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**Yuba Salmon Threatened by Federal Inaction:
River Advocates File New ESA Claims Against Corps of Engineers and NOAA Fisheries**

Sacramento, CA- In the wake of record-low salmon runs in the Yuba River, the South Yuba River Citizens League (SYRCL) and Friends of the River filed new demands in federal court last week under the Endangered Species Act in an attempt to compel the federal government to take actions to protect and recover the Yuba River's uniquely wild salmon, steelhead and sturgeon. The lawsuit follows the recent release of a government report documenting a serious decrease in western salmon populations.

"The Yuba's wild salmon are in crisis, and we fear they are on a one-way path to extinction. The federal government has been dragging its feet for years, and we're left with no choice but to try and force action through the courts. With the salmon runs in free-fall, perhaps now the federal government will step up and restore our heritage salmon," says Jason Rainey, Executive Director of SYRCL.

The suit is aimed at the US Army Corps of Engineers and NOAA Fisheries. The Corps owns and operates two "debris" dams on the Yuba River—Daguerre Point Dam and Englebright Dam—that are well-documented and widely acknowledged as fish migration barriers, while NOAA Fisheries is the federal agency responsible for recovering threatened anadromous species such as the Spring-run Chinook, Steelhead and Green Sturgeon of the Yuba River. The suit also names Yuba County Water Agency, which benefits from water diversion and hydropower facilities associated with the federal dams.

This suit follows last month's [news release](#) by the Pacific Fishery Management Council announcing the "unprecedented collapse" of the Central Valley's Fall-run Chinook. In the media release, the Council warned "all marine and freshwater fisheries impacting this important salmon stock may be affected." The Council states that "The low returns are particularly distressing since this stock has consistently been the healthy 'work horse' for salmon fisheries off California and most of Oregon."

The complaint was filed by the public interest law firm Environmental Advocates on behalf of SYRCL and FOR. The complaint amends earlier legal action first filed in December 2006 that challenged a NMFS Biological Opinion issued in 2002 to the Army Corps of Engineers for the dams in issue. NMFS has subsequently issued two superseding Biological Opinions, in April 2007 and again in November 2007. These Biological Opinions have continued to authorize operation of the dams in a fashion that fails to promote the fishes' survival and recovery.

"Each time the feds publish a new Biological Opinion, the citizens are forced to submit another 60-notice and the case gets shelved for 2 months. The federal attorneys are stalling through procedural maneuvering. My clients are anxious to get to the substantive issues in this case, and so too, I'm sure, are the wild Yuba Salmon whose existence hangs in the balance," says Christopher Sproul, the lead attorney for SYRCL and FOR.

According to [data from the PFMC](#) that's been tracked since 1970, the Spring-Run spawner returns (aka "escapement") of the entire Sacramento River watershed (including the Yuba) has fluctuated from roughly 3,000 fish in 1992 to approximately 31,500 in 1998. In 2006—the most recent year with verified data—the run was at 12,567, with the Yuba constituting less than 400.

"More than 95% of the Central Valley spring run salmon's former spawning habitat has been blocked by dams," noted Steve Evans, Conservation Director of Friends of the River, adding that "Englebright Dam completely blocks salmon and Daguerre Point Dam impedes as much as 40% of the salmon that attempt to migrate up the Yuba. Continued government inaction is simply not an option," Evans said.

As noted in a SYRCL press release that circulated on [YubaNet](#) in January, NOAA Fisheries has published data indicating that a mere 242 Spring-run salmon spawners returned to the Yuba in 2007. The California Department of Fish and Game estimates through their escapement surveys that 2,600 Fall-run Chinook spawned in the Yuba in 2007, compared to an estimate of 18,000 in 2005.

Dr. Robert Schick of Duke University teamed up with NOAA Fisheries biologist Steven Lindley of NOAA's Southwest Fisheries Science Center in Santa Cruz and issued [a report](#) on the impact of dams on California's Spring-Run Chinook in the September 3, 2007 issue of the Journal of Applied Ecology. "By highlighting the demographic impact of individual populations of fish, network science allowed us to propose a recovery pathway for spring-run Chinook salmon in the Central Valley," Schick noted. "This pathway highlights dams whose removal would have the greatest positive impact on the species."

The Duke University-NOAA Fisheries report indicated that 14 distinct populations of Central Valley Spring-run Chinook have gone extinct. Of the four remaining populations (Butte, Mill and Deer Creeks of the upper Sacramento River), the Yuba is rated at "high risk" of extinction. This report was placed in context by SYRCL Fisheries Biologist Gary Reedy in a [presentation](#) on the status of Yuba Salmon at a Townhall Meeting in October 2007 in Nevada City.

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