

**Assembly Joint Resolution No. 38**

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Adopted in Assembly August 20, 2010

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*Chief Clerk of the Assembly*

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Adopted in Senate August 18, 2010

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*Secretary of the Senate*

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This resolution was received by the Secretary of State this  
\_\_\_\_ day of \_\_\_\_\_, 2010, at \_\_\_\_\_  
o'clock \_\_\_\_M.

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*Deputy Secretary of State*

## RESOLUTION CHAPTER \_\_\_\_\_

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

## LEGISLATIVE COUNSEL'S DIGEST

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

This measure would request the United States Department of the Interior to complete, as soon as possible, its study of the Two-Gates Fish Protection Demonstration Project in the Sacramento-San Joaquin Delta.

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

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

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

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

WHEREAS, Currently, scientific studies of the causes of declines in populations of fish species in the Delta are ongoing

and continue to further our understanding of the delicate environmental balance in the Delta and the influences of the various stressors affecting these populations; and

WHEREAS, While there are many projects to be considered in working to protect and recover fish populations in the Delta, the Legislature urges expedient consideration of the Two-Gates Fish Protection Demonstration Project. With \$28,000,000 of funding for the project allocated as part of Proposition 84 (Senate Bill 1, Chapter 5 of the Seventh Extraordinary Session of the Statutes of 2009) and additional funding available from a combination of federal and private funds, this experimental project proposes to install barriers and gates that could reduce the loss of Delta smelt at state and federal pumps; and

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

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

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

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

Attest:

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*Secretary of State*