

ASSEMBLY BILL

No. 2488

Introduced by Assembly Member Dababneh

February 19, 2016

An act to amend Section 5515 of the Fish and Game Code, relating to fish.

LEGISLATIVE COUNSEL'S DIGEST

AB 2488, as introduced, Dababneh. Fish: fully protected species: taking or possession.

Existing law prohibits the taking or possession of a fully protected fish, except as provided.

This bill would make a nonsubstantive change to this provision.

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

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

1 SECTION 1. Section 5515 of the Fish and Game Code is
2 amended to read:
3 5515. (a) (1) Except as provided in this section, Section
4 2081.6, Section 2081.7, or Section 2835, a fully protected fish ~~may~~
5 *shall* not be taken or possessed at any time. No provision of this
6 code or any other law shall be construed to authorize the issuance
7 of a permit or license to take a fully protected fish, and no permit
8 or license previously issued shall have force or effect for that
9 purpose. However, the department may authorize the taking of a
10 fully protected fish for necessary scientific research, including
11 efforts to recover fully protected, threatened, or endangered species.

1 Before authorizing the take of a fully protected fish, the department
2 shall make an effort to notify all affected and interested parties to
3 solicit information and comments on the proposed authorization.
4 The notification shall be published in the California Regulatory
5 Notice Register and be made available to each person who has
6 notified the department, in writing, of his or her interest in fully
7 protected species and who has provided an email address, if
8 available, or postal address to the department. Affected and
9 interested parties shall have 30 days after notification is published
10 in the California Regulatory Notice Register to provide relevant
11 information and comments on the proposed authorization.

12 (2) As used in this subdivision, “scientific research” does not
13 include an action taken as part of specified mitigation for a project,
14 as defined in Section 21065 of the Public Resources Code.

15 (3) A legally imported fully protected fish may be possessed
16 under a permit issued by the department.

17 (b) The following are fully protected fish:

18 (1) Colorado River squawfish (*Ptychocheilus lucius*).

19 (2) Thicktail chub (*Gila crassicauda*).

20 (3) Mohave chub (*Gila mohavensis*).

21 (4) Lost River sucker (*Catostomus luxatus*).

22 (5) Modoc sucker (*Catostomus microps*).

23 (6) Shortnose sucker (*Chasmistes brevirostris*).

24 (7) Humpback sucker (*Xyrauchen texanus*).

25 (8) Owens River pupfish (*Cyprinoden radiosus*).

26 (9) Unarmored threespine stickleback (*Gasterosteus aculeatus*
27 *williamsoni*).

28 (10) Rough sculpin (*Cottus asperimus*).