

AMENDED IN SENATE JULY 7, 2015
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

Introduced by Assembly Member Salas

February 27, 2015

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 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~~. *Delta and that considers predation reduction for all Chinook salmon and other native species not listed pursuant to the act.*

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~~ *the Sacramento and San*
5 *Joaquin Rivers and their* native species is critical to ensuring a
6 reliable and sustainable water supply for all Californians.

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

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

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

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

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

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

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

3
4 CHAPTER 8.5. PREDATION BY NONNATIVE SPECIES

5
6 6940. (a) The department shall, by June 30, 2016, develop a
7 science-based approach that helps address predation by nonnative
8 species upon species listed pursuant to Chapter 1.5 (commencing
9 with Section 2050) of Division 3 that reside all or a portion of their
10 lives in the Sacramento-San Joaquin Delta, as defined in Section
11 12220 of the Water Code. *Plan development shall also take into*
12 *consideration predation reduction for all Chinook salmon and*
13 *other native species not listed pursuant to Chapter 1.5*
14 *(commencing with Section 2050) of Division 3.*

15 (b) The department shall not implement the ~~science-based~~
16 ~~approach~~ *plan* developed pursuant to subdivision (a) unless the
17 Legislature appropriates funds to implement the science-based
18 ~~approach~~. *funding is made available.*