

As the rivers flow ...

[By Harold Kruger/Appeal-Democrat](#)

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For the last few years, the Yuba County Water Agency and the South Yuba River Citizens League have put on a happy face when it comes to the fate of the Yuba River.

There was much gallant talk about the Yuba River Accord and how it would help the fish and make everybody happy.

But there are still some major disagreements between YCWA and SYRCL. They don't see eye to eye.

That was most apparent late last month during the comment period on the federal government's proposal to designate critical habitat for the green sturgeon in the lower Yuba River. Portions of the Feather and Sacramento rivers were also included.

You'd think the Water Agency and SYRCL would be on the same page when it came to the Yuba.

Not.

"Inclusion of the lower Yuba River in the critical habitat designation is appropriate due to the physical and biological features of the Yuba River, which represent essential habitat for the conservation (of the sturgeon)," SYRCL said in its letter.

In its letter, the Water Agency noted that the Yuba is "intensively managed to protect and enhance habitat conditions for salmonid species," specifically fall-run and spring-run chinook.

According to the Water Agency, the green sturgeon has an "enigmatic nature" in the lower Yuba with little "life history information."

The agency then warns that efforts to aid the sturgeon "may conflict with, or even undermine, efforts to protect and enhance salmonid habitat" in the lower Yuba.

What's more, the agency posits, conflicting efforts to aid the sturgeon and the salmon "almost certainly" would lead to "likely high economic costs."

What of the area upstream of Daguerre Point Dam as potential habitat for the sturgeon?

SYRCL thinks that's a great idea, especially if the dam is removed.

"Only one action is required to establish a new spawning population of green sturgeon ... passage at Daguerre Point Dam," SYRCL said in its comment letter. "The likelihood of this actions is very high."

The Army Corps of Engineers, which oversees the dam, will be compelled "to provide passage, either by cooperation or court ruling," says SYRCL, which vows that "improved fish

passage at Daguerre is imminent."

And the Water Agency's view?

"There actually is only a very low potential for removal of Daguerre Point Dam or creating of green sturgeon passage at the dam in the near future, due to numerous biological, environmental impact and economic issues," says YCWA, which cautions that getting rid of the dam could send mercury-tainted sediment downstream.

As for that lawsuit, SYRCL filed it in 2006 in federal court in Sacramento. Its targets are Englebright Dam and Daguerre Point.

The case is still being litigated. A trial date is set for April 2010.