

AMENDED IN SENATE JUNE 26, 2001  
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 Section 12567 to the Water Code, 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 ~~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~~ *require the Secretary of the Resources Agency, on or before April 1, 2002, to submit a progress report on the implementation 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 to specified legislative committees. The bill would also make related findings and declarations.*

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

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

1     ~~SECTION 1. It is the intent of the Legislature to address the~~  
2     *SECTION 1. The Legislature hereby finds and declares all of*  
3     *the following:*  
4     *(a) Representatives from Arizona, California, and Nevada,*  
5     *along with various stakeholders and water and power agencies*  
6     *along the lower Colorado River, have formed a regional*  
7     *partnership, which is developing a first-of-its kind multispecies*  
8     *conservation program aimed at protecting sensitive, threatened,*  
9     *and endangered species of fish and wildlife, and their respective*  
10    *habitats.*  
11    *(b) Planned for implementation over a 50-year period, the*  
12    *comprehensive multispecies conservation program will address*  
13    *future federal agency consultation needs under the federal*  
14    *Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.),*  
15    *nonfederal agency needs for endangered species incidental take*  
16    *authorization under federal Endangered Species Act, and*  
17    *California agency needs for incidental take authorization under*  
18    *the California Endangered Species Act (Chapter 1.5 (commencing*  
19    *with Section 2050) of Division 3 of the Fish and Game Code) and*  
20    *the Natural Community Conservation Planning Act (Chapter 10*  
21    *(commencing with Section 2800) of Division 3 of the Fish and*  
22    *Game Code).*  
23    *(c) Approximately 100 candidate and sensitive species listed*  
24    *pursuant to the federal and state endangered species acts and the*  
25    *aquatic, wetland, riparian and upland area habitats associated*  
26    *with those species, will be addressed in the conservation program.*  
27    *The conservation program covers the main stem of the lower*  
28    *Colorado River from below Glen Canyon Dam to the southerly*  
29    *international boundary with Mexico. The program planning area*  
30    *includes the historic floodplain and reservoir full-pool elevations.*  
31    *SEC. 2. Section 12567 is added to the Water Code, to read:*  
32    *12567. On or before April 1, 2002, the Secretary of the*  
33    *Resources Agency shall submit a progress report on the*  
34    *implementation of the Lower Colorado River Multi-Species*  
35    *Conservation Program that is established by the States of*

1 *California, Arizona, and Nevada and approved by the California*  
2 *Department of Fish and Game to the chairpersons of each of the*  
3 *following committees:*

4 *(a) Senate Agriculture and Water Resources Committee.*

5 *(b) Senate Natural Resources and Wildlife Committee.*

6 *(c) Assembly Natural Resources Committee.*

7 *(d) Assembly Water, Parks and Wildlife Committee.*

8 ~~issues of authorizing the taking of certain birds and fully protected~~  
9 ~~species caused by the implementation of any component of the~~  
10 ~~Lower Colorado River Multi-Species Conservation Program~~  
11 ~~established by the States of California, Arizona, and Nevada and~~  
12 ~~approved by the Department of Fish and Game, or by the~~  
13 ~~implementation of any component of the May 11, 2000, working~~  
14 ~~draft of California's Colorado River Water Use Plan, as that plan~~  
15 ~~may be amended by the Colorado River Board of California.~~

