



COUNTY OF YOLO

Office of the County Administrator

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Yolo County Files Lawsuit Against California Department of Water Resources Challenging Undisclosed Harm to Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project.

(Woodland, CA) - Today, Yolo County has taken the necessary step of filing a lawsuit against the California Department of Water Resources (DWR) in connection with certain undisclosed aspects of the Yolo Bypass Salmonid Habitat Restoration and Fish Passage Project. The lawsuit is necessary to safeguard the interests of Yolo County residents, protect agriculture, and maintain transparency throughout important projects.

The lawsuit asserts that DWR violated the California Environmental Quality Act (CEQA) by failing to disclose the conveyance capacity of operable gates at the Fremont Weir. Currently being built seven miles northeast of the City of Woodland, these operable gates will be able to convey twice as much water from the Sacramento River into the farm fields in the Yolo Bypass than DWR previously disclosed publicly. The County discovered that the Project is being built to release 12,000 cubic feet per second (cfs) rather than the 6,000 cfs rate DWR disclosed in public documents, which equates roughly to the entire Sacramento River flow at the Fremont Weir on a typical summer day.

Additionally, the petition also asserts that DWR violated CEQA by making changes to the project after its initial approval. The elimination of levee cutoff walls, which serve as protective features against potential damage caused by water flow, raised concerns about potential impacts on groundwater levels, drainage, and agriculture in the Elkhorn area. Yolo County believes that these changes should have been subject to public notification and analysis of potential consequences.

“We were disappointed to learn that DWR appeared to withhold the true scope of the Project in public meetings and in the environmental review process over the course of several years,” said Yolo County Supervisor Jim Provenza. “DWR released over 10,000 pages of material describing the Project and its potential impacts, always describing the Project as having a 6,000 cfs design capacity. I personally met with DWR leadership for years regarding the Project, only to recently learn it is twice the size they advised us and the public all along.”

Supervisor Gary Sandy, agreed. “DWR has long known about Yolo County’s concerns about the Project and its potential impacts on agriculture. A larger Project only increases those concerns and changing it to eliminate levee protection features is a step in the wrong direction with the potential for additional impacts to farming in the Elkhorn area to the east of the Yolo Bypass.”

The County’s lawsuit seeks various forms of relief, including a halt to the project’s construction and its operations until DWR resolves the legal issues raised by the County. A copy of the petition is available here: www.yolocounty.org/Home/Components/News/News/13385/4918

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