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

IN THE SENATE OF THE UNITED STATES

Mrs. Feinstein introduced the following bill; which was read twice and referred to the Committee on ________________

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Western Riverside National Wildlife Refuge Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) ADDITIONAL RESERVE LANDS.—The term “additional reserve lands” means the conserved habitat totaling approximately 153,000 acres that
are needed to meet the goals and objectives of the Conservation Plan, of which—

(A) 56,000 acres are Federal and State acquisition and mitigation for State Permittees; and

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

(2) CONSERVATION PLAN.—The term “Conservation Plan” means the Western Riverside County Multiple Species Habitat Conservation Plan permitted by the United States Fish and Wildlife Service on June 22, 2004.

(3) COUNTY.—The term “County” means Riverside County, California.

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

(5) MAP.—The term “Map” means the map entitled “Western Riverside National Wildlife Refuge Acquisition Boundary as proposed by the Western Riverside National Wildlife Refuge Act” and dated May 25, 2022.

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

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

(8) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service.

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

(10) URBAN PARTNERSHIP.—The term “Urban Partnership” means a place-based partnership, established in accordance with United States Fish and Wildlife Service policy, to be carried out on partner-owned land, including the Urban Bird Treaties Program, Urban Wildlife Refuge Partnerships, and other partnership programs of the United States Fish and Wildlife Service.

(11) URBAN WILDLIFE REFUGE.—The term “Urban Wildlife Refuge” means a unit of the National Wildlife Refuge System that is managed con-
sistent with the Urban Wildlife Conservation Program of the United States Fish and Wildlife Service.

(12) **WILDLIFE HABITAT.**—The term “wildlife habitat” means the combination of food, water, shelter, or space that meet the needs of wildlife, including wildlife corridors, which are features of the landscape that provide ecological connectivity and allow for native species movement or dispersal as identified—

(A) by the Secretary; or

(B) in section 3.2.3 of the Conservation Plan.

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

**SEC. 3. ESTABLISHMENT OF WESTERN RIVERSIDE NATIONAL WILDLIFE REFUGE.**

(a) **Establishment.**—On the first acquisition by, or transfer to, the Secretary of any land, water, or any interest in land or water under subsection (h), the Secretary shall establish a unit of the National Wildlife Refuge System, to be known as the “Western Riverside National Wildlife Refuge”.

(b) **Purposes.**—The purposes of the Wildlife Refuge are—
(1) to conserve, manage, and restore fish, wildlife, plants, and their habitats for the benefit of present and future generations of individuals in the United States; and

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

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

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

(ii) the California Endangered Species Act (Chapter 1.5 of Division 3 of the California Fish and Game Code); and

(B) covered species listed under the Conservation Plan.

(e) USES.—The uses of the Wildlife Refuge shall include—

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

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

(2) supporting activities that are consistent with the purposes described in subsection (b) and are consistent with the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.).
(B) improved access to nature for communities; and

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

(d) **Urban Wildlife Refuge.**—The Wildlife Refuge shall be administered as an Urban Wildlife Refuge.

(e) **Notification of Establishment.**—

(1) **In General.**—Not later than 90 days after the date on which the Wildlife Refuge is established under subsection (a), the Secretary shall publish in the Federal Register notice of the establishment of the Wildlife Refuge.

(2) **Map.**—The notice published by the Secretary under paragraph (1) shall include the Map.

(f) **Acquisition Boundary.**—

(1) **In General.**—The acquisition boundary of the Wildlife Refuge shall be coterminous with the boundary depicted on the Map.

(2) **Boundary Revisions.**—The Secretary may make such minor revisions to expand the acquisition boundary established under paragraph (1), as may be appropriate—
(A) to achieve the purposes of the Wildlife
Refuge described in subsection (b); or
(B) to facilitate the acquisition of property
for the Wildlife Refuge under subsection (h).

(g) Administration of Wildlife Refuge.—

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

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

(B) subsection (b).

(2) Cooperative agreements with respect
to non-federal land.—The Secretary may enter
into cooperative agreements or other instruments, as
appropriate, with the State, the County, the Re-
gional Conservation Authority, or any other entity or
person—

(A) for the management, in a manner con-
sistent with this section, of land that is—
(i) owned by the State, the County, the Regional Conservation Authority, or any other entity or person; and

(ii) located within the acquisition boundary of the Wildlife Refuge established under subsection (f);

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

(C) to encourage public participation in the conservation of resources in the Wildlife Refuge.

(3) EASEMENTS AND RIGHTS-OF-WAY.—

(A) IN GENERAL.—Any property acquired by, or transferred to, the Secretary for inclusion in the Wildlife Refuge under subsection (h) shall be subject to any valid and existing right that existed on the property before the property was acquired by, or transferred to, the Secretary under that subsection.

(B) SAVINGS CLAUSE.—Subject to compatibility requirements under the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd et seq.), nothing in this Act precludes the establishment of a new utility facility
or right-of-way (including instream sites, routes, and areas) within the Wildlife Refuge if such a facility or right-of-way, as applicable, is necessary for public health and safety, electricity and water supply, or other utility services.

(h) Acquisition and Transfers of Land and Water for the Wildlife Refuge.—

(1) Acquisitions.—

   (A) In general.—The Secretary may acquire, by donation, purchase, or exchange, land, water, or any interest in land or water (including conservation easements) within the acquisition boundary of the Wildlife Refuge established under subsection (f) that will achieve, in the determination of the Secretary, the purposes of the Wildlife Refuge described in subsection (b).

   (B) Land, Water, and Interests Owned by the State.—Land, water, and any interests in land or water owned by the State, the County, or the Western Riverside County Regional Conservation Authority may only be acquired by donation.

   (C) Acquisition of Additional Reserve Lands.—
(i) IN GENERAL.—In order to support
the responsibilities of the Federal Govern-
ment, as described in the Conservation
Plan, the Secretary shall give priority to,
when acquiring land, water, or any interest
in land or water (including conservation
easements) under subparagraph (A), addi-
tional reserve lands within the acquisition
boundary of the Wildlife Refuge estab-
lished under subsection (f).

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

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

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

(2) TRANSFERS.—

(A) ASSESSMENT.—Not later than 1 year
after the date of enactment of this Act, the
head of any Federal department or agency, in-
cluding any agency within the Department of
the Interior, that has jurisdiction of any Fed-
eral property located within the acquisition
boundary of the Wildlife Refuge established
under subsection (f) shall submit to the Sec-
retary an assessment of whether the property
would be consistent with the purposes of the
Wildlife Refuge described in subsection (b).

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

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

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

(iii) an inventory of—

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

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

(III) any surface water or
groundwater on the property;
(iv) the status of withdrawal of the property from—

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

(II) sections 2319 through 2344 of the Revised Statutes (commonly known as the “Mining Law of 1872”)

(30 U.S.C. 22 et seq.); and

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

(II) the reasons supporting that recommendation.

(C) TRANSFER DETERMINATION.—

(i) IN GENERAL.—Not later than 180 days after the date on which the Secretary receives an assessment submitted under subparagraph (A), the Secretary shall determine whether the property described in that assessment shall be transferred to the Secretary for inclusion in the Wildlife Refuge.

(ii) PROPERTY ACCEPTED FOR INCLUSION.—If the Secretary accepts the trans-
fer of a property described in an assessment submitted under subparagraph (A), that property shall be transferred to the Secretary for inclusion in the Wildlife Refuge without fee or reimbursement.

(iii) Property rejected for inclusion.—

(I) In general.—If the Secretary rejects the transfer of a property described in an assessment submitted under subparagraph (A), that property shall not be transferred to the Secretary for inclusion in the Wildlife Refuge.

(II) Consultation.—If the property is not transferred to the Secretary under subclause (I), the Secretary may consult with the head of the department or agency that submitted the assessment under subparagraph (A)—

(aa) to further deliberate whether that property is consistent with the purposes of the
Wildlife Refuge described in subsection (b); and

(bb) to determine what management activities can be taken for the Secretary to approve the eventual transfer of that property for inclusion in the Wildlife Refuge.

(III) INCLUSION.—If, on further deliberation between the Secretary and the head of the department or agency under subclause (II), the Secretary accepts the transfer of the applicable property, that property shall be transferred to the Secretary for inclusion in the Wildlife Refuge in accordance with clause (ii).

(D) ADDITIONAL TRANSFERS.—The Secretary, on completion of reviewing assessments submitted by the head of any Federal department or agency, including any agency within the Department of the Interior, under subparagraph (A), may commence additional assessments in accordance with subparagraphs (B) and (C) if the Secretary determines that—
(i) any Federal department or agency, including any agency within the Department of the Interior, has, or has acquired, jurisdiction over any Federal property located within the acquisition boundary of the Wildlife Refuge established under subsection (f); or

(ii) property rejected by the Secretary under subparagraph (C)(iii) has been remediated and may now be suitable for inclusion in the Wildlife Refuge.

(E) Public Access.—If property transferred to the Secretary under this paragraph allows for public access at the time of transfer, that access shall be maintained, unless that access, as determined by the Secretary—

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

(ii) would jeopardize public health or safety; or

(iii) must be limited due to emergency circumstances.
(3) Tribal cultural and religious uses.—

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

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

(B) would jeopardize public health or safety; or

(C) must be limited due to emergency circumstances.

(4) Savings clause.—Nothing in this subsection exempts or relieves a Permittee from the obligations of the Permittee under the Conservation Plan or any associated permit.