

AMENDED IN ASSEMBLY JUNE 2, 2015  
AMENDED IN ASSEMBLY APRIL 22, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1201**

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**Introduced by Assembly Member Salas**

February 27, 2015

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An act to add Chapter 8.5 (commencing with Section 6940) to Part 1 of Division 6 of the Fish and Game Code, relating to fish and wildlife.

LEGISLATIVE COUNSEL'S DIGEST

AB 1201, as amended, Salas. Fish and wildlife: Sacramento-San Joaquin Delta: predation by nonnative species.

The California Endangered Species Act prohibits the taking of an endangered, threatened, or candidate species, except as specified. Under the act, the Department of Fish and Wildlife may authorize the take of listed species if the take is incidental to an otherwise lawful activity and the impacts are minimized and fully mitigated.

This bill would require the department, by June 30, 2016, to develop ~~and initiate~~ a science-based approach that addresses predation by nonnative species upon species of fish listed pursuant to the act that reside all or a portion of their lives in the Sacramento-San Joaquin Delta.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:

3 (a) Promoting the long-term ecological health of the  
4 Sacramento-San Joaquin Delta and its native species is critical to  
5 ensuring a reliable and sustainable water supply for all Californians.

6 (b) Salmon are an iconic native California fish that are important  
7 to California's economic, recreational, and environmental welfare.  
8 California's \$1.5 billion commercial and recreational salmon  
9 fishing industries employ tens of thousands of people, provide  
10 endless recreational opportunities, and remain an important part  
11 of the cultural heritage of California's Native American tribes.  
12 Winter-run Chinook salmon were listed as endangered under the  
13 federal Endangered Species Act in 1994.

14 (c) Despite efforts to protect the species, the latest spring Kodiak  
15 trawl survey by the Department of Fish and Wildlife recorded the  
16 lowest number ever for the species.

17 (d) Ongoing drought conditions have significant impacts on  
18 California's environment, fish and wildlife, residents, farms, and  
19 businesses, and have worsened conditions for endangered Chinook  
20 salmon and delta smelt and further threatened ~~of~~ their extinction.

21 (e) State and federal regulators must take concerted efforts to  
22 protect the environment, fish and wildlife, the economy, and  
23 residents of this state from the ongoing implications of drought  
24 and future water scarcity.

25 (f) Predation by nonnative species can cause mortality among  
26 endangered Chinook salmon and delta smelt and, as these  
27 populations continue to decline, ongoing predation may further  
28 negatively impact their potential recovery and hasten their  
29 extinction.

30 ~~(h)~~

31 (g) It is the policy of the State of California to protect native  
32 species, particularly those at risk of extinction. Consistent with  
33 that policy, it is important to evaluate whether populations of  
34 nonnative species that pose a risk to such native species can be  
35 managed in a way that enhances the potential for native species'  
36 survival.

37 SEC. 2. Chapter 8.5 (commencing with Section 6940) is added  
38 to Part 1 of Division 6 of the Fish and Game Code, to read:

1           CHAPTER 8.5. PREDATION BY NONNATIVE SPECIES

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3       6940. (a) The department shall, by June 30, ~~2106~~, 2016,  
4 develop ~~and initiate~~ a science-based approach that helps address  
5 predation by nonnative species upon species listed pursuant to  
6 Chapter 1.5 (commencing with Section 2050) of Division 3 that  
7 reside all or a portion of their lives in the Sacramento-San Joaquin  
8 Delta, as defined in Section 12220 of the Water Code.

9       (b) *The department shall not implement the science-based*  
10 *approach developed pursuant to subdivision (a) unless the*  
11 *Legislature appropriates funds to implement the science-based*  
12 *approach.*