

American Rivers, California Trout, California Sportfishing Protection Alliance, California Outdoors, Center for Biological Diversity, Defenders of Wildlife, Friends of the River, International Rivers, Northern California Council of Federation of Fly Fishers, Patagonia, Pacific Coast Federation of Fishermen's Associations, Sierra Club, South Yuba River Citizens League, Stoecker Ecological, The Sierra Fund, Trout Unlimited

February 15, 2012

Rod McInnis
Regional Administrator, Southwest Region
National Marine Fisheries Service
501 W. Ocean Blvd., Suite 4200
Long Beach, California 90802

Re: Biological Opinion for U.S. Army Corps of Engineers, Daguerre Point and Englebright Dams

Dear Mr. McInnis:

We write on behalf of our 4,000,000 plus members and supporters to urge the National Marine Fisheries Service, in the forthcoming Biological Opinion, to use your authority under the Endangered Species Act to require volitional passage for spring run Chinook salmon and steelhead above the Army Corp of Engineer's Daguerre Point and Englebright dams.

Central Valley spring run Chinook and steelhead are threatened with extinction. Your agency has identified the loss of historical spawning habitat, up to 80 percent or more, as a primary cause of their vulnerable condition. With more than 150 miles of historic habitat in the Yuba River watershed above Englebright Dam, your agency and others consider the Yuba among the best opportunities in all of California to contribute to the recovery of these species.

In the March 7, 2011 hearing regarding the existing Biological Opinion for the Corps' Yuba River dams, Judge Karlton admonished attorneys for the Corps and NMFS, "We know these fish are in trouble. We know the government hasn't done its duty. If they [NMFS and the Corps] want not to have judges breathing down their neck, it is easy. Do your duty." (Emphasis added) We respectfully agree with this view, mindful of the difficulty and cost of passage here. Many of our organizations are concurrently working with Pacific Gas and Electric Company, Yuba County Water Agency, and other dam operators in this basin to contribute to restoration of habitat in the upper Yuba.

Rod McInnis
February 15, 2012
Page 2

We strongly believe restoring spring run Chinook and steelhead to the upper Yuba River is necessary for their continued existence and fits squarely within your authority and trust obligations.

Sincerely,

Kelly Catlett, J.D.
California Representative
Defenders of Wildlife

Jason Rainey
Executive Director
International Rivers

Yvon Chouinard
Founder
Patagonia

Nate Rangel
President
California Outdoors

Caleb Dardick
Executive Director
South Yuba River Citizens League

Frank Rinella
Director
Northern California Council,
Federation of Fly Fishers

Zeke Grader
Executive Director
Pacific Coast Federation of Fishermen's
Associations

Steve Rothert
California Director
American Rivers

Brian Johnson
California Director
Trout Unlimited

Chris Shutes
FERC Projects Director
California Sportfishing Protection
Alliance

Curtis Knight
Conservation Director
California Trout

Dave Steindorf
California Stewardship Director
American Whitewater

Elizabeth Martin
Executive Director
The Sierra Fund

Matt Stoecker
Fisheries Biologist and Owner
Stoecker Ecological

Jim Metropulos
Senior Advocate
Sierra Club California

Ronald Stork
Senior Policy Advocate
Friends of the River

Jeff Miller
Conservation Advocate
Center for Biological Diversity