchy Reservoir and Lake Eleanor Basin areas of Yosemite National Park. The bill would require the National Park Service to allow swimming, non-motorized watercraft, camping, picnicking, and other appropriate recreational activities in these two areas. It would also authorize motorized and non-motorized vehicle use on roads necessary to provide access each area, provided the use has no negative effect on associated dam facilities. The bill would require a report that includes, among other things, an analysis of mechanisms to offset costs associated with expanded recreational access, including through adjustments to fees paid by the City of San Francisco for its use of Hetch Hetchy water and power resources.

The Hetch Hetchy area is characterized by steep, mountainous terrain and limited visitor infrastructure. Expanding recreational access, particularly water-based recreation, would require significant additional resources above and beyond the fee structure identified for analysis in the bill in order to protect water quality and provide for safe and sustainable visitor use. Hetch Hetchy Reservoir is an unfiltered drinking water source for the San Francisco Bay Area, making water quality protection an important consideration as recreational use expands

The Department supports H.R. 177. Expanding recreational opportunities, within appropriated funding levels, at Hetch Hetchy and Lake Eleanor is consistent with Secretary's Order 3435, which implements the Expanding Public Lands Outdoor Recreation Experiences Act and directs the Department to broaden and modernize outdoor recreation opportunities on federal lands. The bill also advances the Secretary's broader commitment to expanding public access, increasing outdoor recreation opportunities, and enhancing visitor experiences on America's public lands.

H.R. 5935, Agua Caliente Band of Cahuilla Indians Water Rights Settlement Act

Among other things, H.R. 5935 would: ratify a water rights settlement agreement among the Agua Caliente Band of Cahuilla Indians (Tribe), the Desert Water Agency, and the Coachella Valley Water District (collectively, Districts); authorize the Secretary to execute the agreement as amended to conform with H.R. 5935; quantify the Tribe's groundwater rights in California as between the Tribe and the Districts; authorize and direct the Secretary and the Tribe to execute certain waivers of claims in favor of the United States and other settlement parties; establish a

trust fund for the Tribe; appropriate \$500,000,000 in mandatory funding for implementation of the settlement; resolve disputes related to the assessment of charges by the Districts on tribal and allottee water use; authorize a Tribal pumping fee, water fee, and water delivery charge within the Reservation, including on non-Indians; authorize 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 public services that currently receive them; direct that certain Federal lands adjacent to the Tribe's Reservation and currently managed by the Bureau of Land Management (BLM) be transferred into trust for the Tribe; and provide for the direct sale, for appraised value, to the Coachella Valley Water District of BLM lands on which the Coachella Valley Water District's groundwater recharge facility is located and currently operated pursuant to a right-of-way from BLM. H.R. 5935 and the settlement agreement it would ratify are the culmination of over a decade of litigation and negotiation among the parties and would provide certainty to the Tribes and non-Indian stakeholders who rely on shared groundwater resources.

The Department has concerns about the \$500,000,000 Federal contribution included in H.R. 5935. In addition, H.R. 5935 includes novel provisions, including the preemption of certain State and local tax laws, that the Department would like to work with the parties to better understand. Finally, the Department has some technical concerns regarding language transferring certain BLM lands into trust for the Tribe. The Department looks forward to working with the parties, sponsors, and the Committee.

H.R. 6869, A bill 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 would amend the Aamodt Litigation Settlement Act, which was also enacted as part of the Claims Resolution Act of 2010, Public Law No. 111-291, and was then subsequently amended by Public Law No. 116-260 in 2020 (collectively, Act). The Act approved a settlement agreement among the Pueblos of Nambé, Tesuque, San Ildefonso, and Pojoaque (collectively, Pueblos), the State of New Mexico, and other local parties and authorized the Secretary of the Interior to sign the agreement consistent with the Act. It also authorized and directed the Bureau of Reclamation to construct the Pojoaque Basin Regional Water System (Regional Water System), as specified in the Act, to serve the Pueblos and non-Indian water users in the Tesuque-Pojoaque Basin in New Mexico. In 2017, it became clear that construction costs for the Regional Water System were going to exceed the appropriated funds authorized by Congress, so pursuant to the Act the parties reached agreement on how to deal with inadequate funding to complete the Regional Water System and that agreement became codified in the 2020 amendments to the Act. While Congress provided additional funding to complete the Regional Water System, the 2020 amendments to the Act also provided that the Regional Water System would be considered substantially completed when either (1) construction of the Regional Water System actually occurs, or (2) Reclamation meets various requirements and makes diligent efforts to complete construction of the Regional Water System by the statutory deadline of June 30, 2028. Recently, the parties have agreed to reassess the phased construction schedule and, if necessary, make changes, which will likely delay substantial completion beyond the existing statutory deadline of June 30, 2028.

The Department supports H.R. 6869, which would allow the settlement parties to mutually agree to extend the statutory deadline for substantial completion. This will allow the Department to work closely with our Pueblo, State, and County partners to ensure the best use of the remaining Federal funding for construction of the Regional Water System. H.R. 6869 provides no additional Federal funding and would provide an opportunity to maximize the strategic expenditure of the remaining funding for the Regional Water System.

H.R. 8546, Pechanga Band of Indians Water Rights Settlement Technical Amendments Act

H.R. 8546 would amend the Pechanga Band of Luiseño Indians Water Rights Settlement Act, which was enacted in 2016 as part of the Water Infrastructure Improvements for the Nation Act, Public Law No. 114-322 (2016 Act). The settlement became enforceable in 2020 upon publication in the Federal Register of the statement of findings that the terms of the settlement have been met, including the appropriation of Federal funds and the execution of all necessary waivers.

H.R. 8546 would make two discrete changes to the 2016 Act to aid in its implementation. First, H.R. 8546 would amend the definition of “Reservation” to include those lands identified in the 2016 Act, contiguous lands that have since been taken into trust for the benefit of the Tribe, and any contiguous lands taken into trust on behalf of the Tribe in the future. This amendment will extend the benefits and compromises in the 2016 Act to any contiguous lands taken into trust since enactment of the 2016 Act. Second, H.R. 8546 would also expand the eligible uses of the Pechanga Water Quality Account beyond desalination to include activities to address other water quality issues requiring treatment in the Wolf Valley Basin. This amendment will allow the Tribe to use the settlement fund to address water quality concerns without increasing the Federal contribution toward the settlement. The Department supports H.R. 8546.