



SOUTH YUBA RIVER CITIZENS LEAGUE

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November 13, 2012

*Via Email and US Mail*

Colonel William J. Leady  
Sacramento District Commander  
U.S. ARMY CORPS OF ENGINEERS  
1325 J Street  
Sacramento, CA 95814

Curt Aikens  
General Manager  
YUBA COUNTY WATER AGENCY  
1220 F Street  
Marysville, CA 95901

Rodney McInnis  
Regional Administrator Southwest Region  
NATIONAL MARINE FISHERIES SERVICE  
501 West Ocean Blvd.  
Long Beach, CA 90802-4213

Re: Meeting Requested to Discuss Cooperative Approach to Yuba Salmon Restoration

Dear Sirs:

As you know, on February 29, 2012, the National Marine Fisheries Service (NMFS) issued a new biological opinion (BiOp) to the US Army Corps of Engineers (Army Corps) concerning the Army Corps' operation and maintenance of Daguerre Point Dam, Englebright Dam, and certain related water diversions. The BiOp contains numerous near-term and long-term measures intended to restore and protect listed salmonids and green sturgeon populations in the Yuba River. The BiOp is now the subject of two 60-day citizen suit notice letters, including Yuba County Water Agency's dated November 6<sup>th</sup>, 2012 and the South Yuba River Citizens Leagues (SYRCL), dated November 13, 2012. Others may follow.

I am writing to reaffirm the desire of the South Yuba River Citizens League to work collaboratively with the relevant stakeholders in the Yuba River watershed to promote the recovery of listed fish species in the Yuba River. In this context, we want to reiterate that SYRCL's letter of notice is not a lawsuit. We have not already decided to return to court to pursue further litigation.

SYRCL suggests and requests that the Army Corps, NMFS, and YCWA agree to meet with SYRCL and other stakeholders to resolve disputes about the Biological Opinion and to discuss establishing a collaborative and cooperative framework for implementing its' critical fish recovery measures.

SYRCL has sent a citizen suit notice letter to preserve our ability to move promptly as needed to meet the urgent needs of the ESA-listed species residing in the Yuba River, should the preferred collaborative and cooperative approach we request fail. As noted above, sending a notice letter does not obligate us to ever file a new lawsuit. SYRCL continues to hope that we stakeholders in the Yuba River watershed can tackle the challenging process of implementing measures necessary to recover and protect threatened fish species in the Yuba River in a cooperative fashion without the expense and distraction caused by another round of litigation.

There is a great deal of work to be done and precious little time to do it. I hope that the parties can begin the important work ahead with a renewed spirit of collaboration that reflects the values, responsibilities, and opportunities we all share as stakeholders in the Yuba River's resources.

Please contact me at your earliest convenience so that we can schedule the meeting we are seeking ([caleb@syrc.org](mailto:caleb@syrc.org) or 530-265-5961 x207).

Sincerely,



Caleb Dardick  
Executive Director

cc: Charlton Bonham, DFG  
David Breninger, PCWA  
Randy Livingston, PG&E  
Ron Nelson, NID