

Minutes of the Trinity Management Council Meeting 6/26/03

Location: Weaverville Victorian Inn

TMC Members Present: Mike Ryan, Chair, Bureau of Reclamation; Mary Ellen Mueller, Vice-chair USFWS; Irma Lagomarsino, NOAA Fisheries; Jim Fitzgerald for Sharon Heywood, USFS; George Kautsky for Mike Orcutt, Hoopa Valley Tribe; Dave Hillemeier for Troy Fletcher, Yurok Tribe; Neil Manji for Tim Ramirez, California Resources Agency; Ralph Modine, Trinity County Board of Supervisors.

Others Present: Executive Director Doug Schleusner; Jim Bonk, Lewiston landowner/resident; Pat Frost, TCRCD; Nancy Tennyson, Salt Flat resident; Jim Spear, NRCS; CJ Ralph, USFS/PSW; Ed Solbos, USBR/TRRP; Tom Stokely, Trinity Co. Planning/Secretary; Daryl Peterson, Andreas Krause, Bob Sullivan, Lori Kleifgen, and Glenn Yoshioka, Trinity River Restoration Program Office; Tim Hayden, Yurok Tribe; Charlie Chamberlain, USFWS; Arnold Whitridge and Rich Lorenz, TAMWG; Serge Birk, CVP Water Assn.; Jeff Phipps, CVP Power Customers; Curtis Anderson, DWR; James Monroe, Interior Solicitor's Office/Sacramento.

Introductions:

The meeting was convened at 8:40 am by Chairman Mike Ryan. Neil Manji wanted to talk about juvenile mortality on the agenda. It will be added during the open agenda.

Ralph Modine moved to adopt the agenda as amended, second by Mary Ellen Mueller, approved unanimously.

Minutes of the 4/29/03 Meeting:

The minutes of the 4/29/03 TMC meeting were amended by the following changes:

- deletion of the last 3 sentences on page 1 under the paragraph "Open Forum/Public Comments" beginning with the term "*He made several additional statements...*"
- At the bottom of the third page, after the language that starts with "Judge Wanger allowed..." add a sentence to read: "Mike Orcutt pointed out that Reclamation had the flexibility to manage the schedule of water as allowed by Judge Wanger."
- deletions on the second to last page, under "Executive Director's Report:" - delete all verbiage under this section starting with "Doug, if you include the written report..." and ending with "Doug expects there should be a budget ready to adopt by the end of June."
- Amendment of language on the second to last page under "Executive Director's Report" paragraph beginning with "Dave Hillemeier said objectivity..." – change the second sentence to read "He ***expressed concern about*** ~~doesn't want~~ a TRFE person on the SAB."

Modine moved to approve, second by Hillemeier, approved by all TMC members unanimously.

Open Forum:

Neil Manji reported on “minor juvenile mortality on the Klamath River”. During the week of June 9, USFWS reported that there were juvenile salmonid mortalities at the screw trap near Big Bar (on the Klamath River, not the Trinity R.). It was well documented. It was a warm week and the incidence of mortality increased as a percentage of fish in the traps. There were discussions with tribal and agency personnel. Yurok and Karuk personnel confirmed the mortalities.

On June 16, DFG and the Tribes did spot-checking and found not a lot of fish dying, but a few. There were concerns that there would be a repeat of the June 2000 juvenile fish kill. On June 20, BOR and DFG took water samples. The tests included pesticides and heavy metals. On 6/23, there was a conference call w/tribes and agencies. The entities split the river up into different sections.

On 6/24, the agencies and Tribes took a look at the river in a comprehensive manner. They couldn't get total numbers of dead fish, but they could get an idea of the extent of the area affected. It was nothing like the juvenile fish kill of June 2000. On 6/24, 16 people went from slightly above the Scott River to Coon Cr. Falls. They found lots of fish in the upper river that have moved out of the Scott River. Temperatures seemed adequate at 62-64, warming more downstream. Not a lot of fish are collecting at thermal refugia like cold streams. Of 6 stretches, 5 came up with less than 10 mortalities, which were young of the year (YOY) to yearlings. Some bullhead and other carcasses were found. In the Big Bar/Orleans area, they found a few fish, but not a whole lot were swimming around. From Coon Cr. Falls to Coon Cr.- found a few fish, didn't see a lot of fish in thermal areas. They did see more in the edges than the upper river areas, so fish are moving out on schedule.

Siddo to Green Riffle (slightly above Orleans) had one pool with 30-40 dead fish in the bottom of the pool. They will watch ambient air temperatures- his observation is that as air rises, mortality increases. They will look again on Monday with recent warm temps. Ceratomyxa Shasta and columnaris were identified as the pathogens. More samples are being taken. They are using live carts at Happy Camp- there is a 100% infection rate on those fish. Most fish have been gone through and not seeing 2000 numbers when there were thousands of dead fish and many lethargic fish.

Kautsky asked how important is the operation of the screw traps in relations to initial discovery and reconnaissance to pin down the event? Neil Manji said it was important. The importance is that screw traps are biased to collect floating fish. They still have lots of temp. monitors and they need to download and analyze the data.

Ralph Modine asked Neil Manji in your models do you have a level of acceptable natural mortality? Neil didn't know, but they do note dead fish. Hillemeier- they were seeing more dead fish than live fish in the traps, which was a sign. He said we were lucky in that temps dropped shortly after the kill started, but now flows are ramped back similar to earlier years and we are going into a heating trend.

Kautsky asked if there was some sort of mortality index or documentation developed? Neil said that it's difficult to expand the habitat seen and number of dead fish noted to get a number with confidence on the total mortality.

In 2000, tens of thousands to hundreds of thousands of juvenile fish were estimated to have died.

Mike Ryan asked if there were Trinity fish noted in the mortalities? Neil said he wasn't aware of any. George Kautsky said that the Trinity River traps haven't noted any unusual mortality.

Kautsky asked about species composition? Neil responded that there were chinook, steelhead, but no coho were noted. Dace, suckers and bullhead were also found.

Mike Ryan asked if DFG would put out a report? Neil said if things don't escalate, it wouldn't be as extensive a report as in 2000. DFG will probably put out a letter/memorandum. He's working on one now for Tuesday's observations. They don't want to jump the gun until the event is over and they have more information.

Irma asked about checking for dead fish in tributaries? Neil said they have taken temps and checked near confluences to see if fish moved into them. Some tribs are in the upper 40's, mixing areas are into mid-60's, so they will continue to check tribs and refugia areas. They need to watch the warming trend and what triggers the fish "stacking up at the mouths". The Yuroks have been doing dives noting that at 19-21 C, the fish move from the mainstem into the refugia areas. (upper 60's Fahrenheit).

Report from TAMWG Chair

Chairman Arnold Whitridge said of the recent TAMWG meeting, 17 of 19 members showed up, with an additional member there but not authorized to sit. The TAMWG made several recommendations, including approval of bylaws. They operate on a strong majority, but they also specify to strive toward consensus. Every agreement at the last meeting was by consensus. Some recommendations relate to the budget. The TAMWG agreed to recommend to endorse the proposed Action in the Bridges EIR/EA. They finished all business the first day and didn't have to go back for the second day. The TAMWG did agree to endorse and recommend Humboldt County's request for 50,000 AF of water/year per the 1955 Trinity River Act. The TAMWG passed bylaws and Whitridge pointed out that the bylaws specify the meeting dates. The TAMWG is attempting to meet a week or 2 ahead of the TMC. The second week of September is the next TMC meeting, which would put the TAMWG meeting in late August near Labor Day. He suggested the September meeting be rescheduled to the third or 4th week in September in order to allow the TAMWG to provide its "high class advice".

2003 Trinity Flow Schedule-

Daryl Peterson distributed a memo to the TMC from the TRRP Executive Director on a Draft Implementation Strategy, Potential 2003 Fall Flow Releases.

This spring, the river ran at 2500 cfs for about 2 weeks, then to 2000 cfs until July 9, then ramped down to 450 by July 21 where it will remain until the middle of October.

Daryl explained that Judge Wanger had approved an additional 50,000 AF for BOR to use to implement a strategy proposed by DOI to avoid conditions that resulted in the die off of 2002. We don't know if other water will be made available from other sources. Judge Armstrong hasn't ruled yet on other sources of water from the Klamath Project. Following the Wanger opinion, there has been a lot of interest in triggers that would initiate a schedule of flows. The 50,000 AF does not match the amount of water in the proposal submitted to Wanger's court. There is a need to involve a broader audience to determine what that flow schedule will be. Daryl is working with the TRRP staff and the Central Valley Project Operations Office (CVOCO) to develop a process that would be open and timely.

Daryl requested input on the original plan and other considerations to frame the discussion. Persons should return comments to the TRRP office by July 18. During the week of July 21, a technical group from TMC members will convene to review comments, suggestions and triggers and thresholds. The TRRP staff will develop a draft action plan, a monitoring program, and other actions. They will present the draft action plan the week of July 28 to the TMC and TAMWG for review. By August 1, the TMC should make a decision on a recommendation to Reclamation. All options will be based on triggers to determine what would require additional flow releases. The proposed flow increases would occur August 15 and September 15, with monitoring through December to determine results.

Hillemeier asked if the triggers are draft right now and the technical group will gather to go over them? Daryl said yes, he would like a broader group to look at it than the spring 2003 flow group and to give them more time. Doug Schleusner pointed out that the document identifies the plan that was previously submitted to Judge Wanger, including the triggers. Hillemeier noted that Klamath was upgraded to dry from critically dry, so flows are better this year in the Klamath River. Daryl agreed but noted one other trigger is run size, which is still slightly larger than average. Hillemeier said we need to be careful with this proposed flow because it's so unnatural, and if we need it, we should use it. We can do real time pathology studies and act accordingly.

Mike Ryan asked what is the turnaround time on pathology? Mary Ellen Mueller said they can do some quickly like ich and columnaris. Ceratomyxa isn't as easy to determine.

Kautsky asked under the summary of the original plan- 50,000 AF was a different amount of water than the original submittal to Judge Wanger? Yes, it was 39,000-69,000 AF submitted to Judge Wanger.

Regarding the assertion on page 2 that the run size is 113,714 Klamath escapement, Neil Manji said it was from the pre-season estimate, not the DFG megatable. Kautsky wonders what the Trinity run size is estimated to be? Kautsky said it may be under average size for the Trinity itself, but it can't be determined.

Irma Lagomarsino pointed out that the Klamath entire run size should be the trigger. She also said that NOAA Fisheries is providing funding to USFWS to monitor adult fish. It might be helpful for the triggers to take action by using information collected from those studies. Daryl said they need to know about these studies to allow coordination.

Ralph Modine asked about the process for approval of a plan of action- the TMC would make a decision in August, but according to the draft bylaws, the TMC doesn't meet until September?

Mike Ryan said the bylaws designate 4 regularly scheduled meetings, but there could also be conference calls and special meetings. The issue of conference calls and providing public access hasn't yet been worked out. In general, the TMC should meet to provide for the needs of the fish.

Kautsky asked on page 4, last sentence- will flow releases be in addition to HVT Boat Dance flows? Daryl said there is a need to coordinate fish flows with Boat Dance flows. Mike Ryan said it would be in addition to the 50,000 AF. Mike Ryan also asked the HVT to coordinate boat dance flows with this fish flow. George Kautsky said the HVT would know the date of the Boat Dance flows only about 2 weeks ahead of the schedule.

Jim Fitzgerald asked how the public would be notified of these higher flows? Daryl responded that it would be announced through the CVP website, the Trinity Journal, postings on the river, and to tell the Sheriff's Dept.

Serge Birk said the document acknowledges that the stakeholders and TAMWG are interested. They are not necessarily the same and there may be a need to accommodate the stakeholders who aren't TAMWG members. He's concerned about logistical problems for the TAMWG and stakeholders to make a recommendation. Can observers from the stakeholders and TAMWG participate in the agency technical review? He encourages it.

Serge also noted that the submittal to the court included 3 alternatives and the one that's identified in this document has the most risks as far as he's concerned.

Daryl said that the terms “Stakeholder” and “TAMWG” are somewhat synonymous, so release today of this memo triggers input from the TAMWG and perhaps a subcommittee. He suggested that the TMC consider how to fit in other technical reviews. He worries about having too large of a group.

Serge said he’d like an opportunity to caucus with a technical group. It’s an alternative analysis and risk analysis. He’d like the TAMWG be able to endorse this flow, but he’d like the opportunity to help craft it before it goes to a TAMWG vote. He’d like a proposal that’s more robust and better documented than what’s been proposed so far. It would be a good benchmark for future operation.

Mike Ryan said written comments should be submitted by July 18 and that the technical team should fully consider all comments. When the technical team develops a recommendation, they need to be careful because of the following:

1. The flows are under litigation and BOR needs to consult with US Attorneys
2. They must be careful not to violate the Federal Advisory Committee Act in receiving recommendations.

Mike Ryan said that they need to strike a balance between collaborative efforts and following the appropriate laws in coming up with the recommendation.

Serge said speaking as a TAMWG member, they have developed some subcommittees with expertise. There is information going between the TAMWG and TMC and others. He suggested having an opportunity to discuss this at a technical level. He doesn’t want to be a lawyer and doesn’t think those who aren’t lawyers should be interpreting the law, instead they should be reviewing the flows and the fishery’s needs. There may be some risks to spring chinook, as identified in the submittal to the court. If BOR wants to collaborate, use the TAMWG. They have a science committee and could caucus that group and use it as a forum. There’s no point in drafting something up if there is no response. He wants to work with the agency technical folks.

Curtis Anderson said that the Reclamation deserves a lot of credit in coming up with a quick flow schedule and listening to the TMC and TAMWG. Thanks for taking the input.

It was noted that in regard to the 2000 flow release it was to protect the weak year class as a result of the die off last year and to follow the wet year schedule in the ROD.

Send Comments to Doug Schleusner’s office POB 1300, Wvvl 96093, FAX 530-623-5944.

Trinity River Bridges Project-

Ed Solbos said the bridges project has been a major effort for many people who are working on it full time. Participants include landowners, Trinity County, TRRP staff in Wvvl, and BOR staff in Denver and Sacramento. There have been lots of meetings, testimony, etc. Lots of credit is deserved by many.

The Draft EA/EIR was released on May 5, the public comment period closed on June 19. There were 30 commentors who were 10/1 in favor of the proposed action. Major comments centered on Salt Flat regarding public and private ownership of that bridge. All comments will be responded to.

The next big milestone is when the Trinity County Board of Supervisors will be asked to certify the EIR. 10 days prior to the certification there must be final responses to agencies’ comments. Assuming the EIR certification goes as planned, construction specifications will be issued in late July, with an award of

contract in September. There is a lot of complicated realty work. Reclamation can't negotiate on realty until issuance of a FONSI/DN and the EIR is certified. The first contract is for 2 bridges- Salt Flat and Biggers Rd. Bridge. They will also begin final design for Bucktail and Poker Bar solutions soon. He hopes to award a contract in spring of 2004 for those 2 bridges. There could be construction on all 4 bridges for completion in fall 2004, ready for higher flows in 2005.

Modine asked about the role of the Trinity County Planning Commission. Tom Stokely said there were May, June and July meetings. The next Commission meeting would be 7 pm on July 10. The Board of Supervisors will consider certifying the EIR at 1:30 pm on July 15.

George Kautsky asked if there are other things in the floodplain that need work? Ed- yes the roads at Poker Bar. We also need to address the yellow house in Douglas City. The program will try to address all the obstacles by the end of 2004 for spring 2005 high flows, if they become available.

Break 10:15-10:20

Draft Budget- Doug distributed copies of the draft budget and gave a PowerPoint presentation (with handouts).

Doug gave an overview of the process, priorities and summary of the budget

Doug said there is a fair bit of uncertainty at this point in the calendar year. As a result, he didn't force staff or other groups to cut funds to balance the budget.

Mike Ryan asked about the list of priorities- are they in order of importance? Doug said that, in a general way, it's sort of top to bottom, but there wasn't a ranking process, it was more intuitive.

Kautsky pointed out that Tribal Trust should be at the top of any list of priorities.

Jim Fitzgerald asked if the mercury work is in conjunction with USGS? Doug said \$25,000 would be provided by this program to match a larger grant application to Reclamation's Science Advisory Program, working closely with USGS and other agencies. A proposal is being sent out today.

Kautsky commented that the concept of crosscut budgeting was originally introduced 4-5 years ago. There's now a point of departure as it relates to watershed funding where the costs would be shared among many agencies. His concern is that unless all those entities are sitting at this table, there's an "indefinite trail of responsibilities." Kautsky said there needs to be a way to deal with funding gaps. He suggested a 3-year budget to get a better way to plan for future funding.

Dave Hillemeier suggested that efforts should continue to obtain CVPIA Restoration Funds. Mike Ryan said there was a big effort to make a determination to obtain permission to use those funds. He agreed that this program should keep trying to obtain some of that money. Trinity is an authorized use of those funds.

Hillemeier said he'd like to see an earmark in the CVPIA RF for the Trinity River Restoration Program.

TAMWG Comments on FY 2004 Budget:

Richard Lorenz said the TAMWG unanimously supported the budget presentation, with 2 exceptions as follows:

1. The Rush Cr. Studies and analyses should be done prior to letting out a contract on the Rush Cr. Delta rehabilitation. The TAMWG would like to cure the problem, including the cause of the problem in the watershed.
2. Regarding the \$1.5 million for watershed restoration- the TAMWG watershed subcommittee will be working to assist in finding the \$1.5 million.

Pat Frost elaborated on the watershed issues for TAMWG. He said Doug did a good job explaining the thought process. There should be a link between the ROD (which includes working in the watersheds at \$1.5 million/year) and the tributary watersheds.

The TMC represents a broad range of agencies that have funds at their disposal. For instance, we need to acknowledge lots of places where money comes from. The Budget and Draft Strategic Plan are silent on it. The budget needs another column to show other potential sources of funds. The Bridges Project shows \$2.5 million that looks like it's from the same funding source, but it's not. It should be a different column.

Arnold Whitridge said that the TAMWG previously identified a potential scope of work- all Trinity tributary watersheds, including the South Fork.

Mike Ryan asked if the TAMWG is asking \$1/2 million for these watersheds from the TRRP budget and more from other funding sources? Pat Frost responded that other funding sources might be other TMC entities like USFS. The USFS provides funds for the Trinity County Resource Advisory Committee which has committed to using about half its \$1.2 million/year for watershed restoration.

Hillemeier asked if the TAMWG agrees with the funding for NEPA review and analysis of the Rush Cr. Delta? Lorenz and Frost said the desire is not to let a contract to implement the Delta project until there has been a look upstream to be sure that the design is the best alternative to implement to solve the problem.

Hillemeier asked if one year was enough to complete a WA and get the work designed and a contract let out? Whitridge said the TAMWG wasn't totally clear on that, but there's a strong sentiment on TAMWG asking why we are curing the symptom when we don't know the cause, why deal with the delta mechanically and assume that the ROD flows won't deal with the problem?

Neil Manji said there is a line item for the Rush Cr. Watershed Assessment (WA)- is that adequate for this fiscal year to get us on the right track. The state has concerns such as what type of WA is appropriate for that area? There are a lot of questions about the area and project. There's a lot to be done in 2004. Neil would like to know how much has really been developed and discussed with all entities present. Maybe we should get together and back off a bit.

Rush Cr. Delta Project- Ed Solbos

Ed gave a PowerPoint presentation on the project.

Ed pointed out that a 100-year event in Rush Creek is 5000 cfs, a 10-year event is 2000 cfs. These high flows occur in winter when low dam releases occur. Sometimes there is more water in Rush Cr. than the Trinity R. The problem is that the sediment goes into the river and it is unable to move it downstream.

Rush Creek is 15 miles from its headwaters to the river.

In 1988 Reclamation received a letter from landowner worried about migration of the river- aesthetics and water supply. In 1988, a small project was built to shave the delta on the right bank and to cut an opening in an historic high flow channel on the right bank. Afterwards, it worked and there was a mile long side channel. Between 1988 and 1997, the Delta re-formed, which was not a surprise. They never expected the work to be self-maintaining. He showed how the river is moving left and is now threatening an old side channel on the left bank. In some cases, we might consider this meander to be something we want- it creates diversity and things we are trying to accomplish. In this case, the positives might be overshadowed by negative things.

The Delta forms a sort of dam and an upstream ½ mile backwater that presents predator problems. He said that there is only 3' left on the bank that separates the river and the left bank side channel. He believes that the berm will break through sometime next winter.

Geomorphic Rationale:

1. The river needs coarse sediment. 50% is in size range of spawning gravel. The material would be a benefit to the river if it can be routed downstream. 10-15,000 cubic yards go into the river each year.
2. Coarse sediment from the tributaries needs to be routed downstream. It's not conducive to moving the material downstream in the current configuration (as opposed to Indian Cr. which has a steep bedrock bank on the right bank)
3. Coarse sediment from the mainstem Trinity River upstream of tributaries needs to be able to route past those tributaries. Material upstream is settling in the upstream pond and needs to move past the Rush Cr. Delta.
4. Routed sediment creates habitat

16,000 cubic yards would be put back into the left channel, they would use a grizzly (screen) to take out big sediment to armor the left bank so it'd stay in the right channel. It would maintain fish habitat in the left bank side channel as well.

He gave several pros and cons. Do we share the sense of urgency regarding the river's meander here? His office would need to start right now to perform construction in July-September of 2004. NEPA/CEQA, designs, public meetings, etc.

Stokely asked if the left bank would blow out to the side channel this winter before construction? Ed said it's possible, but if so, there could just be a riprap job or skimming the gravel bar on the right bank.

Serge said Denver BOR has done enough modeling and design on this to begin a NEPA document. Do you think more data needs to be collected to begin this project?

Jim Spear said the volume of sediment leaving Rush Creek is known, but the sources aren't necessarily known or able to be treated. The TAMWG is concerned that other processes are going on that may be causing this problem

Spear said there is too much focus on the mainstem and not enough looking up to tributaries and watershed problems. He can't say what the WA would find. The TAMWG believes it's not prudent to move ahead with a solution until we determine the problem. It still begs the question as to whether we can reduce the amount of sediment coming from the watershed? Is it management related? We have tools

to reduce management related sediment going into the mainstem. Do you really know what's going on w/o knowing the big picture?

Kautsky asked Jim Spear that based on his experience in Grass Valley Creek, we had a major construction project, but there was a change in land management. Spear said that the construction fixes in GVC were mandated by an Act of Congress. The changes in land use were a follow-up to that in order to be more cost effective to treat the source, rather than dredging in perpetuity. Nonetheless, the watershed/land use changes were an afterthought. He still hasn't heard a biologist tell us that the side channel at risk is a critical fish habitat area. What's the argument to keep the side channel in place?

Ed said that side channels are important fish habitat. If it was only the side channel, it wouldn't be a big deal, it's the geomorphic issues of routing gravel that are more important.

Jim Fitzgerald commented that Watershed Analysis/Assessment is to identify the limiting factors for the aquatic ecosystem. Are spawning gravels limited below Rush Creek? He doesn't know if Rush Cr. is putting out too much or not enough gravel. Does Rush Creek have enough pools, etc.? USFS knows where sediment sources are and aren't, and what can be done about it, but doesn't know the total linkages.

Daryl Peterson said that over half of the material coming out of Rush Creek is oversized and higher flows can't move it. It's not a biological urgency or ability to do projects urgency.

Jim Fitzgerald said that watershed restoration and sediment source reduction can be accomplished, but the effect can't be seen in less than 10 years. Watershed restoration is a long-term solution to too much sediment.

Hillemeier asked is there too much sediment coming from Rush Creek?

Neil Manji said need to get the group together to discuss one of first large projects to be accomplished by the TRRP. We should be very cautious on how to approach the problem. NEPA/CEQA may be too formal. Maybe we need town hall meetings to find out what the public wants. Mary Ellen Mueller agreed.

Ed Solbos said they have brought a lot of fish and permit people out, but they would need more effort to scope it out with the public. We need to decide ourselves what we're talking about. All we're asking for is money to do something if it needs to be done.

Doug Schleusner said initial contact with the public needs to happen before a formal NEPA/CEQA process. It is a unique piece of river.

Modine said that the locals need to feel more involved in this. The Planning Commission is having a hard time dealing with a lot of big environmental documents. Modine said that watershed efforts can contribute to the mainstem efforts. If there are county road issues, we can fix them, but if we press too hard, we could make the public feel left out and feel steamrolled.

Break for lunch at 12:08.

Reconvene at 1: 25 pm

Continued Discussion of FY 2004 Budget

Chairman Mike Ryan stated that he hadn't heard a reason why the Rush Cr. Project should occur immediately. He doesn't want to run roughshod over the communities along the river. He said the TAMWG's recommendations sound reasonable to him. There is work to be done- speaking with land managers, communities, determination of the problem, how to proceed. There hasn't been enough work done to prove the case.

He also likes the package that Doug provided. He likes the priorities. Based on the fiscal situation, he said not to count on outside sources of funding. Providing seed money to obtain other funds is a good thing.

MEM agreed. Neil agreed as well and said there needs to be some sort of workshop on Rush Cr. solutions.

Hillemeier expressed concerns about dropping biological monitoring of proposed bank feather and side channel sites. He thinks the sites need to be monitored prior to construction. He also felt that the green sturgeon studies should be funded. He said NOAA Fisheries in their status review, said there wasn't enough information on sturgeon. Daryl said this is on the list of important things, but we need to determine what should the strategy be for the next few years? Link it back to the TRFE and ROD.

Hillemeier said that in light of the fish kill, some funding of migration behavior of adult salmonids in the mainstem is a good investment. The program is funding the adult spring chinook migration study.

Fitzgerald said the USFS is comfortable with the conceptual elements in the draft budget. He said there should be a shift from monitoring to implementation in the long run. He would like a 3-year plan to help with long term planning. More specifically, gravel introductions get a year off; however, it's critical to monitor of what is the transport disposition of the sediments. They have information that the pools are filling with gravel. They need bathymetric mapping of longitudinal profile of river.

Tom Stokely said that through the County grant program, he will be asking the Board of Supervisors to sign a contract with Graham Matthews for longitudinal profile of some portions of the river where this work is occurring.

Doug said he's working with the strategic plan to try and develop long-term budgeting process.

Kautsky said he appreciated the TAMWG's recommendations on Rush Cr., as well as Ed Solbos' succinct presentation. The revenue side of the budget is "much too light." He said that we need additional funding sources. Previous estimates were \$14-15 million, now we have a \$10-11 million budget. We're being asked to trim things out. One of the strong points is development of a scientific integration plan and the Hoopa Valley Tribe is supportive of that. They are concerned that things not being done. Tapping the CVPIA Restoration Fund should be part of a crosscut budget. He supports sending a letter to BOR and USFWS to obtain some of those funds.

Modine expressed concerns that we're not able to obtain CVPIA Restoration Fund money and CALFED money. Given the state budget, we may not have enough money in grant funds from the state because bond act money may be used to backfill for state functions.

The dependability of other funding sources is questionable. We need to ask for the funds necessary to do the job.

Neil Manji said that the state has put in proposals to perform monitoring functions from other funds, but the grant funds are earmarked for restoration projects primarily. Irma said only a certain percentage can go to administration. Some can go to monitoring.

Irma had no additional reactions other than noting that some projects hadn't had identified proposals submitted. Doug said the notification process was more at fault and that shouldn't be a problem in the future.

Kautsky noted that the documents show best case/worst case. One of the big questions is the SEIS/SEIR, with costs ranging from \$200,000 to \$500,000. He wonders if funds could be made available from the US Justice Dept or other sources?

Mike Ryan- there is a USDOJ Judgement Fund that pays for court ordered liabilities against the federal govt., but this is not a use of such funds. Jim Monroe agreed. MEM said USFWS is trying to obtain other funding sources. MEM said this type of thing is "eating us alive" and rampant.

Stokely stated that unless Prop 50 funds are made available in FY 2005-06, the Fish and Game Restoration Grants Program will end. NOAA Fisheries federal funds will not be matched with State funds. He said he will provide a copy of a letter from the California Advisory Committee on Salmon and Steelhead Trout on the need for Proposition 50 funds to keep the DFG Grants Program alive. It's a 20-year-old program that could end soon. He said that it was extremely unfair in that Prop 50 is a \$3.4 billion Bond Act advertised for fishery restoration purposes, but there is virtually no money for non-central valley salmon and steelhead such as the Trinity River.

Mike Ryan said that he and MEM were talking about approaching Kirk Rodgers and Steve Thompson to obtain CVPIA RF money in future years, 2-3 years down the line.

There was a general discussion of strategies for submitting proposals to DFG Grants Program

Doug will work on the budget based on comments of the TMC and others.

Break 2:25 – 2:35

Neil Manji suggested examination of overlap between stream flow gauging and sediment monitoring. Doug said he thought that had been done.

Bylaws-

Mike Ryan asked if the TMC members had their respective agencies review the bylaws. Ralph Modine said he had the County Counsel review them and his comments had largely been incorporated. Doug also added Section 303, a clarification of alternates.

George Kautsky said the HVT hadn't reviewed them yet. Jim Fitzgerald said they were OK from the USFS' viewpoint. Neil Manji said the State liked the bylaws, Tim Ramirez hoped that it would be unanimous approval.

Hillemeier noted under abstentions, there are multiple choices. Jim Monroe pointed out that an abstention may be a no vote to avoid accountability if abstentions are counted toward a quorum. There must be the ability to abstain. Much of the discussion centered on how to deal with abstentions.

Modine expressed a desire that the first alternative for abstentions be adopted under Section 604 because it provides more flexibility. Jim Monroe will work on them and send to Doug or Tom S. for further distribution.

Hillemeier said he was concerned that using Roberts Rules of Order might be too restrictive. Ryan, “guided by Robert’s Rules of Order as applied by the Chair”. Agreed.

Page 4- Mary Ellen Mueller suggested “change to on or about” the date. Change to third week in September.

Bylaws will be first order of business for next meeting after minutes.

Doug said that the KFTF wants a joint meeting with the TMC. June 2004 is the next KRTF meeting that coincides with the TMC unless the TMC agrees to have a separate meeting.

Open Forum-

Curtis Anderson suggest that Arnold Whitridge would give the TMC a hard time for not passing the bylaws.

The TMC will meet the week of Weds July 30 to consider a recommendation on the August/Sept flows. Weds. July 30. It may be a conference call.

Stokely asked about public participation in the conference call? Monroe said it’s probably not necessary. Doug said a precedent was set in April for the conference call on spring flows. Monroe- the final decision is with Interior, not the TMC.

Kautsky asked how to distribute public comments to the TMC? Doug said the technical team will consider and use that information as part of their discussion and recommendations. He wasn’t planning on collating and sending it all out, but he could.

Doug said he should have information to the TMC no later than the 28th of July.

Quarterly meeting, third week of September. Thursday, Sept. 18. in Weitchpec at the Yurok Facility. Yuroks will provide lunch.

The Meeting adjourned at 3:35 pm. With a motion by Mary Ellen Mueller and a second by Neil Manji and a unanimous vote.

Summary of all actions, items and motions passed:

1. Ralph Modine moved to adopt the agenda as amended, second by Mary Ellen Mueller, approved unanimously.
2. The minutes of the 4/29/03 TMC meeting were amended by the following changes:
 - deletion of the last 3 sentences on page 1 under the paragraph “Open Forum/Public Comments” beginning with the term “*He made several additional statements...*”
 - At the bottom of the third page, after the language that starts with “Judge Wanger allowed...” add a sentence to read: “Mike Orcutt pointed out that Reclamation had the flexibility to manage the schedule of water as allowed by Judge Wanger.”
 - deletions on the second to last page, under “Executive Director’s Report:” - delete all verbiage under this section starting with “Doug, if you include the written report...” and ending with “Doug expects there should be a budget ready to adopt by the end of June.”
 - Amendment of language on the second to last page under “Executive Director’s Report” paragraph beginning with “Dave Hillemeier said objectivity...” – change second sentence to read “He *expressed concern about* ~~doesn’t want~~ a TRFE person on the SAB.”

Modine moved to approve, second by Hillemeier, approved by all TMC members unanimously.

CALIFORNIA ADVISORY COMMITTEE ON SALMON & STEELHEAD TROUT

***P.O. Box 291
Trinidad, CA 95570-0291***

May 15, 2003

The Honorable Assemblymember Patty Berg, Chair
The Legislative Joint Committee on Fisheries and Aquaculture
State Capitol, Room 3146
Sacramento, CA 95814

Re: Request for \$20 million in Proposition 50 Funding for the Fisheries Restoration Grant Program

Dear Chairman Berg:

The California Advisory Committee on Salmon and Steelhead Trout (CAC) is a public committee authorized by the Legislature to provide recommendations to the Legislative Joint Committee on Fisheries and Aquaculture and to the Director of the Department of Fish and Game on matters related to salmon and steelhead resources. The CAC has a long history of involvement in and support for the highly successful Fisheries Restoration Grant Program (FRGP) administered by the Department of Fish and Game. We are writing you to request your support for Proposition 50 funds to continue to provide the mandated match for federal funds through the Pacific Coastal Salmon Recovery Fund administered by the U.S. Department of Commerce.

The FRGP funds a broad range of coastal salmon and steelhead recovery projects from the Oregon border into Southern California. Not only does the FRGP fund worthwhile watershed and fishery projects, it provides economic and social benefits to these coastal areas. The FRGP is based on collaborative and innovative methods of restoring fisheries while also resolving conflicts regarding coastal salmon and steelhead restoration.

The FRGP is currently funded through a combination of Proposition 40, Proposition 13 and federal Pacific Coastal Salmon Recovery Funds. The Pacific Coastal Salmon Recovery Funds require a 25% non-federal match that has been made available in recent years through Bond Act monies. The Pacific Coastal Salmon Recovery Funds have augmented the Department of Fish and Game's salmon and steelhead restoration account by \$54.7 million California in years 2000-2004 with only a 25% state match

requirement. As we understand it, Proposition 40 funding is only available for the FRGP through Fiscal Year 2004/05, and no other bond act money is being considered to replace those funds for FY 2005/2006 or later years.

If a state match cannot be made for the federal funds, California would forego millions of dollars in federal dollars for the Fisheries Restoration Grant Program, and this well-respected and successful program would collapse. The coho recovery plan is being developed and many good projects, which have had planning dollars put into them from the FRGP, are moving toward implementation. Support for federal funding continues and there is a possibility that federal contributions to the Pacific Coastal Salmon Recovery Funds may increase. Now is not the time to abandon past efforts.

We urge you to obtain a minimum of \$20 million from Proposition 50 for the Department of Fish and Game's Fisheries Restoration Grant Program for funding restoration activities in Fiscal Years 2004/2005 (\$1- million) and 2005/2006 (\$10 million). We believe it is within the spirit of Proposition 50 to spend a small portion (0.58%) of a \$3.4 billion bond act on recovery of California's important coastal salmon and steelhead resources.

If you have any questions, please contact me as the Chair for the California Advisory Committee on Salmon and Steelhead Trout at 707-839-5664.

Sincerely,

Mitch Farro, Chair

cc: Robert Hight, DFG Director
Senator Wesley Chesbro, Chairman Senate Budget Committee