

117TH CONGRESS
2D SESSION

H. R. 9264

To amend the Act of December 19, 1913 (38 Stat. 242), to expand access to the Hetch Hetchy Reservoir and Lake Eleanor Basin areas for recreational purposes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 3, 2022

Ms. CONWAY (for herself, Mr. MCCLINTOCK, and Mr. VALADAO) introduced the following bill; which was referred to the Committee on Natural Resources

A BILL

To amend the Act of December 19, 1913 (38 Stat. 242), to expand access to the Hetch Hetchy Reservoir and Lake Eleanor Basin areas for recreational purposes, 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 “Yosemite National
5 Park Equal Access and Fairness Act”.

1 **SEC. 2. EXPANSION OF ACCESS TO HETCH HETCHY RES-**
2 **ERVOIR AND LAKE ELEANOR BASIN AREAS**
3 **FOR RECREATIONAL PURPOSES.**

4 (a) IN GENERAL.—The Act of December 19, 1913
5 (38 Stat. 242), is amended—

6 (1) in section 7—

7 (A) in the first sentence—

8 (i) by striking “\$30,000” and insert-
9 ing “\$2,000,000”; and

10 (ii) by inserting “and adjusted annu-
11 ally to reflect increases in the Consumer
12 Price Index for All Urban Consumers”
13 after “July of each year”;

14 (B) by inserting “The grantee may not re-
15 coup said sums from wholesale water or power
16 customers of the grantee.” after the first sen-
17 tence; and

18 (C) in the second sentence, by inserting
19 “and wildfire mitigation activities” after “other
20 improvements”; and

21 (2) by inserting after section 11 the following:

22 **“SEC. 12. RECREATIONAL ACTIVITY.**

23 “(a) IN GENERAL.—The Secretary of the Interior,
24 acting through the Director of the National Park Service
25 (in this section referred to as the ‘Secretary’), shall admin-

1 lister the Hetch Hetchy Reservoir and Lake Eleanor Basin
2 areas—

3 “(1) for public recreation, benefit, and use;

4 “(2) to the extent practicable, in a manner that
5 will preserve, develop, and enhance the public recre-
6 ation capacity of each such area; and

7 “(3) in a manner that will preserve the features
8 of each such area that are scenic, historic, scientific,
9 or otherwise important.

10 “(b) RECREATIONAL ACTIVITIES.—Subject to such
11 limitations, conditions, and regulations as the Secretary
12 determines necessary, the following activities shall be al-
13 lowed within the Hetch Hetchy Reservoir and Lake Elea-
14 nor Basin areas for recreational purposes if such activities
15 are not inconsistent with the designated primary or rec-
16 reational use of each such area:

17 “(1) Swimming.

18 “(2) Use of non-motorized watercraft.

19 “(3) Camping in and around each such area if
20 such camping is not below the respective ordinary
21 high-water marks of each such area.

22 “(4) Picnicking in and around each such area.

23 “(5) Other recreational activities the Secretary
24 determines appropriate.

1 “(6) Use by motorized and non-motorized vehi-
2 cles of roads required to access each such area to
3 conduct activities described in this subsection if such
4 use has no negative effect on the operation or main-
5 tenance of any facility associated with a dam within
6 each such area.”.

7 (b) REPORT.—Not later than 1 year after the date
8 of the enactment of this section, the Secretary of the Inte-
9 rior, acting through the Director of the National Park
10 Service, shall submit to the appropriate congressional
11 committees a report that includes the following:

12 (1) An analysis of whether the original intent in
13 the Act of December 19, 1913 (38 Stat. 242), re-
14 garding access to the Hetch Hetchy Reservoir and
15 Lake Eleanor Basin areas for recreational purposes
16 has been followed since such areas were created.

17 (2) An analysis of how revenue collection and
18 the allocation of funds related to the administration
19 of the Hetch Hetchy Reservoir and Lake Eleanor
20 Basin areas can be carried out to best provide equi-
21 table access to such areas for recreational purposes
22 by the public, including consideration of—

23 (A) maintenance and support costs of such
24 areas, including—

25 (i) trail maintenance;

1 (ii) road improvements; and

2 (iii) wildfire prevention and suppres-
3 sion; and

4 (B) ways to mitigate such costs, includ-
5 ing—

6 (i) adjusting the prices charged for
7 water and power generated by the Hetch
8 Hetchy Water and Power System created
9 by the Act of December 19, 1913 (38 Stat.
10 242);

11 (ii) treating the City of San Francisco
12 as a concessioner; and

13 (iii) adding to the annual rental fee
14 charged to the City of San Francisco by
15 section 7 of the Act of December 19, 1913
16 (38 Stat. 242), the annual monetary value
17 of the benefits that would be lost if such
18 areas had not been created, including con-
19 sideration of—

20 (I) recreational activities; and

21 (II) flood control.

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