

AMENDED IN SENATE AUGUST 16, 2010

AMENDED IN ASSEMBLY MAY 24, 2010

AMENDED IN ASSEMBLY MAY 20, 2010

AMENDED IN ASSEMBLY MAY 13, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

Assembly Joint Resolution

No. 38

**Introduced by Assembly Members Caballero, Fuller, and Arambula
(Coauthors: Assembly Members Adams, Anderson, Beall,
Bill Berryhill, Tom Berryhill, Blakeslee, Block, Blumenfield,
Bradford, Brownley, Charles Calderon, Carter, Conway, Cook,
Coto, Davis, De La Torre, De León, DeVore, Emmerson, Eng,
Feuer, Fletcher, Fuentes, Furutani, Galgiani, Garrick, Gilmore,
Hagman, Harkey, Hayashi, Hill, Huffman, Jeffries, Jones, Lieu,
Bonnie Lowenthal, Ma, Mendoza, Miller, Monning, Nestande,
Nielsen, John A. Pérez, V. Manuel Pérez, Portantino, Ruskin,
Salas, Silva, Skinner, Smyth, Solorio, Audra Strickland, Swanson,
Torres, Torrico, and Tran)**

February 25, 2010

Assembly Joint Resolution No. 38—Relative to public resources.

LEGISLATIVE COUNSEL'S DIGEST

AJR 38, as amended, Caballero. Public resources: Two-Gates Fish Protection Demonstration Project.

This measure would request the United States Department of the Interior to ~~prioritize completion of~~ *complete, as soon as possible*, its

study of the Two-Gates Fish Protection Demonstration Project in the Sacramento-San Joaquin Delta.

Fiscal committee: no.

1 WHEREAS, From 2007 to 2009, inclusive, California
2 experienced a severe drought that adversely affected water supplies
3 in many parts of the state, including water exported from the
4 Sacramento-San Joaquin Delta (Delta) by the State Water Project
5 (SWP) and the federal Central Valley Project (CVP), and also
6 adversely affected the environment, including commercially
7 valuable fish species; and

8 WHEREAS, While most of the 2009 SWP and CVP water
9 delivery reductions resulted from the multiyear drought, some
10 additional reductions were made to protect state and federally listed
11 smelt, salmon, and steelhead species native to the Delta, pursuant
12 to federal biological opinions required by the federal Endangered
13 Species Act; and

14 WHEREAS, In 2009, the combination of recession, drought,
15 water supply reductions, and other hardships contributed to
16 significant local unemployment and economic dislocation in rural
17 farming communities on the west side of the San Joaquin Valley,
18 affecting farmworkers, agriculture-related jobs, and small
19 businesses; and

20 WHEREAS, Water shortages during the drought of 2007 to
21 2009, inclusive, and the adverse economic, social, and
22 environmental effects resulting from those shortages, underscore
23 the need for California to do everything possible to manage our
24 limited water resources efficiently, carefully, and responsibly; and

25 WHEREAS, Currently, scientific studies of the causes of
26 declines in populations of fish species in the Delta are ongoing
27 and continue to further our understanding of the delicate
28 environmental balance in the Delta and the influences of the various
29 stressors affecting these populations; and

30 WHEREAS, While there are many projects to be considered in
31 working to protect and recover fish populations in the Delta, the
32 Legislature urges expedient consideration of the Two-Gates Fish
33 Protection Demonstration Project. With \$28,000,000 of funding
34 for the project allocated as part of Proposition 84 (Senate Bill 1,
35 Chapter 5 of the Seventh Extraordinary Session of the Statutes of
36 2009) and additional funding available from a combination of

1 federal and private funds, this experimental project proposes to
2 install barriers and gates that could reduce the loss of Delta smelt
3 at state and federal pumps; and

4 WHEREAS, While information about how the Two-Gates Fish
5 Protection Demonstration Project will affect Delta smelt and other
6 imperiled fish species is currently unclear, the project presents a
7 creative option that should be expeditiously analyzed and, if viable,
8 implemented; and

9 WHEREAS, In light of the importance of the Delta estuary, its
10 fisheries, the millions of Californians who depend on the Delta for
11 drinking water, and the millions of acres of prime farmland that
12 depend on the Delta for irrigation, there is great urgency to identify
13 and implement programs and projects that advance California's
14 coequal goals of protecting and restoring the Delta ecosystem
15 while ensuring a reliable water supply for California; now,
16 therefore, be it

17 *Resolved by the Assembly and the Senate of the State of*
18 *California, jointly*, That the Legislature requests the United States
19 Department of the Interior to ~~prioritize completion of complete,~~
20 *as soon as possible* its study of the Two-Gates Fish Protection
21 Demonstration Project in the Sacramento-San Joaquin Delta; and
22 be it further

23 *Resolved*, That the Chief Clerk of the Assembly transmit copies
24 of this resolution to the author for appropriate distribution.

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