

# Yosemite National Park

## Equal Access and Fairness Act

### Background

For nearly 100 years, the City of San Francisco and the Greater Bay Area have benefited from water and power rights established by the Raker Act in 1913. Under this bill, the City was authorized to construct large dams along the Tuolumne River located in the iconic Yosemite National Park. After the damming of the Hetch Hetchy Valley in 1923, the City of San Francisco reassured the public that the reservoir would not only create a reliable water source for San Francisco but would also provide for public recreation.

Today, hardly any public enjoyment of the reservoir exists—road access to Hetch Hetchy Valley has been closed, and boating and swimming in the reservoir are banned due to “water quality issues.” These prohibitions are unprecedented, as nearly every other reservoir in California allows and encourages recreational activities. What’s more, the iconic Valley’s reflection off the water is completely obstructed by 96 million plastic black balls covering the surface of the water to limit sunlight penetration and reduce water evaporation.

The 1913 legislation further requires that the City of San Francisco agree to pay the National Park Service an annual “rental fee” of \$30,000 for damming up Yosemite National Park that is used to pay for road and trail maintenance in Yosemite and other National Parks. This fee, it should be noted, has never been adjusted for inflation, even though the San Francisco Public Utilities Commission has reported that Hetch Hetchy Water and Power revenues averaged in excess of \$200 million per year.<sup>1</sup> Meanwhile, in 2022 Yosemite National Park reported deferred maintenance of \$1,042,000,000.<sup>2</sup>

### Yosemite National Park Equal Access and Fairness Act

The Yosemite National Park Equal Access and Fairness Act seeks to bring the Raker Act into the twenty-first century by establishing parity in the “rental fee” paid by the City of San Francisco and by reaffirming the public’s recreational access to Hetch Hetchy, as originally promised 100 years ago.

#### **Increase Annual “Rental Fee” benefiting Yosemite’s Deferred Maintenance Account**

Sets the fee at no less than \$2 million annually and adjusts it to reflect increases in the Consumer Price Index annually.

#### **Ensure Recreational Access for All**

Requires road access to Hetch Hetchy and allows recreational activities including but not limited to non-motorized boating, swimming, bathing, fishing, camping, picnicking, and other recreational purposes.

#### **Require the National Park Service to Study a Fair and Just Recreation and Pricing Structure**

Requires the National Park Service to conduct a report on developing a more fair and just price structure for the use of Hetch Hetchy Valley and conduct a study to ensure that the Raker Act is fulfilling its original intent to provide for recreational activities and access to the reservoir.

If you have any questions or would like to cosponsor, please contact  
Jack Lincoln at [Jack.Lincoln@mail.house.gov](mailto:Jack.Lincoln@mail.house.gov)

<sup>1</sup> Congressional Research Service. “In FY2020-21 Hetch Hetchy Water and Power revenues totaled \$209.1 million; in FY2021-22 Hetch Hetchy Water and Power revenues are expected to total \$218.8 million.”

<sup>2</sup> [https://www.nps.gov/subjects/infrastructure/upload/CA-State-Fact-Sheet\\_FY22Q1\\_508.pdf](https://www.nps.gov/subjects/infrastructure/upload/CA-State-Fact-Sheet_FY22Q1_508.pdf)