



November 7, 2012

Mary Jane Griego, Board Chairperson (530) 301-7166
Curt Aikens, General Manager (530) 701-6800

YCWA Seeks Dialogue with Federal Agencies to Improve Salmon and Steelhead Habitat

The Yuba County Water Agency has filed a 60-day notice with the Department of Commerce and the Army Corps of Engineers (Corps), officially notifying these agencies of its intent to file a lawsuit under the federal Endangered Species Act over a National Marine Fisheries Service (NMFS) biological opinion (2012 BiOp) regarding the operation and maintenance of two Corps debris dams on California's Yuba River. YCWA plans to use the time provided by this notice to engage senior Administration officials in a dialogue to resolve an impasse between the NMFS and the Corps, which has significant implications for YCWA and others working to enhance salmon and steelhead habitat in the Yuba River watershed.

The NMFS 2012 BiOp, issued on February 29, 2012, determines that the Corps' operation and maintenance of Daguerre and Englebright Dams "jeopardizes" spring run Chinook salmon, steelhead, and green sturgeon. NMFS has directed the Corps to implement 30 actions, many of which are focused on short-term and long-term steps to reintroduce salmon and steelhead into the upper watershed. Regarding fish passage at these two dams, the NMFS 2012 BiOp states, "...dam removal is the most preferred approach..." The Corps disagrees with NMFS and has provided detailed comments identifying numerous legal and technical deficiencies and errors in the opinion.

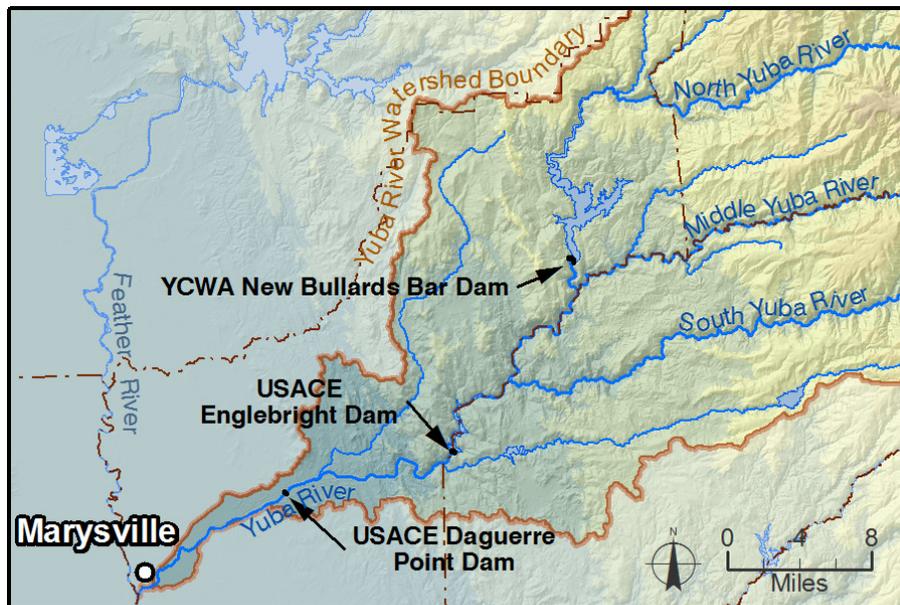
"We're hopeful our letter will facilitate a more collaborative and focused effort with NMFS and the Corps to correct the problems in this biological opinion," said Mary Jane Griego, Chair of the YCWA Board of Directors.

The NMFS 2012 BiOp presents significant social, economic and environmental risks for Yuba County and the surrounding region. If fully implemented, the 2012 BiOp may compromise YCWA's ability to provide water to 85,000 acres of productive farmland. The opinion also challenges the Lower Yuba River Accord, a widely acclaimed settlement agreement to enhance 24 miles of salmon and steelhead habitat on the Lower Yuba River. Further, the modification or removal of Englebright Dam, recommended by the 2012 BiOp, presents immense public health and safety, environmental and financial risks to downstream communities, and would eliminate two sources of renewable, carbon-free energy for California, the Narrows 1 and Narrows 2 powerhouses.

Curt Aikens, YCWA General Manager said, "We're committed to improve salmon and steelhead habitat in the Yuba River watershed, but we have to work together."

YCWA is a recognized leader in collaborative efforts to improve salmon and steelhead habitat, enhance flood protection and responsibly manage water supplies. YCWA worked with local, state and federal agencies and conservation groups to create the Lower Yuba River Accord, which benefits Yuba County agriculture and fisheries. This award-winning agreement has led to an annual average of 114,000 acre-feet of water transferred to the State for fish and wildlife purposes and to cities and farms. Water transfer revenue from the Yuba Accord also enabled YCWA and the County of Yuba to finance \$46.6 million in local costs for the acclaimed six-mile long Feather River Setback levee. YCWA is also a leading participant in two efforts to improve salmon and steelhead habitat in the Yuba River watershed: the Yuba Salmon Forum and the North Yuba Reintroduction Initiative.

The Yuba River Watershed



G:\Yuba_WD_MAP_DOCS\Fish_Impediments\Yuba_Watershed_Zoom.mxd

Congress authorized Daguerre Point Dam in the 1902 Rivers and Harbors Act, and Englebright Dam in the 1935 Act. Both were built by the California Debris Commission and are now owned by the Corps. Daguerre, built in 1906 (rebuilt in 1965), is 25 feet tall, and has two fish ladders. Englebright, constructed in 1941, is 260 feet tall with no ladders. These dams retain 30 million cubic yards of contaminated hydraulic mining debris washed out of the Yuba River watershed since the Gold Rush. The release of this debris downstream would have devastating impacts on local rivers and the Bay-Delta, increasing the downstream flood risk by raising the bed of the Yuba, Feather and Sacramento Rivers, and harming spawning grounds. The removal of this debris, which contains mercury and other dangerous chemicals, presents immense public health and safety, environmental and financial challenges. Preliminary cost-estimates for the removal and sequestration of this material exceed \$1 billion dollars.

For more information on the NMFS 2012 BiOp, see: <http://swr.nmfs.noaa.gov/bo/index.htm>
 For more information on Daguerre Point Dam and Englebright Dam, see:
<http://www.spk.usace.army.mil/Locations/SacramentoDistrictParks/EnglebrightLake.aspx>
 For more information about YCWA, see www.ycwa.com