

AMENDED IN ASSEMBLY APRIL 26, 2001
AMENDED IN ASSEMBLY MARCH 29, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 1561

Introduced by Assembly Member Kelley

February 23, 2001

~~An act to add Chapter 13 (commencing with Section 2960) to Division 3 of the Fish and Game Code, relating to the Colorado River, and making an appropriation therefor. An act relating to water.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 1561, as amended, Kelley. Colorado River.

Under existing law, the state undertakes environmental and water supply planning with regard to the Colorado River.

Existing law authorizes the taking of endangered, threatened, and candidate species under certain circumstances.

This bill would ~~authorize the Department of Fish and Game and the Fish and Game Commission to authorize~~ *declare the intent of the Legislature to address the issues of authorizing* the taking of certain birds and fully protected species caused by the implementation of any component of the Lower Colorado River Multi-Species Conservation Program established by the States of California, Arizona, and Nevada and approved by the ~~department~~ *Department of Fish and Game*, or by the implementation of any component of the May 11, 2000, working draft of California's Colorado River Water Use Plan.

~~Existing law continuously appropriates money in the Fish and Game Preservation Fund to the department to pay all necessary expenses~~

incurred in carrying out the Fish and Game Code and any other law for the protection and preservation of birds, mammals, reptiles, and fish.

~~This bill would make an appropriation by providing new statutory authority for the department.~~

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

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

~~SECTION 1. Chapter 13 (commencing with Section 2960) is~~
~~SECTION 1. It is the intent of the Legislature to address the~~
~~issues of authorizing the taking of certain birds and fully protected~~
~~species caused by the implementation of any component of the~~
~~Lower Colorado River Multi-Species Conservation Program~~
~~established by the States of California, Arizona, and Nevada and~~
~~approved by the Department of Fish and Game, or by the~~
~~implementation of any component of the May 11, 2000, working~~
~~draft of California's Colorado River Water Use Plan, as that plan~~
~~may be amended by the Colorado River Board of California.~~
~~added to Division 3 of the Fish and Game Code, to read:~~

~~CHAPTER 13. COLORADO RIVER~~

~~2960. Notwithstanding any other provision of law, the~~
~~commission or the department may authorize the taking of any~~
~~species which is identified in Section 3503.5, 3505, 3511, 4700,~~
~~5050, or 5515, and which taking is caused by the implementation~~
~~of any component of the Lower Colorado River Multi-Species~~
~~Conservation Program, established by the States of California,~~
~~Arizona, and Nevada and approved by the department, or by the~~
~~implementation of any component of the May 11, 2000, working~~
~~draft of the California's Colorado River Water Use Plan prepared~~
~~by the Colorado River Board of California and necessary for~~
~~California to transition to its normal annual Colorado River water~~
~~apportionment of 4.4 million acre feet, and as that plan may be~~
~~amended by that board. The taking of any such species shall be~~
~~authorized under the same conditions as the commission or the~~
~~department may authorize the taking of an endangered, threatened,~~
~~or candidate species pursuant to Chapter 1.5 (commencing with~~

- 1 ~~Section 2050) of, or Chapter 10 (commencing with Section 2800)~~
- 2 ~~of, Division 3.~~

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