

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2956
OFFERED BY MR. GRIJALVA OF ARIZONA

Strike all after the enacting clause and insert the following:

1 SECTION 1. ESTABLISHMENT.

2 (a) IN GENERAL.—The Secretary of the Interior (in
3 this Act referred to as the “Secretary”), acting through
4 the United States Fish and Wildlife Service, shall estab-
5 lish as a national wildlife refuge the lands, waters, and
6 interests therein acquired under section 4. The national
7 wildlife refuge shall be known as the Western Riverside
8 County National Wildlife Refuge (in this Act referred to
9 as the “Wildlife Refuge”).

10 (b) PURPOSE.—The purpose of the Wildlife Refuge
11 shall be—

12 (1) to conserve, manage, and restore wildlife
13 habitats for the benefit of present and future gen-
14 erations of Americans;

15 (2) to conserve species listed as threatened or
16 endangered under the Endangered Species Act of
17 1973 (16 U.S.C. 1531 et seq.) or the California En-
18 dangered Species Act (California Fish and Game

1 Code 2050–2068), or which is a covered species
2 under the Western Riverside County Multiple Spe-
3 cies Habitat Conservation Plan;

4 (3) to support the recovery and protection of
5 threatened and endangered species under the En-
6 dangered Species Act of 1973 (16 U.S.C. 1531 et
7 seq.); and

8 (4) to provide for wildlife habitat connectivity
9 and migratory corridors within the Western River-
10 side County Multiple Species Habitat Conservation
11 Plan Area.

12 (c) NOTIFICATION OF ESTABLISHMENT.—The Sec-
13 retary shall publish notice of the establishment of the
14 Wildlife Refuge in the Federal Register.

15 **SEC. 2. BOUNDARIES.**

16 The Secretary shall include within the boundaries of
17 the Wildlife Refuge the lands and waters within the West-
18 ern Riverside County Multiple Species Habitat Conserva-
19 tion Plan Area (as depicted on maps and described in the
20 Final Western Riverside County Multiple Species Habitat
21 Conservation Plan dated June 17, 2003) that are owned
22 by the Federal Government, a State, or a political subdivi-
23 sion of a State on the date of enactment of this Act.

1 **SEC. 3. ADMINISTRATION.**

2 (a) IN GENERAL.—Upon the establishment of the
3 Wildlife Refuge and thereafter, the Secretary shall admin-
4 ister all federally owned lands, waters, and interests in the
5 Wildlife Refuge in accordance with the National Wildlife
6 Refuge System Administration Act of 1966 (16 U.S.C.
7 668dd et seq.) and this Act. The Secretary may use such
8 additional statutory authority as may be available to the
9 Secretary for the conservation, management, and restora-
10 tion of fish and wildlife and natural resources, the develop-
11 ment of compatible wildlife dependent outdoor recreation
12 opportunities, and the facilitation of fish and wildlife in-
13 terpretation and education as the Secretary considers ap-
14 propriate to carry out the purposes of this Act and serve
15 the objectives of the Western Riverside County Multiple
16 Species Habitat Conservation Plan.

17 (b) COOPERATIVE AGREEMENTS REGARDING NON-
18 FEDERAL LANDS.—The Secretary may enter into cooper-
19 ative agreements with the State of California, any political
20 subdivision thereof, or any other person—

21 (1) for the management, in a manner consistent
22 with this Act and the Western Riverside County
23 Multiple Species Habitat Conservation Plan, of lands
24 that are owned by such State, subdivision, or other
25 person and located within the boundaries of the
26 Wildlife Refuge;

1 (2) to promote public awareness of the natural
2 resources of the Western Riverside County Multiple
3 Species Habitat Conservation Plan Area; or

4 (3) to encourage public participation in the con-
5 servation of those resources.

6 **SEC. 4. ACQUISITION AND TRANSFERS OF LANDS AND**
7 **WATERS FOR WILDLIFE REFUGE.**

8 (a) ACQUISITIONS.—In addition to lands and waters
9 acquired pursuant to section 2, the Secretary may acquire
10 by donation, purchase with donated or appropriated funds,
11 or exchange the lands and water, or interest therein (in-
12 cluding conservation easements), within the boundaries of
13 the Wildlife Refuge, except that the lands, water, and in-
14 terests therein owned by the State of California and its
15 political subdivisions may be acquired only by donation.

16 (b) TRANSFERS.—

17 (1) IN GENERAL.—The head of any Federal de-
18 partment or agency other than the Department of
19 the Interior that has jurisdiction of any Federal
20 property located within the boundaries of the Wild-
21 life Refuge as described by this Act shall, not later
22 than 1 year after the date of the enactment of this
23 Act, submit to the Secretary an assessment of the
24 suitability of such property for inclusion in the Wild-
25 life Refuge.

1 (2) ASSESSMENT.—Any assessment under para-
2 graph (1) shall include—

3 (A) parcel descriptions and best existing
4 land surveys for such property;

5 (B) a list of existing special reservations,
6 designations, or purposes of the property;

7 (C) a list of all known or suspected haz-
8 arduous substance contamination of such prop-
9 erty, and any facilities, surface water, or
10 groundwater on such property;

11 (D) the status of withdrawal of such prop-
12 erty from—

13 (i) the Mineral Leasing Act; and

14 (ii) the General Mining Act of 1872;

15 and

16 (E) a recommendation as to whether such
17 property is or is not suitable for inclusion in the
18 Wildlife Refuge.

19 (3) INCLUSION IN WILDLIFE REFUGE.—

20 (A) IN GENERAL.—The Secretary shall,
21 not later than 60 days after receiving an assess-
22 ment submitted pursuant to paragraph (1), de-
23 termine if the property described in such as-
24 sessment is suitable for inclusion in the Wildlife
25 Refuge.

1 (B) TRANSFER.—If the Secretary deter-
2 mines the property in an assessment submitted
3 under paragraph (1) is suitable for inclusion in
4 the Wildlife Refuge, the head of the Federal de-
5 partment or agency that has jurisdiction of
6 such property shall transfer such property to
7 the administrative jurisdiction of the Secretary
8 for the purposes of this Act.

9 (4) PROPERTY UNSUITABLE FOR INCLUSION.—
10 Property determined by the Secretary to be unsuit-
11 able for inclusion in the Wildlife Refuge based on an
12 assessment submitted under paragraph (1) shall be
13 subsequently transferred to the Secretary for pur-
14 poses of this Act by the head of the department or
15 agency that has jurisdiction of such property if such
16 property becomes suitable for inclusion in the Wild-
17 life Refuge as determined by the Secretary in con-
18 sultation with the head of the department or agency
19 that has jurisdiction of such property.

20 (5) PUBLIC ACCESS.—If property transferred to
21 the Secretary under this subsection allows for public
22 access at the time of transfer, such access shall be
23 maintained unless such access—

24 (A) would be incompatible with the pur-
25 poses of the Wildlife Refuge;

1 (B) would jeopardize public health or safe-
2 ty; or

3 (C) must be limited due to emergency cir-
4 cumstances.

