

AMENDED IN SENATE AUGUST 17, 2010

AMENDED IN SENATE JUNE 14, 2010

AMENDED IN SENATE JUNE 1, 2010

AMENDED IN ASSEMBLY MARCH 15, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2063

Introduced by Assembly Member Huffman
(Coauthors: Assembly Members Chesbro and Evans)
(Coauthors: Senators Leno and Wiggins)

February 18, 2010

An act to add Section 6902.5 to the Fish and Game Code, and to add Section 425.11 to the Government Code, relating to fish.

LEGISLATIVE COUNSEL'S DIGEST

AB 2063, as amended, Huffman. Fish: Chinook and Coho salmon.

Existing law establishes the Salmon, Steelhead Trout, and Anadromous Fisheries Program Act to protect and increase the naturally spawning salmon, steelhead trout, and anadromous fishery resources of the state. Existing law defines anadromous fish as fish that spawn in fresh water and spend a portion of their lives in the ocean.

This bill would add legislative findings and declarations to the act. The bill would proclaim *and reaffirm* a legislative goal of restoring Chinook and Coho salmon populations to sustainable levels, sufficient to support viable recreational, commercial, and tribal fisheries, ~~within a decade~~ *and to make substantial progress within the next decade toward meeting this goal*. The bill would state the intent of the Legislature, in implementing this goal, that the department utilize the best available

science in determining where to focus and prioritize conservation planning efforts for recovery of Chinook salmon and other salmonid species. The bill would also designate the Chinook salmon as the official state anadromous fish.

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. Section 6902.5 is added to the Fish and Game
2 Code, to read:

3 6902.5. (a) The Legislature finds and declares all of the
4 following:

5 (1) The Chinook salmon (*Oncorhynchus tshawytscha*), a fish
6 native to many California streams for thousands of years, is an
7 extremely important ecological, economic, and cultural resource
8 to all the people of California.

9 (2) Chinook salmon are anadromous fish that are born in fresh
10 cold water streams, migrate hundreds of miles to the ocean where
11 they spend most of their adult life, and then return to spawn and
12 lay their eggs in the stream of their birth.

13 (3) Salmonids have a long history of interactions with humans,
14 appearing as images in Cro-Magnon cave art of 10,000 or more
15 years ago, and have been an important food source for indigenous
16 peoples throughout the salmonids' geographic range, including
17 Native American tribes in California. The first commercial harvest
18 of Chinook salmon began in the Sacramento River in the 1850s
19 when it provided food for the gold rush.

20 (4) Chinook salmon and other salmonids have managed to
21 survive and evolve over hundreds of years in California, showing
22 extraordinary resilience in the face of tremendous change,
23 including, but not limited to, the damming and diversion of most
24 major California rivers, hydraulic mining during the gold rush,
25 past timber harvesting and overfishing practices, loss of cold water
26 and riparian habitat, competing demands for water, and changing
27 ocean conditions.

28 (5) Despite their resilience and cultural, historical, aesthetic,
29 and economic importance, salmonid fishes, including Chinook
30 and coastal Coho salmon species, are in severe decline in most of
31 their native habitats and many populations have been extirpated.

1 (6) All Chinook salmon runs in California have declined
2 dramatically. Of the four separate Central Valley Chinook salmon
3 runs, two are listed under the federal Endangered Species Act of
4 1973 (*16 U.S.C. Sec. 1531 et seq.*) and the California Endangered
5 Species Act (*Chapter 1.5 (commencing with Section 2050) of*
6 *Division 3*) and are currently threatened with extinction.

7 (7) The Central Valley fall run, the strongest of the four Central
8 Valley Chinook salmon runs, has been the backbone of the
9 recreational and commercial salmon fishing industry in California.
10 However, the salmon fishing season was closed in 2008 and 2009,
11 due to a dramatic drop in the number of returning fish, which
12 dropped 95 percent from 769,868 in 2002, to 87,940 in 2007,
13 64,456 in 2008, and 39,530 in 2009, an all-time low, and the third
14 consecutive year that the number of returning fish has fallen below
15 the 122,000 minimum escapement criteria necessary for long-term
16 sustainable fishing. In 2004, the National Marine Fisheries Service
17 placed the Chinook salmon from the Central Valley fall run on
18 their “Species of Special Concern” list.

19 (8) ~~The~~ *Estimates of the economic impact of the closure of the*
20 *salmon season in 2008 and 2009 is estimated at over \$2 billion*
21 *range from over five hundred million dollars (\$500,000,000) to*
22 *two billion dollars (\$2,000,000,000), with as many as 23,000 jobs*
23 *lost. The California salmon industry supports thousands of*
24 *recreational fishers, over 1,000 licensed commercial boats (down*
25 *from a high of over 8,000 boats in the 1970s), and hundreds of*
26 *related businesses. Many of these businesses were forced to shut*
27 *down in 2008 and 2009, while others managed to stay open through*
28 *receiving federal disaster assistance. The extremely limited duration*
29 *of the 2010 commercial and recreational salmon seasons may be*
30 *inadequate to support all of the remaining businesses.*

31 (9) It is estimated that recovery of the Central Valley fall run
32 ~~could produce over \$5 billion in economic revenues and as many~~
33 ~~as 94,000 jobs.~~ *could potentially produce over one billion dollars*
34 *(\$1,000,000,000) in economic benefits for the state, including*
35 *thousands in increased jobs. Restoration of the Central Valley fall*
36 *run could also avoid future costs the state might otherwise incur*
37 *if the population were to continue to decline and it became*
38 *necessary for the run to be listed as threatened or endangered*
39 *under the federal Endangered Species Act of 1973 (16 U.S.C. Sec.*

1 *1531 et seq.) and the California Endangered Species Act (Chapter*
2 *1.5 (commencing with Section 2050) of Division 3).*

3 (10) California's salmon populations need freshwater habitat
4 that includes cold, clean water; appropriate water depth, quantity,
5 and flow velocities; upland and riparian vegetation to stabilize soil
6 and provide shade; clean gravel for spawning and egg-rearing;
7 large woody debris to provide resting and hiding places; adequate
8 food; and varied channel forms.

9 (11) *Previously enacted state and federal laws established a*
10 *policy to double natural salmon production, stated legislative*
11 *intent to restore salmon to historic levels where possible, and*
12 *required salmon and other marine fisheries to be managed for*
13 *sustainability.*

14 (11)

15 (12) Recovery of California's salmon populations will not be
16 easy, but it is possible, thanks to the inherent adaptability of
17 California's salmonids to changing conditions. However,
18 accomplishing this task will require renewed commitment and
19 coordination on the part of the Legislature, state and federal fishery
20 agencies, the fishing community, and other interested parties.

21 (b) The Legislature proclaims *and reaffirms* the goal of restoring
22 Chinook and Coho salmon populations to sustainable levels,
23 sufficient to support viable recreational, commercial, and tribal
24 fisheries, ~~within a decade~~ *and to make substantial progress within*
25 *the next decade toward meeting this goal.* To accomplish this goal,
26 it is the intent of the Legislature that the Department of Fish and
27 Game and the Fish and Game Commission work together
28 collaboratively with other public and private partners, including,
29 but not limited to, the Ocean Protection Council, the National
30 Marine Fisheries Service (NOAA Fisheries), the United States
31 Fish and Wildlife Service, the Pacific Fisheries Management
32 Council, fishing men and women, fishing businesses, local fishing
33 communities, and other interested parties to restore thriving and
34 sustainable populations of Chinook and Coho salmon in California.
35 In implementing this goal, it is the intent of the Legislature that
36 the department utilize the best available science in determining
37 where to focus and prioritize conservation planning efforts for
38 recovery of Chinook salmon and other salmonid species. This
39 includes, but is not limited to, an integrated management approach
40 to ensure the health of the ecosystems the salmonids depend upon,

1 a life cycle analysis, conservation of salmonid genetic diversity to
2 promote population resilience, and sufficient data collection efforts
3 to support and adaptively manage scientifically defensible hatchery
4 operations.

5 SEC. 2. Section 425.11 is added to the Government Code, to
6 read:

7 425.11. The Chinook salmon (*Oncorhynchus tshawytscha*) is
8 the official state anadromous fish.

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