

118TH CONGRESS
2D SESSION

S. 5205

To modify the boundaries of the San Pablo Bay National Wildlife Refuge,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 25, 2024

Mr. PADILLA introduced the following bill; which was read twice and referred
to the Committee on Environment and Public Works

A BILL

To modify the boundaries of the San Pablo Bay 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 “San Pablo Bay Na-
5 tional Wildlife Refuge Expansion Act”.

6 **SEC. 2. SAN PABLO BAY NATIONAL WILDLIFE REFUGE**
7 **BOUNDARY MODIFICATION, ACQUISITION,**
8 **AND ADMINISTRATION.**

9 (a) DEFINITIONS.—In this section:

1 (1) MAP.—The term “Map” means the map en-
2 titled “San Pablo Bay National Wildlife Refuge
3 Boundary Modification Act” and dated July 24,
4 2024.

5 (2) NATIONAL WILDLIFE REFUGE.—The term
6 “National Wildlife Refuge” means the San Pablo
7 Bay National Wildlife Refuge located in Marin,
8 Napa, Solano, and Sonoma Counties, California.

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

13 (b) SENSE OF CONGRESS.—It is the sense of Con-
14 gress that the Secretary should acquire land, water, or in-
15 terests therein, including conservation easements, from
16 willing sellers within or adjoining the boundaries of the
17 National Wildlife Refuge, including by—

18 (1) including in each annual budget submission
19 of the President under section 1105(a) of title 31,
20 United States Code, a request for funding for Fed-
21 eral purposes from the Land and Water Conserva-
22 tion Fund established by section 200302(a) of title
23 54, United States Code, for those acquisition pur-
24 poses; and

1 (2) prioritizing using funding made available
2 each fiscal year for those acquisition purposes.

3 (c) BOUNDARY MODIFICATION.—

4 (1) IN GENERAL.—There shall be included
5 within the boundaries of the National Wildlife Ref-
6 uge the approximately 5,658 acres of land, marshes,
7 tidal flats, salt ponds, submerged land, and open
8 waters generally depicted on the Map as “Proposed
9 Boundary Expansion Area”.

10 (2) LAND PROTECTION PLAN; PUBLIC PARTICI-
11 PATION.—In developing a Land Protection Plan for
12 the land generally depicted on the Map as “Proposed
13 Boundary Expansion Area”, the Secretary shall pro-
14 vide an opportunity for public participation, giving
15 special consideration to public and private entities,
16 individuals, and residential communities located
17 within Marin, Napa, Solano, and Sonoma Counties,
18 California.

19 (d) MAP.—

20 (1) CORRECTIONS.—The Secretary may make
21 clerical and typographical corrections to the Map.

22 (2) PUBLIC AVAILABILITY; EFFECT.—The Map
23 and any corrections to the Map under paragraph (1)
24 shall—

1 (A) be publicly available on the website of
2 the United States Fish and Wildlife Service;

3 (B) be on file and available for public in-
4 spection in the appropriate offices of the United
5 States Fish and Wildlife Service, including the
6 office located at 2100 Sears Point Road,
7 Sonoma, California 95476; and

8 (C) have the same force and effect as if in-
9 cluded in this Act.

10 (e) ACQUISITION.—

11 (1) IN GENERAL.—The Secretary may acquire
12 land, water, or interests therein, including conserva-
13 tion easements, within the boundaries of the Na-
14 tional Wildlife Refuge by donation, purchase from
15 willing sellers with donated or appropriated funds, or
16 exchange.

17 (2) NO USE OF CONDEMNATION OR EMINENT
18 DOMAIN.—The Secretary may not acquire any land,
19 water, or interests therein under this section or for
20 the purposes of this Act by condemnation or eminent
21 domain.

22 (f) ADMINISTRATION.—Subject to valid existing
23 rights, the Secretary shall administer the land, water, and
24 interests therein acquired under this section—

25 (1) as part of the National Wildlife Refuge; and

1 (2) in accordance with—

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

5 (B) this Act.

6 (g) COOPERATIVE AGREEMENTS REGARDING NON-
7 FEDERAL LANDS.—The Secretary may enter into a coop-
8 erative agreement with the State of California, any agency
9 or political subdivision of the State of California, or any
10 other person for the voluntary co-management of land—

11 (1) owned by the State of California, agency or
12 political subdivision of the State of California, or
13 person; and

14 (2) located within or adjoining the boundaries
15 of the National Wildlife Refuge.

16 (h) TRANSFER FROM OTHER FEDERAL AGENCIES.—
17 Any Federal property located within or adjoining the
18 boundaries of the National Wildlife Refuge that is under
19 the administrative jurisdiction of a department or agency
20 of the Federal Government other than the Department of
21 the Interior may, with the mutual concurrence of the head
22 of the administering department or agency and the Sec-
23 retary, be transferred without consideration to the admin-
24 istrative jurisdiction of the Secretary for the purposes of
25 this Act.

1 (i) PRIORITY USES.—In providing opportunities for
 2 compatible fish and wildlife dependent recreation, the Sec-
 3 retary, in accordance with paragraphs (3) and (4) of sec-
 4 tion 4(a) of the National Wildlife Refuge System Adminis-
 5 tration Act of 1966 (16 U.S.C. 668dd(a)), shall ensure
 6 that hunting, fishing, wildlife observation, photography,
 7 and environmental education and interpretation are pri-
 8 ority public uses of the National Wildlife Refuge.

9 **SEC. 3. DON EDWARDS SAN FRANCISCO BAY NATIONAL**
 10 **WILDLIFE REFUGE TECHNICAL AMEND-**
 11 **MENTS.**

12 Section 3 of Public Law 92–330 (86 Stat. 399) is
 13 amended—

14 (1) by striking “he” each place it appears and
 15 inserting “the Secretary”;

16 (2) in subsection (a), in the second sentence, by
 17 striking “Secertary” and inserting “Secretary”; and

18 (3) in subsection (b), by striking “him” and in-
 19 serting “the Secretary”.

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