

117TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To establish the Western Riverside National Wildlife Refuge, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

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Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To establish the Western Riverside National Wildlife Refuge, 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 “Western Riverside Na-  
5 tional Wildlife Refuge Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) **ADDITIONAL RESERVE LANDS.**—The term  
9 “additional reserve lands” means the conserved  
10 habitat totaling approximately 153,000 acres that

1 are needed to meet the goals and objectives of the  
2 Conservation Plan, of which—

3 (A) 56,000 acres are Federal and State ac-  
4 quisition and mitigation for State Permittees;  
5 and

6 (B) 97,000 acres were contributed by local  
7 Permittees.

8 (2) CONSERVATION PLAN.—The term “Con-  
9 servation Plan” means the Western Riverside Coun-  
10 ty Multiple Species Habitat Conservation Plan per-  
11 mitted by the United States Fish and Wildlife Serv-  
12 ice on June 22, 2004.

13 (3) COUNTY.—The term “County” means Riv-  
14 erside County, California.

15 (4) INDIAN TRIBE.—The term “Indian Tribe”  
16 has the meaning given the term in section 4 of the  
17 Indian Self-Determination and Education Assistance  
18 Act (25 U.S.C. 5304).

19 (5) MAP.—The term “Map” means the map en-  
20 titled “Western Riverside National Wildlife Refuge  
21 Acquisition Boundary as proposed by the Western  
22 Riverside National Wildlife Refuge Act” and dated  
23 May 25, 2022.

24 (6) PERMITTEE.—The term “Permittee” means  
25 an entity identified as a permittee in the incidental

1 take permit issued under section 10 of the Endan-  
2 gered Species Act of 1973 (16 U.S.C. 1539) that is  
3 associated with the Conservation Plan.

4 (7) REGIONAL CONSERVATION AUTHORITY.—  
5 The term “Regional Conservation Authority” means  
6 the Western Riverside County Regional Conservation  
7 Authority.

8 (8) SECRETARY.—The term “Secretary” means  
9 the Secretary of the Interior, acting through the Di-  
10 rector of the United States Fish and Wildlife Serv-  
11 ice.

12 (9) STATE.—The term “State” means the State  
13 of California.

14 (10) URBAN PARTNERSHIP.—The term “Urban  
15 Partnership” means a place-based partnership, es-  
16 tablished in accordance with United States Fish and  
17 Wildlife Service policy, to be carried out on partner-  
18 owned land, including the Urban Bird Treaties Pro-  
19 gram, Urban Wildlife Refuge Partnerships, and  
20 other partnership programs of the United States  
21 Fish and Wildlife Service.

22 (11) URBAN WILDLIFE REFUGE.—The term  
23 “Urban Wildlife Refuge” means a unit of the Na-  
24 tional Wildlife Refuge System that is managed con-

1       sistent with the Urban Wildlife Conservation Pro-  
2       gram of the United States Fish and Wildlife Service.

3               (12) WILDLIFE HABITAT.—The term “wildlife  
4       habitat” means the combination of food, water, shel-  
5       ter, or space that meet the needs of wildlife, includ-  
6       ing wildlife corridors, which are features of the land-  
7       scape that provide ecological connectivity and allow  
8       for native species movement or dispersal as identi-  
9       fied—

10                       (A) by the Secretary; or

11                       (B) in section 3.2.3 of the Conservation  
12       Plan.

13               (13) WILDLIFE REFUGE.—The term “Wildlife  
14       Refuge” means the Western Riverside National  
15       Wildlife Refuge established under section 3(a).

16 **SEC. 3. ESTABLISHMENT OF WESTERN RIVERSIDE NA-**  
17 **TIONAL WILDLIFE REFUGE.**

18       (a) ESTABLISHMENT.—On the first acquisition by, or  
19       transfer to, the Secretary of any land, water, or any inter-  
20       est in land or water under subsection (h), the Secretary  
21       shall establish a unit of the National Wildlife Refuge Sys-  
22       tem, to be known as the “Western Riverside National  
23       Wildlife Refuge”.

24       (b) PURPOSES.—The purposes of the Wildlife Refuge  
25       are—

1           (1) to conserve, manage, and restore fish, wild-  
2           life, plants, and their habitats for the benefit of  
3           present and future generations of individuals in the  
4           United States; and

5           (2) to support the conservation, recovery, and  
6           protection of—

7           (A) species listed as threatened species or  
8           endangered species under—

9           (i) the Endangered Species Act of  
10           1973 (16 U.S.C. 1531 et seq.); or

11           (ii) the California Endangered Species  
12           Act (Chapter 1.5 of Division 3 of the Cali-  
13           fornia Fish and Game Code); and

14           (B) covered species listed under the Con-  
15           servation Plan.

16       (c) USES.—The uses of the Wildlife Refuge shall in-  
17       clude—

18           (1) providing, to the extent compatible with the  
19           purposes described in subsection (b) and pursuant to  
20           the National Wildlife Refuge System Administration  
21           Act of 1966 (16 U.S.C. 668dd et seq.)—

22           (A) opportunities for scientific research,  
23           environmental education, and fish and wildlife-  
24           oriented recreation; and

1 (B) improved access to nature for commu-  
2 nities; and

3 (2) engaging communities in fish and wildlife  
4 conservation, restoration, education, recreation, and  
5 outreach activities through the pursuit of Urban  
6 Partnerships.

7 (d) URBAN WILDLIFE REFUGE.—The Wildlife Ref-  
8 uge shall be administered as an Urban Wildlife Refuge.

9 (e) NOTIFICATION OF ESTABLISHMENT.—

10 (1) IN GENERAL.—Not later than 90 days after  
11 the date on which the Wildlife Refuge is established  
12 under subsection (a), the Secretary shall publish in  
13 the Federal Register notice of the establishment of  
14 the Wildlife Refuge.

15 (2) MAP.—The notice published by the Sec-  
16 retary under paragraph (1) shall include the Map.

17 (f) ACQUISITION BOUNDARY.—

18 (1) IN GENERAL.—The acquisition boundary of  
19 the Wildlife Refuge shall be coterminous with the  
20 boundary depicted on the Map.

21 (2) BOUNDARY REVISIONS.—The Secretary may  
22 make such minor revisions to expand the acquisition  
23 boundary established under paragraph (1), as may  
24 be appropriate—

1 (A) to achieve the purposes of the Wildlife  
2 Refuge described in subsection (b); or

3 (B) to facilitate the acquisition of property  
4 for the Wildlife Refuge under subsection (h).

5 (g) ADMINISTRATION OF WILDLIFE REFUGE.—

6 (1) IN GENERAL.—On the establishment of the  
7 Wildlife Refuge under subsection (a), the Secretary  
8 shall administer all land, water, and any interest in  
9 land or water that have been acquired by, or trans-  
10 ferred to, the Secretary under subsection (h) for in-  
11 clusion in the Wildlife Refuge in accordance with—

12 (A) the National Wildlife Refuge System  
13 Administration Act of 1966 (16 U.S.C. 668dd  
14 et seq.); and

15 (B) subsection (b).

16 (2) COOPERATIVE AGREEMENTS WITH RESPECT  
17 TO NON-FEDERAL LAND.—The Secretary may enter  
18 into cooperative agreements or other instruments, as  
19 appropriate, with the State, the County, the Re-  
20 gional Conservation Authority, or any other entity or  
21 person—

22 (A) for the management, in a manner con-  
23 sistent with this section, of land that is—

1 (i) owned by the State, the County,  
2 the Regional Conservation Authority, or  
3 any other entity or person; and

4 (ii) located within the acquisition  
5 boundary of the Wildlife Refuge estab-  
6 lished under subsection (f);

7 (B) to promote public awareness of the  
8 natural resources of the area governed by the  
9 Conservation Plan; or

10 (C) to encourage public participation in the  
11 conservation of resources in the Wildlife Ref-  
12 uge.

13 (3) EASEMENTS AND RIGHTS-OF-WAY.—

14 (A) IN GENERAL.—Any property acquired  
15 by, or transferred to, the Secretary for inclusion  
16 in the Wildlife Refuge under subsection (h)  
17 shall be subject to any valid and existing right  
18 that existed on the property before the property  
19 was acquired by, or transferred to, the Sec-  
20 retary under that subsection.

21 (B) SAVINGS CLAUSE.—Subject to compat-  
22 ibility requirements under the National Wildlife  
23 Refuge System Administration Act of 1966 (16  
24 U.S.C. 668dd et seq.), nothing in this Act pre-  
25 cludes the establishment of a new utility facility



1 or right-of-way (including instream sites,  
2 routes, and areas) within the Wildlife Refuge if  
3 such a facility or right-of-way, as applicable, is  
4 necessary for public health and safety, elec-  
5 tricity and water supply, or other utility serv-  
6 ices.

7 (h) ACQUISITION AND TRANSFERS OF LAND AND  
8 WATER FOR THE WILDLIFE REFUGE.—

9 (1) ACQUISITIONS.—

10 (A) IN GENERAL.—The Secretary may ac-  
11 quire, by donation, purchase, or exchange, land,  
12 water, or any interest in land or water (includ-  
13 ing conservation easements) within the acquisi-  
14 tion boundary of the Wildlife Refuge established  
15 under subsection (f) that will achieve, in the de-  
16 termination of the Secretary, the purposes of  
17 the Wildlife Refuge described in subsection (b).

18 (B) LAND, WATER, AND INTERESTS  
19 OWNED BY THE STATE.—Land, water, and any  
20 interests in land or water owned by the State,  
21 the County, or the Western Riverside County  
22 Regional Conservation Authority may only be  
23 acquired by donation.

24 (C) ACQUISITION OF ADDITIONAL RESERVE  
25 LANDS.—

1 (i) IN GENERAL.—In order to support  
2 the responsibilities of the Federal Govern-  
3 ment, as described in the Conservation  
4 Plan, the Secretary shall give priority to,  
5 when acquiring land, water, or any interest  
6 in land or water (including conservation  
7 easements) under subparagraph (A), addi-  
8 tional reserve lands within the acquisition  
9 boundary of the Wildlife Refuge estab-  
10 lished under subsection (f).

11 (ii) PRIORITY.—In acquiring addi-  
12 tional reserve lands under clause (i), the  
13 Secretary shall give priority to additional  
14 reserve lands—

15 (I) located within criteria cells  
16 identified on the Map; and

17 (II) that have not been acquired  
18 by a Permittee, before the date of en-  
19 actment of this Act, for the purpose  
20 of satisfying the conservation obliga-  
21 tions of the Permittee under the Con-  
22 servation Plan.

23 (2) TRANSFERS.—

24 (A) ASSESSMENT.—Not later than 1 year  
25 after the date of enactment of this Act, the

1 head of any Federal department or agency, in-  
2 cluding any agency within the Department of  
3 the Interior, that has jurisdiction of any Fed-  
4 eral property located within the acquisition  
5 boundary of the Wildlife Refuge established  
6 under subsection (f) shall submit to the Sec-  
7 retary an assessment of whether the property  
8 would be consistent with the purposes of the  
9 Wildlife Refuge described in subsection (b).

10 (B) REQUIREMENTS.—Any assessment  
11 submitted to the Secretary under subparagraph  
12 (A) shall include—

13 (i) parcel descriptions and best exist-  
14 ing land surveys for the property;

15 (ii) a list of existing special reserva-  
16 tions designations or purposes of the prop-  
17 erty;

18 (iii) an inventory of—

19 (I) all known or suspected haz-  
20 ardous substance contamination of the  
21 property;

22 (II) any facilities on the prop-  
23 erty; and

24 (III) any surface water or  
25 groundwater on the property;

1 (iv) the status of withdrawal of the  
2 property from—

3 (I) the Mineral Leasing Act (30  
4 U.S.C. 181 et seq.); and

5 (II) sections 2319 through 2344  
6 of the Revised Statutes (commonly  
7 known as the “Mining Law of 1872”)  
8 (30 U.S.C. 22 et seq.); and

9 (v)(I) a recommendation relating to  
10 whether the property would be consistent  
11 with the purposes of the Wildlife Refuge  
12 described in subsection (b); and

13 (II) the reasons supporting that rec-  
14 ommendation.

15 (C) TRANSFER DETERMINATION.—

16 (i) IN GENERAL.—Not later than 180  
17 days after the date on which the Secretary  
18 receives an assessment submitted under  
19 subparagraph (A), the Secretary shall de-  
20 termine whether the property described in  
21 that assessment shall be transferred to the  
22 Secretary for inclusion in the Wildlife Ref-  
23 uge.

24 (ii) PROPERTY ACCEPTED FOR INCLU-  
25 SION.—If the Secretary accepts the trans-



1 Wildlife Refuge described in sub-  
2 section (b); and

3 (bb) to determine what man-  
4 agement activities can be taken  
5 for the Secretary to approve the  
6 eventual transfer of that property  
7 for inclusion in the Wildlife Ref-  
8 uge.

9 (III) INCLUSION.—If, on further  
10 deliberation between the Secretary  
11 and the head of the department or  
12 agency under subclause (II), the Sec-  
13 retary accepts the transfer of the ap-  
14 plicable property, that property shall  
15 be transferred to the Secretary for in-  
16 clusion in the Wildlife Refuge in ac-  
17 cordance with clause (ii).

18 (D) ADDITIONAL TRANSFERS.—The Sec-  
19 retary, on completion of reviewing assessments  
20 submitted by the head of any Federal depart-  
21 ment or agency, including any agency within  
22 the Department of the Interior, under subpara-  
23 graph (A), may commence additional assess-  
24 ments in accordance with subparagraphs (B)  
25 and (C) if the Secretary determines that—

1 (i) any Federal department or agency,  
2 including any agency within the Depart-  
3 ment of the Interior, has, or has acquired,  
4 jurisdiction over any Federal property lo-  
5 cated within the acquisition boundary of  
6 the Wildlife Refuge established under sub-  
7 section (f); or

8 (ii) property rejected by the Secretary  
9 under subparagraph (C)(iii) has been re-  
10 mediated and may now be suitable for in-  
11 clusion in the Wildlife Refuge.

12 (E) PUBLIC ACCESS.—If property trans-  
13 ferred to the Secretary under this paragraph al-  
14 lows for public access at the time of transfer,  
15 that access shall be maintained, unless that ac-  
16 cess, as determined by the Secretary—

17 (i) would be incompatible with the  
18 purposes of the Wildlife Refuge described  
19 in subsection (b) or the National Wildlife  
20 Refuge System Administration Act of 1966  
21 (16 U.S.C. 668dd et seq.);

22 (ii) would jeopardize public health or  
23 safety; or

24 (iii) must be limited due to emergency  
25 circumstances.

1           (3) TRIBAL CULTURAL AND RELIGIOUS USES.—

2           No acquisition or transfer of property under this  
3           subsection shall modify or revoke existing access to,  
4           or use by, affected Indian Tribes, unless that use or  
5           access, as determined by the Secretary—

6                   (A) would be incompatible with the pur-  
7                   poses of the Wildlife Refuge described in sub-  
8                   section (b) or the National Wildlife Refuge Sys-  
9                   tem Administration Act of 1966 (16 U.S.C.  
10                  668dd et seq.);

11                  (B) would jeopardize public health or safe-  
12                  ty; or

13                  (C) must be limited due to emergency cir-  
14                  cumstances.

15           (4) SAVINGS CLAUSE.—Nothing in this sub-  
16           section exempts or relieves a Permittee from the ob-  
17           ligations of the Permittee under the Conservation  
18           Plan or any associated permit.