

## LOCAL & STATE

# Lawsuit filed over Yuba River fishery

By Harold Kruger  
Special to The Union

Friends of the River opened a new front Wednesday in the war over the Yuba River, suing the federal government.

The environmental group filed a 43-page lawsuit in U.S. District Court in Sacramento against the National Marine Fisheries Service, the U.S. Army Corps of Engineers, the Bureau of Land Management and others.

At issue is the effect Englebright and Daguerre Point dams have on fish — spring Chinook, steelhead and green sturgeon — in the river. Both dams are under Army Corps jurisdiction.

An earlier federal lawsuit resulted in a revised biological opinion that set out procedures to protect fish in the river.

"We've been working with several environmental groups to see if we can work things out to reinstitute some of the environmental protections that the prior biological opinion issued in 2012 required," San Francisco attorney Christopher Sproul said Wednesday.

"That effort has not borne fruit, at least from our perspective. We're going back to court with the intention and hope and aim of having the prior biological opinion reinsituted."

He said the new suit also challenges an Army Corps regulation that exempts it from the Endangered Species Act for any harms caused by the existence of its dams.

Friends of the River wants to "once again bring the Army Corps under the umbrella of the Endangered Species Act for these dams and other dams as well," Sproul said.

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