

AMENDED IN ASSEMBLY MAY 11, 2009

AMENDED IN ASSEMBLY MAY 5, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1253

**Introduced by Assembly ~~Member Fuller~~ Members *Fuller and
Gilmore***
(Coauthors: Assembly Members *DeVore, Harkey, and Silva*)

February 27, 2009

An act relating to the Sacramento-San Joaquin Delta.

LEGISLATIVE COUNSEL'S DIGEST

AB 1253, as amended, Fuller. Sacramento-San Joaquin Delta.

The California Bay-Delta Authority Act establishes in the Natural Resources Agency the California Bay-Delta Authority. The act requires the authority and the implementing agencies to carry out programs, projects, and activities necessary to implement the Bay-Delta Program, defined to mean those projects, programs, commitments, and other actions that address the goals and objectives of the CALFED Bay-Delta Programmatic Program Record of Decision, dated August 28, 2000, or as it may be amended.

The act requires the authority to establish a board of independent scientists, known as the Independent Science Board, to advise and make recommendations to the authority and the Bay-Delta Public Advisory Committee, as appropriate, on the science relative to implementation of all program elements.

This bill would require the board to conduct an independent scientific review of existing literature and studies on fish predation in the Sacramento-San Joaquin Delta, and to prepare and submit to the

Legislature and the Governor a report, including a recommendation as to whether additional studies are needed, and, if so, additional recommendations for the design and scope of those studies and an estimate of the total costs for the studies.

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. (a) The Independent Science Board shall conduct
- 2 an independent scientific review of existing literature and studies
- 3 on fish predation in the Sacramento-San Joaquin Delta, for the
- 4 purpose of evaluating whether additional studies are needed on
- 5 the effects of predation on species listed as threatened or
- 6 endangered under the state or federal endangered species acts, and
- 7 to determine whether predator species are adversely affecting, at
- 8 a population level, native salmonids or other indigenous pelagic
- 9 species in the Delta, and, if so, whether policy and operational
- 10 changes are needed in the Delta to reduce ~~predation effects~~ *the*
- 11 *effects of predation*. The review shall also include a review of
- 12 existing studies on fish salvage methods and other mitigation
- 13 protocols at state and federal pumping facilities and
- 14 recommendations for changes in methodologies to improve
- 15 survival.
- 16 (b) After completing the review required by subdivision (a), the
- 17 Independent Science Board shall prepare and submit to the
- 18 Legislature and the Governor a report that includes the following:
- 19 (1) A recommendation on whether additional studies are needed.
- 20 (2) If the Independent Science Board recommends additional
- 21 studies, recommendations for the design and scope of those studies
- 22 and an estimate of the total costs for the studies.