TRINITY MANAGEMENT COUNCIL
MEETING MINUTES
June 17-18, 2009
Weaverville, CA

JUNE 17, 2009

Attendees: Brian Person, USBR, Chair
John Engbring, FWS, Vice-Chair
Gary Stacey, DFG
Dave Hillemeier, Yurok Tribe
Mike Orcutt, Hoopa Valley Tribe
Seth Naman, NOAA Fisheries
Roger Jaegel, Trinity County
Bill Brock, USFS
Mike Hamman, TRRP Executive Director
Arnold Whitridge, TAMWG Chair

Other Attendees: Robert Franklin, Don Reck, George Kautsky, Teresa Conner, Larry Hanson, Joe Polos, Gil Saliba, Randy Brown, Jennifer Faler, Andreas Krause, Eric Peterson, Deanna Jackson

Meeting called to order at 9:35 a.m.

Welcome to Seth Naman, sitting in for Irma Lagomarsino. Also welcome to John Engbring sitting in until there is a new replacement for Mike Long representing the Fish and Wildlife Service on the TMC.

Summary of Motions:

June 17, 2009

- Motion made by Roger Jaegel and seconded by Gary Stacey to approve minutes for the April 1-2, 2009 Trinity Management Council meeting. Motion passed by a unanimous vote.

- Mike Orcutt made a motion that the Trinity Management Council supports funding for Trinity River Restoration Program at the full Record of Decision level of $16.4 million through completion of construction. Motion seconded by Roger Jaegel. Motion Passed: 5 yes, 3 abstentions (Brian Person, John Engbring, and Seth Naman).

Validate Agenda: No changes to agenda.

Approval of TMC Minutes for April 1-2, 2009: Motion made by Roger Jaegel and seconded by Gary Stacey to approve minutes. Motion passed by a unanimous vote.

Open Forum (comments from the public) – No response from the audience.

Report from TAMWG (Arnold Whitridge): TAMWG renewed the following recommendations for the TMC (refer to the letter to TMC dated June 16, 2009):

- Discuss and Act on outstanding recommendations and suggestions of the 2004 TMC Subcommittee Report and the CDR Situation Assessment.
- Provide written responses to TAMWG and SAB recommendations
- Expand TMC membership (the continuing exclusion of BLM is particularly glaring).
- Move to simple-majority voting for TMC decisions

Mr. Clair Stalnaker, an author of the Record of Decision and Science Advisory Board (SAB) member, made a presentation at the TAMWG meeting and TAMWG strongly recommends that TMC invite him to a future TMC meeting.

TAMWG is still discouraged at not having a functional TMC or credible science program. Change is necessary as TAMWG wants this Program to succeed. TAMWG discussed taking their concerns to the Secretary but opted to see how things evolve over the next six months.

Report from TMC Chair (Brian Person):

- Continue to follow agenda and timelines
- Attended one day of the TAMWG meeting and have asked Dr. Stalnaker to make the same presentation to TMC as he did to the TAMWG.
- Action Tracker – almost complete. Can be used as a tool for TMC responsiveness to TAMWG.
- Will have a presentation on Procurement. No discussion on Self Determination Act.
- Will have a presentation on the Trinity River Hatchery that builds on discussions between BoR and DFG to address potential changes in operations to reduce impacts to natural fish propagation. Larry Hanson presented this at TAMWG.
- Discussion on realignment proposal. Still in draft form until the RDs approve it. The HVT has requested a G2G meeting on the proposal. Will forward a status of organizational refinement (Item for the Action Tracker).
- The retreat segment on the agenda will proceed to sustain the relationship building process that began in January.

Brian asked if John Engbring had something to add. John stated that there remains a vacancy for the Field Supervisor in Arcata and that there will be acting folks rotating through the office until that position is filled. The recruiting announcement has been out for candidates. His focus has been on Central Valley issues but recent changes at FWS will get him back into Klamath/Trinity matters.

There was a discussion regarding the process started by Mike Orcutt where he was concerned that the realignment process is moving forward regardless of the HVT request for G2G and they have not received a response to their reorganization proposal. Brian stated that until things change as an outcome of G2G discussions, the realignment proposal for greater integration between the Program Office and FWS Arcata staff is moving forward which includes the recruitment action for the Science Program Coordinator.

Report from the Executive Director – Refer to the Director's Report handout:

- Program Operating Agreement – Request that TMC support to delay aspects of the IAP process for now and utilize both existing financial and human capital to develop a new TRRP operating agreement.

After much discussion on how this process may affect the momentum and work progress of the IAP, it was suggested that the ED continue the effort on the Program Operating Agreement and provide more detail/information for the TMC to gain a better understanding by the September TMC meeting.

- Organizational Realignment
- Budget Update and Process
- Proposed development of an Annual Report – Develop the outline for the first annual report jointly with Program partners and other participants that illustrate the activities and findings for 2008/2009.
- Trinity Reservoir Ops and River Temperatures
- Summary of Program Activities this Quarter
    - Master EIR/EA for the remaining Phase 1 and all Phase 2 channel rehab sites was completed and now out for public review/comment period that ends July 28th. The document is on the TRRP website for review and hard copies are available at the TRRP office.
    - Finalization of design and preparation of contract specifications for the Sawmill rehab site work scheduled this summer/fall
    - Completion of requisitions for FY2009 AFA's, grants, agreements and contracts related actions at 85% of projected obligations
    - Planning for the FY2010 program of work to line up study plans is underway
    - FWS, Hoopa Valley Tribe and the Yurok Tribe are performing out-migrant monitoring for 2009

Mike Orcutt asked as part of the budget process if there will be a request for "full Program funding" in the out years. Mike Hamman said that for Program planning purposes out-year work plans would be based on full funding levels but that a means for "walk down" will be developed to address actual funding levels in any given year.

Mike Orcutt expressed concern over an article that was published in Times Standard regarding the work plans for TRRP restoration sites. He felt the article was misleading and did not have enough information.

Agenda Items:

Review and Status of TAMWG Recommendations

Arnold Whitridge started a discussion on conflict of interest within the TMC and that TAMWG considers this a problem and has the perception that the TMC doesn't believe that it is a problem. The issue is not going to go away until TMC deals with it to TAMWG's satisfaction. There was a retreat assignment to address the matter and Irma is chairing that group. Mike Orcutt suggested that all the agencies discuss the relative funding levels received from the Program so that TAMWG could see the bigger picture. Arnold said that would be a helpful starting point. Gary Stacey pointed out that having a viable RFP process in place may help deal with the issue. Mike Orcutt said that there are misconceptions about the lack of application of a proposal process as there is limited expertise for monitoring work requiring sole source for certain tasks. Arnold wants the dialogue to progress so that the TAMWG can see what's being done so they can understand the process.

Brian acknowledged Arnold's efforts in leading the TAMWG and keeping the TMC up to date on their issues.

Reclamation Procurement Practices: (Presentation by Mr. Bob Williams, Chief of Acquisition Services, USBR, MP Region)

Bob was there to give a general overview of the Reclamation Acquisitions policies and procedures. He did not discuss AFAs or Self-Determination Act contracting matters as Bob stated he had limited knowledge in this area.

Discussion of COTR/GOTR roles, financial assistance, grant vs. agreement, and cooperative agreements and answered questions about government cost estimates and accountability standards.

ARRA implications - $4.5M on RIG side include Trinity House Gulch, Lowden, Sawmill, and Wheelhouse Gulch.

There is a high level of scrutiny for ARRA acquisitions, so there are monitoring requirements for the ARRA acquisitions. Office of Inspector General (OIG) has direct access of ARRA spreadsheet and already in the progress of monitoring these funds. Mid-Pacific will likely be the first target for an OIG audit.

Budget Development Process Update: (Brian Person, Mike Hamman)

Fiscal Year 09-10 update – TRRP is still working on de-obligations, which will take care of some of the deficit. TRRP received $4M in new funding from CVPIA Restoration Fund that came in late in the FY 2008 year and we were unable to obligate all funds, hence the carry-over to FY09-10.

As of June 16, 2009 the obligations report show 85% complete for TRRP.

Schedule of the 5-year budget – There has been no B Team scheduled yet. After the IAP meeting process develops a prioritization for science activities, we will convene a B Team meeting to begin mapping out the five-year budget plan.

More discussion on the 50/30/20 funding ratio for the Program on how it came about and how it has not been followed in the last few years FY 2010 was the first year that the TMAG portion of the budget exceeds RIG portion.

Mike Orcutt motioned that the Trinity Management Council supports funding for Trinity River Restoration Program at the full ROD level of $16.4 Million through completion of construction. Motion was seconded by Roger Jaegel. 5 Yes, 3 Abstentions (Brian Person, John Engbring, and Seth Naman).

Mike Hamman will draft a letter recommending full funding to the agencies and share with TMC, Brian Person to sign as Chair.

RFP Process: (Presentation by Mike Hamman)

TMC established a sub-committee led by the Executive Director to develop an RFP process at the January 27, 2009 TMC retreat meeting. The ED has discussed concepts with principle Program partners, staff and the USGS Grand Canyon Research Center. A detailed proposal will be presented to the sub-committee following concept discussion at today's meeting.

Concepts of the RFP Process

- Determine what initial tasks and studies would be subject to RFP process with Program partners
- Develop methods to capitalize on internal capacity for new assessments
- As part of the 5-year budget process, the tasks or studies being considered in an out-year will be identified by the B Team utilizing the IAP or other information as potential RFP projects
- B Team would make recommendations for RFP development well in advance of the fiscal year in question
- An independent review panel would review draft RFP's prior to release for solicitation to partners and/or outside contractors
- The review panel would then evaluate proposals based on the merits and make recommendations to the B Team or the Program Office
- Options for independent review panels include using third party agencies such as USGS (Grand Canyon Research Center or similar)
- Management of the RFP may be performed by third party, Program office staff or partner staff if they are not directly performing the work
- Periodic review of the process would be conducted by the SAB

The USGS has offered to come and visit and be a 3rd party agency for an objective review. Encourage to utilize the SAB for periodic reviews of the process. There was concern with the 3rd party review and that they may not be familiar with some of the aspects of the Program, i.e. rotary screw traps. The 3rd party would facilitate/manage RFP process.

Mike Hamman will send out the presentation for comments. Those not a part of the committee will send comments to Mike Hamman.

Water Year 2009 Update: (Brian Person, Mike Hamman)

A letter to Central Valley Operations Office was sent out June 9, 2009 regarding Operating the Trinity River Division in Accordance with Water Rights Order (WRO) 90-5- and Other Operational and Regulatory Objectives. TMC is looking forward to more information coming from CVO.

There was more discussion on the elevation of Trinity Lake and the impacts. It was suggested that TMC invite folks from CVO back for a more in depth discussion on lake elevations, temperature, etc. Mike Hamman will continue to work with CVO and see how they address the issues identified in the June 9th letter.

Meeting for June 17th adjourned at 4:50 p.m.

JUNE 18, 2009

Attendees: Brian Person, USBR, Chair
John Engbring, FWS, Vice-Chair
Gary Stacey, DFG
Tim Hayden, Yurok Tribe
Mike Orcutt, Hoopa Valley Tribe
Irma Lagomarsino, NOAA Fisheries
Dero Forslund, Trinity County
Bill Brock, USFS
Mike Hamman, TRRP Executive Director
Arnold Whitridge, TAMWG Chair

Other Attendees: Robert Franklin, Don Reck, George Kautsky, Teresa Conner, Larry Hanson, Mike Berry, Joe Polos, Gil Saliba, Randy Brown, Jennifer Faler, Andreas Krause, Eric Peterson, Seth Naman, Shane Quinn, Jeff Morris, and Deanna Jackson

Meeting called to order at 9:05 a.m.

Slight alteration of agenda –

IIMS Update: (Presentation by Eric Peterson and Andreas Krause)

IIMS was based on a proposal by Andreas that leveraged TRRP dollars with other Reclamation programs to get the IIMS up and running. There have been training/informational meetings conducted by Andreas and he has been very active in engaging all Program partners to advance the system to meet the needs of the Program.

Data Stewardship is at the heart of sound database management - IIMS is like a library and the librarian would be the data steward.

There will be quality control for the data and the users will know where and what the data is with metadata tables that describe data characteristics. IIMS database does not yet have habitat data. Biological data is more complex requiring additional programming and input from partners. Eric will be on the IIMS fulltime and will be reaching out the partners. Eric will continue to work closely with the Program partners in the future.

In the past there has been some reluctance of the partners to utilize the IIMS, but we continue to work with partners to better understand their needs and to show that this is a great tool for the Program. Once folks see the flexibility and the ability to restrict use on designated data sets, etc the IIMS will likely become the central repository for Program data and reports as intended. There was concern from Arnold Whitridge about having the Program "pay" for data and then not have it available to them. Some data cannot be shared, for example the realty portion. There was further discussion regarding oversight of QA/QC, budget, and partner participation.

Hatchery Presentation: (Gary Stacey, Larry Hansen)

Introduction by Gary Stacey where he expressed the need to build upon the relationship established by the BoR/DFG hatchery operations contract and mentioned the unique opportunity for change at TRH due to the conditions within ROD as existing mitigation goals were established pre-ROD. Both Brian and he agree that there is sufficient flexibility for operational changes to be implemented for the benefit of the natural fish stocks as long as it is based on sound science and a good monitoring plan. Larry Hansen proceeded with a PowerPoint presentation that addressed TRH issues.

Presentation topics

- What we know/don't know
- What data and analysis (information) are necessary for guiding hatchery operational decisions
- Available management tools
- Collaborative framework and decision making process
- Desired outcome

There was further discussion on co-management and trust responsibilities. It was suggested that hatchery management be a standing agenda item. At least 15-30 minutes for updates. The TMC Chair agreed to no more than 15 minutes and if there is no new information to report, then can use that time to ask questions.

Bill Brock stated that the USFS has 85% of tributary fish habitat within its boundaries and should be stepping up soon in addressing natural fish propagation issues.

Arnold Whitridge asked about literature review. TAMWG would like a report (relevant findings and recommendations) to help the public understand. Seth Naman mentioned that he had performed a literature review that would need an update and offered to put together a summary of main findings and possibly burning a CD with all the papers/abstracts that would be useful.

TMC Retreat: (Irma Lagomarsino and group)

Through a review of the Retreat notes Irma led the discussion that reviewed the commitments made and to make sure TMC does not forget next steps. Thoughts from TMC members:

- Mike Orcutt – Refer to the 2004 Sub-Committee Report. Keep that momentum. A lot of people are not here now.
- Brian Person – There is a strong recommendation for a science community retreat.

Section B – Housekeeping

- At end of TMC meetings, take a break and ask ourselves how we did
- Conference call every month – does this still have value? Mike Orcutt mention the meeting monthly with Mike Hamman has helped greatly. John Engbring thought setting a standard monthly conference call was a good idea. Use the

conference call as a round robin update session. Mike Hamman will take the lead on setting up the conference calls – No Mondays.

Roles and Responsibilities

- Weeds and are we in them or not? Weed control was given to Brian, Roger and Gary.
- Bill Brock mentioned that the B Team went very well this year then others in the past.
- Super majority voting rules are in the TMC by-laws. Brian mentioned that at the TMC last June there was a discussion and motion made on simple majority. This motion did not pass.
- RFP Process - Mike Hamman will send out his presentation on the RFP process.
- Public outreach – should have a PR professional. Update the TRRP brochure. Have annual reports, update website with past milestones, notice of meetings or work happening announcements.
- Sharing of Good News – Has been done at past meetings.
- TMC Rafting Trip – Make this happen. Set a date and start planning for this. Purpose for this rafting trip is to look at sites and use as teambuilding experience.
- Annual Planning Calendar – update website calendar.
- Moving forward on filling positions with TRRP. 3-6 months out on getting the Science Program Coordinator position filled.

Next meeting focus on conflict of interest. Also focus on agenda building. Ask that each TMC member come in with top 2 items for discussion, take top 2 items and put on the agenda. Need members to be better prepared. Focus on conference call. These could be 60-90 minutes for program updates.

Brian offered to the group to please call or e-mail the TMC Chair with any kind of feedback or suggestions at any time.

<u>Comments from the Public:</u>
No response from the audience

<u>Agenda Items for next meeting</u>:

- Extend invitation to Clair Stalnaker and other Flow Study authors.

Chair recapped actions items. Action Tracker will be updated for both TAMWG and TMC.

<u>Critique:</u>

- Bill Brock – What will TAMWG learn from this meeting? Arnold Whitridge writes a 1 page summary of the TMC meeting and sends out to the TAMWG.
- Mike Orcutt – Note: Klamath Basin Restoration and look at any implications to this Program. Should be looking at future.
- Irma – Feeling different and not well prepared. Looking forward to the rafting trip.

<u>Calendars/Next Meeting</u>:

September 16-17, Arcata, CA

December 16-17, Redding, CA
March 24-25, 2010, Hoopa, CA

Meeting adjourned at 3:05 p.m.