

Draft Minutes

TRINITY MANAGEMENT COUNCIL

Special Meeting – TRRP Refinements

April 21, 2020

Webex

Attending Members

Member	Representative Seat
Justin Ly	National Marine Fisheries Service, Chair
Dan Everson	U.S. Fish and Wildlife Service
Michael Dixon	Trinity River Restoration Program, Executive Director
Mike Orcutt	Hoopa Valley Tribe
Don Bader	Bureau of Reclamation, Vice Chair
Tony Labanca	California Department of Fish and Wildlife
Dave Hillemeier	Yurok Tribe
Lois Shoemaker	U.S. Forest Service
Keith Groves*	Trinity Council

*Absent at beginning of meeting

Other Attendees: Elizabeth Hadley (Reclamation), Teresa Connor (DWR), Kyle DeJulio (YT), George Kautsky (HVT), Eric Peterson, James Lee (TRRP), Scott McBain (McBain Associates), Nick Hetrick (USFWS), Scott Vanderkooi (USGS), Lee Traynham (Reclamation), Don Portz (Reclamation)

Notes: Mike Dixon (TRRP)

The meeting opened with roll call. There was quorum but Trinity County was absent for the beginning of the meeting because of a board meeting.

Elizabeth made a motion to accept the agenda as presented

Dave H. seconded. The motion passed unanimously with Trinity County absent.

Mike Orcutt asked to add discussion of the Refinements process to the agenda; topic was deferred to the end of the meeting.

Public Forum

No public comments were submitted.

Glen Canyon Adaptive Management Program

Lee Traynham provided an overview of the Glen Canyon Adaptive Management Program including its setting, purpose, and structure.

Teresa asked about the relationship between the AMWG and Technical Group. Lee described that the Technical Group is largely staff level. They have to deal with similar issues of limiting Technical Group activities to technical topics, rather than policy topics.

Justin asked if the Technical Group developed hydrographs. They operate under agreed upon normal operations hydrographs that are approved by stakeholders, but the LTEMP included some approved flow experiments which are fleshed out by that group.

George – AMWG includes both NGOS and government entities, correct (yes). Our TAMWG was inactivated. What about your construct allowed AMWG to continue? Lee responded that NGOs and other stakeholders are specifically identified in the Grand Canyon Protection Act. They also had to justify AMWG to DOI, but they were able to articulate that meeting the statutory obligation through another avenue would have been unwieldy and costly. AMWG is a big diverse group and sometimes there is tension, but it works. Another difference is federal representatives do not vote.

Justin – who gets to be a stakeholder? Lee – current administration really opened up solicitation process when there are vacancies. State agencies have representatives appointed by governor. Tribes are nominated by tribal government. Government representatives are nominated internally. Charter specifies how many representatives are required for each stakeholder group. To alter that number, there would need to be consensus on updating the charter and approval by Department.

Dave H asked who conducts the program's science? What portion is baseline monitoring vs conducting adaptive management experiments? Scott V – about \$2.5 million goes out the door to other partners who conduct work. Regarding monitoring vs AM, a lot of work is focused on long term biological monitoring, but they look at those things during both normal and experimental monitoring. It's hard to split it into different bins – they are looking at large scale environmental responses over long timeframes.

Nick H asked how the process of how a science project is developed, approved, and funded. Answer was deferred to Scott V's presentation.

Justin Ly returned to hydrograph topic. If there are infrastructure issues with Glen Canyon Dam that are in conflict with a desired hydrograph, has that happened? Who pays to address infrastructure issue? Lee responded regarding situation where condition of the facility impacts ability to conduct experiment. Used sediment transport experiment example that requires all 8 power units to be operational – maintenance of old facility takes a some units offline which causes tension because equipment can't meet need of experiment. Requires communication to explain to stakeholders why things don't happen. Also used temperature example. If lake is full, water is too cold, if it is low, water is too warm. Stakeholders would like to see temperature control implemented. However, there is a statutory constraint that water can only be released to generate power, so they can't use bypass tubes. There is interest in putting generation capacity on bypass tubes. There is a public process of feasibility study, NEPA, congressional approval, and a lot of money, so there are challenges.

Glen Canyon Adaptive Management Process

Scott Vanderkooi gave a presentation about how the Glen Canyon Adaptive Management Program carries out its science and decision making.

Nick H. – Presentation spelled out the process for a USGS-executed project. Is there an example of a project that is part of the \$2m that partners carry out? Scott V. – yes, the bug flow example is a USGS managed project. Projects for which capacity doesn't exist in house are funded through an RFP process. Nick – does science advisory group review the proposals and decide what moves forward. Scott – it is typically done through GCRMC but other agencies with subject matter experts participate.

George made a statement about the level of uncertainty in a managed river system that led to development of IAP to try to tease out a response to management. Was the flow study that was highlighted in some foundational document. Scott V. said that a lot of the background for that study came from published literature, but there have been a series of guiding documents that the program has used to try to manage uncertainty. The LTEMP document helped to unify one guiding document for the program. George opined about the tension between long term monitoring and the need to address new key uncertainties. Scott described the challenge of identifying priorities in the development of their triennial workplan and the fact that there are often a lot more ideas than there is available funding.

Justin asked how big the Grand Canyon center is and how much of their work was focused on the Glen Canyon Adaptive Management Program. Scott V. answered that the center has about 16 staff and the GCDAM program is about 90% of their work but they do some work in the upper river as well as some projects in other systems, and a statistician who works on a very diverse suite of population dynamics projects outside of the program.

Mike O. asked about how the funding cycle works and how they get ahead of the federal agencies' budget requests. Scott answered that they lay out a 3 year proposal but because of how funding cycles work, they have to develop a budget every year. Mike O. followed up asking what agency is responsible for the majority of the funding. Scott V. answered that the funds go to Reclamation from WAPA-administered power sales; most of those funds go to USGS who further disburses them. Mike O. also asked about the type of tribal interest in the program – cultural or fisheries? Scott responded that it is mostly tribal historic preservation officers but they are trying to get more representatives from tribal wildlife departments. Mike O. also asked a clarifying question regarding “law of the river” and whether there was a lot of litigation due to complexity of the suite of laws and executive orders. Scott said there has been surprisingly little litigation.

Adaptive Management Lessons Learned

Scott Vanderkooi gave a brief presentation on lessons learned in the Glen Canyon Adaptive Management Program.

Dave H. asked an elaborating question regarding tribal involvement in program. Do the tribes have their own people who deal with cultural resources within the program? Scott talked about there being a different cultural relationship between tribes and fisheries. There is not much record of the tribes fishing. There is a stronger tie to the riparian vegetation part of the program, particularly some of the species that have become more rare.

Break for lunch at 1156

Overview of San Joaquin River Restoration Program

Don Portz gave a presentation on the background, structure, process, and successes of the SJRRP.

Dave H. – there isn't a body in the SJRRP analogous to the TMC. Don P. – much of the authority of the Secretary has been delegated down to Regional Director or Program Manager. Reclamation was chosen to be the lead implementor. The Restoration Administrator (RA) makes flow recommendations to the Regional Director who can approve them. There is a lot of communication with settling parties. The RA's purpose is to make sure that the federal government is implementing the program as intended.

Scott McBain – The RA is unique to the SJRRP – he has never seen it in another program. Have there been any programmatic changes to the program management structure? If not, are there things you would like to change to see it work better. Don P. said that the Monitoring plan had a program of science but that the funding constrained framework zeroed it out. They seek grants and partner with others to do some of this work.

Justin – Is the \$200m from the state a one time commitment? Don – there is some nuance here; there was both a \$110m and \$200m in different documents. They were not a settling party but they are in charge of the natural resources so they are committed to supporting the program. Reclamation doesn't provide much more than O&M for hatchery so they provide a lot in kind. There was also some discussion of why SJRRP doesn't have a FACA committee.

George – looking at the goals. They seem somewhat subjective. Has anyone looked at the sustainability of the fisheries goals? Don P. – the fisheries framework and fisheries monitoring plan detail the goals in a much more quantitative way. There was further conversation about the sustainability of a fishery, and what a fishery means. In this case, there is no recreational fishing on the river. George brought up that the intent of our program is to restore the fishery to a point where it sustainably supports fishing. Don P. – they have targets that are necessary to make the population sustainable; incorporates role of hatcheries in restoration of the runs.

Don P. finished by inviting future conversation between the programs.

Junction City House

Mike D. provided a brief background update on the Junction City house. There were questions about whether a nimble acquisition strategy like that used for the OR Gulch house might be useful in the future. There was discussion of options. Keith made a motion to take no action; Teresa seconded. Teresa added a friendly amendment that we could take no action at this time and revisit when funding improves or when we have approval to make flow releases earlier in the season or to piggyback off of tributary flows. Keith accepted. Dave proposed adding "or if the house becomes for sale again". Keith accepted.

The final motion reads:

Keith proposes that we take no action at this time, and revisit when funding improves or when we have approval to make flow releases earlier in the season or to piggyback off of tributary flows; or if the house becomes for sale again.

The motion passed with the Hoopa Valley Tribe abstaining.

Pool Stratification Budget Change

James gave an elaborating presentation on the increased cost of the pool stratification study. The preproposal as developed included modeling, but the cost of the modeling didn't make it from the proposal into the table that was provided to TMC. Also, at the time of the TMC vote, the Yurok Tribe had proposed to provide their labor in kind. However, because of the FY21 budget decision, they would now like their staff time to be funded for this work. The previous meeting included a question regarding interdependencies if the project were not to be funded; there are none. James believes it's an important project and that the reasons for the incorrect cost in the earlier budget are justifiable.

Mike O. asked why the numbers for the modeling and staff time didn't add up; James explained that about \$8k of the Yurok labor cost (field technicians) was already in the original estimate.

Proposed motion: In light of the FY20 funding situation, Mike Orcutt proposes waiting to fund the pool stratification project until the next funding cycle.

Seconded by Dan Everson.

There was a question of what would happen to the funds if they were not spent. Mike D. elaborated that funds could go to other topics already approved by TMC but that we have the money for this purpose this year but not next year. Justin asked if he could make a competing motion but Keith stated that the Chair cannot under Robert's rules of order unless the Chair hands off the gavel to the Vice Chair for the rest of the motion discussion. The Vice Chair was not available at the time so Justin did not pursue further.

Keith made a competing motion to fund the pool stratification project as proposed with the cost increases.

Justin seconded. Competing motion fails with Reclamation abstaining and FWS and HVT voting no.

Kyle said he was not aware of a science workplan process for FY21 and thus asked what was meant by next funding cycle. Mike Orcutt said he meant FY21.

Vote on original motion fails with NMFS, State of CA, and Trinity County voting no and Reclamation abstaining.

Kyle made a motion to approve the additional funding for TSC to perform modeling (\$44,500) as intended by the original proposal with FY20 funds.

Justin seconded.

Nick H asked if the \$44,500 would pay for the project to get done. Kyle clarified that this would allow the project to get done but without the active participation of Kyle or Dave Gaeuman.

The motion passed with FWS abstaining and HVT voting no.

Public Forum

No public comments were submitted

Adjourn 4:20 PM