

AMENDED IN SENATE JULY 16, 2015

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 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 the Sacramento and San Joaquin
- 5 Rivers and their native species is critical to ensuring a reliable and
- 6 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 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 Chinook salmon
- 21 and delta smelt and further threaten survival of these species.
- 22 (e) State and federal regulators must take concerted efforts to
- 23 protect the environment, fish and wildlife, the economy, and
- 24 residents of this state from the ongoing implications of drought
- 25 and future water scarcity.
- 26 (f) Predation can cause mortality among Chinook salmon and
- 27 delta smelt and, as these populations continue to decline, ongoing
- 28 predation may further negatively impact their potential recovery
- 29 and hasten their extinction.
- 30 (g) *The state, including the Department of Fish and Wildlife*
- 31 *and the Department of Water Resources, has been and is engaged*
- 32 *in sponsoring and conducting scientific research on the effects of*
- 33 *predation upon native species.*
- 34 (~~g~~)

1 (h) It is the policy of the State of California to protect native
2 species, particularly those at immediate risk of extinction.
3 Consistent with that policy, it is important to evaluate strategies
4 to reduce predation in a way that enhances the potential for native
5 species' survival.

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

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CHAPTER 8.5. PREDATION BY NONNATIVE SPECIES

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11 6940. (a) (1) The department shall, by June 30, 2016, develop
12 a science-based approach that helps address predation by nonnative
13 species upon species listed pursuant to Chapter 1.5 (commencing
14 with Section 2050) of Division 3 that reside all or a portion of their
15 lives in the Sacramento-San Joaquin Delta, as defined in Section
16 12220 of the Water Code. Plan development shall also take into
17 consideration predation reduction for all Chinook salmon and other
18 native species not listed pursuant to Chapter 1.5 (commencing
19 with Section 2050) of Division 3.

20 (2) *The department shall incorporate its existing predation*
21 *research and study design efforts into development of the plan*
22 *required pursuant to paragraph (1).*

23 (b) The department shall not implement the plan developed
24 pursuant to subdivision (a) unless funding is made available.