

111TH CONGRESS
2D SESSION

S. 3927

To establish the Sacramento-San Joaquin Delta National Heritage Area.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 2010

Mrs. FEINSTEIN (for herself and Mrs. BOXER) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To establish the Sacramento-San Joaquin Delta National
Heritage Area.

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 “Sacramento-San Joa-
5 quin Delta National Heritage Area Establishment Act”.

6 **SEC. 2. SACRAMENTO-SAN JOAQUIN DELTA NATIONAL HER-**
7 **ITAGE AREA.**

8 (a) DEFINITIONS.—In this section:

1 (1) HERITAGE AREA.—The term “Heritage
2 Area” means the Sacramento-San Joaquin Delta
3 Heritage Area established by this section.

4 (2) HERITAGE AREA MANAGEMENT PLAN.—The
5 term “Heritage Area management plan” means the
6 plan developed and adopted by the management en-
7 tity under this section.

8 (3) MANAGEMENT ENTITY.—The term “man-
9 agement entity” means the management entity for
10 the Heritage Area designated by subsection (b)(4).

11 (4) SECRETARY.—The term “Secretary” means
12 the Secretary of the Interior.

13 (b) SACRAMENTO-SAN JOAQUIN DELTA HERITAGE
14 AREA.—

15 (1) ESTABLISHMENT.—There is established the
16 “Sacramento-San Joaquin Delta Heritage Area” in
17 the State of California.

18 (2) BOUNDARIES.—The boundaries of the Her-
19 itage Area shall be in the counties of Contra Costa,
20 Sacramento, San Joaquin, Solano, and Yolo in the
21 State of California, as generally depicted on the map
22 entitled “Sacramento-San Joaquin Delta National
23 Heritage Area Proposed Boundary”, numbered T27/
24 105,030, and dated September 2010.

1 (3) AVAILABILITY OF MAP.—The map described
2 in paragraph (2) shall be on file and available for
3 public inspection in the appropriate offices of the
4 National Park Service and the Delta Protection
5 Commission.

6 (4) MANAGEMENT ENTITY.—The management
7 entity for the Heritage Area shall be the Delta Pro-
8 tection Commission established by section 29735 of
9 the California Public Resources Code.

10 (5) ADMINISTRATION; MANAGEMENT PLAN.—

11 (A) ADMINISTRATION.—For purposes of
12 carrying out the Heritage Area management
13 plan, the Secretary, acting through the manage-
14 ment entity, may use amounts made available
15 under this section in accordance with section
16 8001(c) of the Omnibus Public Land Manage-
17 ment Act of 2009 (Public Law 111–11; 123
18 Stat. 991).

19 (B) MANAGEMENT PLAN.—

20 (i) IN GENERAL.—Subject to clause
21 (ii), the management entity shall submit to
22 the Secretary for approval a proposed
23 management plan for the Heritage Area in
24 accordance with section 8001(d) of the

Omnibus Public Land Management Act of
2009 (Public Law 111–11; 123 Stat. 991).

(ii) RESTRICTIONS.—The Heritage
Area management plan submitted under
this paragraph shall—

(I) ensure participation by appro-
priate Federal, State, tribal, and local
agencies, including the Delta Steward-
ship Council, special districts, natural
and historical resource protection and
agricultural organizations, educational
institutions, businesses, recreational
organizations, community residents,
and private property owners; and

(II) not be approved until the
Secretary has received certification
from the Delta Protection Commission
that the Delta Stewardship Council
has reviewed the Heritage Area man-
agement plan for consistency with the
plan adopted by the Delta Steward-
ship Council pursuant to State law.

(6) RELATIONSHIP TO OTHER FEDERAL AGEN-
CIES; PRIVATE PROPERTY.—

1 (A) RELATIONSHIP TO OTHER FEDERAL
2 AGENCIES.—The provisions of section 8001(e)
3 of the Omnibus Public Land Management Act
4 of 2009 (Public Law 111–11; 123 Stat. 991)
5 shall apply to the Heritage Area.

6 (B) PRIVATE PROPERTY.—

7 (i) IN GENERAL.—Subject to clause
8 (ii), the provisions of section 8001(f) of the
9 Omnibus Public Land Management Act of
10 2009 (Public Law 111–11; 123 Stat. 991)
11 shall apply to the Heritage Area.

12 (ii) OPT OUT.—An owner of private
13 property within the Heritage Area may opt
14 out of participating in any plan, project,
15 program, or activity carried out within the
16 Heritage Area under this section, if the
17 property owner provides written notice to
18 the management entity.

19 (7) EVALUATION; REPORT.—The provisions of
20 section 8001(g) of the Omnibus Public Land Man-
21 agement Act of 2009 (Public Law 111–11; 123 Stat.
22 991) shall apply to the Heritage Area.

23 (8) EFFECT OF DESIGNATION.—Nothing in this
24 section—

(A) precludes the management entity from using Federal funds made available under other laws for the purposes for which those funds were authorized; or

(B) affects any water rights or contracts.

(9) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this section \$20,000,000, of which not more than \$2,000,000 may be made available for any fiscal year.

(B) COST-SHARING REQUIREMENT.—The Federal share of the total cost of any activity under this section shall be determined by the Secretary, but shall be not more than 50 percent.

(C) NON-FEDERAL SHARE.—The non-Federal share of the total cost of any activity under this section may be in the form of—

(i) in-kind contributions of goods or services; or

(ii) State or local government fees, taxes, or assessments.

(10) TERMINATION OF AUTHORITY.—If a proposed management plan has not been submitted to

1 the Secretary by the date that is 5 years after the
2 date of enactment of this title, the Heritage Area
3 designation shall be rescinded.

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