

TRINITY MANAGEMENT COUNCIL SUMMARY

Trinity County Library, Weaverville, CA

Wednesday, March 29, 2006

TMC Members Present: Doug Schleusner, Trinity River Restoration Program(*TRRP*); Brian Person, Bureau of Reclamation (*BOR*); Bill Brock, US Forest Service (*USFS*); Mike Long, US Fish & Wildlife Service (*USFWS*); Irma Lagomarsino, National Marine Fisheries Service (*NMFS*); Dave Hillemeier, *Yurok Tribe*; Mike Orcutt, *Hoopa Valley Tribe (HVT)*; Roger Jaegel, *Trinity County*; Neil Manji, CA Department of Fish & Game (*CA DFG*)

Others Present: Tom Stokely & Joshua Allen, *Trinity County Natural Resources*; Sid Michelson, *Indian Creek Rehabilitation Project Area Property Owner*; Andreas Krause, Dave Gaeuman & Rod Wittler, *TRRP*; Tim Hayden, *Yurok Tribe*; David Steinhauser, *TAMWG Member & Trinity River Rafting Owner*; Joe Polos, *USFWS*; Tom Weseloh, *CalTrout*; Abbey Stockwell, *Ameri-Corp Watershed Steward Member for CalTrout*; Mike DeBlasi, Robert Franklin & George Kautsky, *HVT*

The meeting was called to order by Mike Long at 9:15am.

Regular Business:

Introduction: Validate agenda items; approve
TMC minutes from Dec. 13-14, 2005

Approval of the minutes was moved to the following day to allow for review and edits by members.

Agenda items were added dealing with TMC roles and responsibilities and possible regularly held monthly conference calls. There were no objections to the agenda change.

Open Forum: Comments from the public

Sid Michelson, an Indian Creek Floodplain Rehabilitation Project (ICFRP) Landowner, has a concern with sediment coming out of Indian Creek. He estimates that 49k cubic yards of material comes out of the Indian Creek watershed & deposits into his section of the river, with 1/3 of that sediment being fines. He is not sure that the Indian Cr. project will take care of his problems, such as the island build-up in the river on his property. Sid would like the islands removed as part of the project to help flush sediment out of the river instead of building up at his property. He would like the delta opened up, some regulation of logging within the watershed, would like more restoration & sediment reduction within the Indian Creek watershed, and thinks that capturing larger rocks will help solve the delta problem. After many years of low flows, a lot of sediment has built up in-river. He doesn't believe the 8.5k or 11k cfs fishery flows will work to move that sediment downstream without mechanical assistance. He is not sure of the correct solution. Indian Cr. has had lots of clear-cutting of the forest; where does it end?

TMC Chair Report

Mike Long will summarize his comments in writing.

Information Items:

CVPIA Program Activity Review and OMB Program Assessment Rating Tool

*Update on the process, implications for CVPIA
Restoration Funds, TMC participation on workgroup*

Stokely moved to formalize the TMC CVPIA PAR Trinity working sub-group for the CVPIA review, coordination with the Field Office, to help disseminate information about the TRRP, to come back to the TMC with its suggestions/recommendation, and the TMC would have approval of any recommendations/suggestions. Stokely, Whitridge, Hayden, and Danny Jordan would be the designated representatives. Hillemeier seconded the motion.

The vote on the motion was called:

The motion passed with 6 yeas, 1 nay (USFWS), and 1 abstention (HVT).

Lunch was called from 12:30 to 1:30

Flow Schedule

*Review analysis process, water year forecast, objectives
to be achieved, options considered, evaluation of trade
offs, recommendations*

Jaegel moved to accept Option #5 as the flow schedule for WY06. The motion was seconded by Manji.

A vote on the motion was called:

The Motion passed with 7 yeas and 1 nay (HVT).

The meeting was adjourned for the day at 5:05 pm. The TMC will reconvene on Thursday March 30th at 8:30 am.

TRINITY MANAGEMENT COUNCIL SUMMARY

Trinity County Library, Weaverville, CA

Thursday, March 30, 2006

TMC Members Present: Doug Schleusner, Trinity River Restoration Program(*TRRP*); Brian Person, Bureau of Reclamation (*BOR*); Sharon Heywood, US Forestry Service (*USFS*); Mike Long, US Fish & Wildlife Service (*USFWS*); Erma Lagomarsino, National Marine Fisheries Service (*NMFS*); Dave Hillemeier, *Yurok Tribe*; Mike Orcutt, *Hoopa Valley Tribe (HVT)*; Roger Jaegel, *Trinity County*; Neil Manji, CA Department of Fish & Game (*CA DFG*)

Others Present: Tom Stokely & Joshua Allen, *Trinity County Natural Resources*; Sid Michelson, *Indian Creek Rehabilitation Project Area Property Owner*; Dave Gaeuman, Andreas Krause & Rod Wittler, *TRRP*; Tim Hayden, *Yurok Tribe*; David Steinhauser, *TAMWG Member & Bigfoot Rafting Owner*; Joe Polos, *USFWS*; Tom Weseloh, *CalTrout*; Abbey Stockwell, *Ameri-Corp Watershed Steward Member for CalTrout*; Danny Jordan, Robert Franklin, & George Kautsky, *HVT*; Bill Brock, *USFS*; Gil Saliba, *Redwood Regional Audubon Society and Northcoast Environmental Center Liaison*

The meeting was called to order by Mike Long at 8:40 am.

Orcutt clarified why he voted no for HVT on the recommended flow. He did so because there is no technical support for one aspect of the flow (i.e. delayed ramping up for trout season). He & the Hoopa Valley Tribe are not against recreational opportunities. There are other fisheries, such as tribal spring chinook fisheries that are impacted by the higher flows, and really the TMC would/should not want to get into that.

An agenda item was added to discuss a potential extremely wet year flow scheduling.

Information Items:

Integrated Monitoring Plan and Science Framework

Review schedule approved at December 2005 TMC

meeting, reasons for changing schedule, accomplishments and costs to date, next steps

An IDT meeting is scheduled for May.

The TMC decided, without a motion, to have the TRRP office provide more detail on deadlines, revised schedules, decision points, participants, the role of SAB and TMC, ownership of documents, and trying best to incorporate the input given today. A conference call could then be used to consider it for approval. Items need to be sent to TMC members prior to the conference call; this would give the opportunity for TMC members to respond before a conference call.

FY2007 Budget Process Update

Review recommendations from Irma Lagomarsino's work group, recent progress, conceptual proposal for 2007 process

Lagomarsino wants the Executive Director's authority issue put on the next TMC agenda.

Lunch was called from 12:30 to 1:15.

Habitat Assessment Project

Review of current study design, accomplishments to date, items to be resolved, next steps

Franklin took over discussion of this topic and wrote the following on the overhead:

Purpose of Habitat Assessment: Collaborative development of work plan for completion of Habitat Assessment study plan sufficient for outside review by experts. Study plan to be reviewed by TMC in preparation of expert review.

Add-on Agenda Items:

Information Item:

Roles & Responsibilities

Long will check with Jim Monroe to see if a closed session is possible, though it is highly unlikely. May 19th or 24th will be the tentative date of this meeting to be held in Arcata at 9:30am; Long will e-mail a confirmation to all members.

A TMC conference call will be held, if necessary, during April 13-15 for extremely wet water year flow contingency planning. Additional conference calls will happen if needed.

The flow work group will more than likely have a recommendation for flows by the 11th at the latest. Tentatively, the flow &/or framework conference call will be April 14th at 9am.

Action Item:

Adoptions of the Minutes

Due to not having a quorum, TMC could not take action on this item. The minutes will be up for approval at the next meeting. Comments & edits will be submitted to Joshua Allen for editing and then resubmitted to Schleusner.

Open Forum: Comments from the public

No Comments.

Calendars: Confirm next meeting date and location
(Tentatively June 19-20, Weaverville)

The meeting date was changed due to a Klamath Task Force meeting being held on June 21-22.

Meeting was adjourned at 4:45pm.

TRINITY MANAGEMENT COUNCIL MINUTES

Trinity County Library, Weaverville, CA

Wednesday, March 29, 2006

5 **TMC Members Present:** Doug Schleusner, Trinity River Restoration Program(*TRRP*); Brian Person, Bureau of Reclamation (*BOR*); Bill Brock, US Forest Service (*USFS*); Mike Long, US Fish & Wildlife Service (*USFWS*); Irma Lagomarsino, National Marine Fisheries Service (*NMFS*); Dave Hillemeier, *Yurok Tribe*; Mike Orcutt, *Hoopa Valley Tribe (HVT)*; Roger Jaegel, *Trinity County*; Neil Manji, CA Department of Fish & Game (*CA DFG*)

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Others Present: Tom Stokely & Joshua Allen, *Trinity County Natural Resources*; Sid Michelson, *Indian Creek Rehabilitation Project Area Property Owner*; Andreas Krause, Dave Gaeuman & Rod Wittler, *TRRP*; Tim Hayden, *Yurok Tribe*; David Steinhauser, *TAMWG Member & Trinity River Rafting Owner*; Joe Polos, *USFWS*; Tom Weseloh, *CalTrout*; Abbey Stockwell, *Ameri-Corp Watershed Steward Member for CalTrout*; Mike DeBlasi, Robert Franklin & George Kautsky, *HVT*

15

The meeting was called to order by Mike Long at 9:15am.

20

Regular Business:

Introduction: Validate agenda items; approve
TMC minutes from Dec. 13-14, 2005

25

Approval of the minutes was moved to the following day to allow for review and edits by members.

30

Brock mentioned that he was pleased with the format of the minutes and summary. He would like to have it continued as such with blue font for approved action items, red font for failed action items, and bold font for issues of importance.

Agenda items were added dealing with TMC roles and responsibilities and possible regularly held monthly conference calls. There were no objections to the agenda change.

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Open Forum: Comments from the public

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45

Sid Michelson, an Indian Creek Floodplain Rehabilitation Project (ICFRP) Landowner, has a concern with sediment coming out of Indian Creek. He estimates that 49k cubic yards of material comes out of the Indian Creek watershed & deposits into his section of the river, with 1/3 of that sediment being fines. He is not sure that the Indian Cr. project will take care of his problems, such as the island build-up in the river on his property. Sid would like the islands removed as part of the project to help flush sediment out of the river instead of building up at his property. He would like the delta opened up, some regulation of logging within the watershed, would like more restoration & sediment reduction within the Indian Creek watershed, and thinks that capturing larger rocks will help solve the delta problem. After many years of low flows, a lot of sediment has built up in-river. He doesn't believe the 8.5k or 11k cfs fishery flows will work to

move that sediment downstream without mechanical assistance. He is not sure of the correct solution. Indian Cr. has had lots of clear-cutting of the forest; where does it end?

5 Tom Weseloh of CalTrout and a TAMWG member, handed out a DVD about restoration success stories using CA DFG Fisheries Restoration Grants Program funds, gave a summary of the video, and mentioned that CalTrout has bought 300 more copies. More videos can be made available. He also plugged the DFG FRGP being that millions have been made available for the Klamath-Trinity restoration projects. Funding from this grant was used to supplement the bridge projects & the ICFRP. The funding for this grant is disappearing due to a lack of funds from the federal government funding, which is about half of the funding, though state funding is on the block via SB1125. This bill would provide \$12 million a year to the FRGP. Secondly, the flow issue is further on the agenda and he wants to discuss changes in fishing season.

15 Stokely reported that there is \$1.8 million in funding to Trinity and the Lower Klamath for restoration projects this year alone from the DFG Fisheries Restoration Grants Program.

A general discussion followed about funding for the DFG FRGP program.

Report from TAMWG Chair

20 Whitridge: Stakeholders are hanging on to the hypothesis that public support and understanding is important for success of the program and lack of it is harmful to the program. With the work group plan that was approved at the last TMC meeting and with the approach of interfacing with the public and TAMWG as proxy for the public, there are now good and welcome opportunities for stakeholder involvement and support. I'm not sure about TAMWG as the public proxy, I'm not sure all opportunities are there, but I appreciate it.

30 At the same time, stakeholders, the public, and generally TAMWG members are seeing a lot of issues on the horizon that are perennial as well as seasonal problems. How are we improving Klamath conditions, how are we doing with the strategic plan, protect funding, relations between the program office and partners, and why isn't science framework done yet? Stakeholders are worried, but they can't take the lead. They want there to be progress in these multiple areas. I don't hold TMC responsible for these problems, such as federal funding. All these issues have the ability to affect us and need to be dealt with. Even though flows are the timely and pressing issue, we need to chart out satisfactory solutions to these ongoing issues.

40 The TAMWG meeting was interesting; CVPIA review and other subjects were discussed. They did come up with a flow recommendation. TAMWG continues to be interested in the water year forecast. Brian Person presented on the issue and reported that Interior is close to publishing a clarification of that issue. A motion passed for praise and support for that intention.

Hillemeier: Will there be minutes available?

45 Whitridge: Yes, but they will not be on the USFWS website until the minutes are approved in 3 months.

Whitridge discussed the process for TAMWG minutes.

Schleusner: TAMWG has an e-mail list and encourages everybody to use the same distribution list for any kind of event. It could also use it for TAMWG minutes.

5

Whitridge: We had a presentation by Frank Perniciaro on Tribal Trust that was very interesting and informative. He was asked to have presentations by the Tribes for the next TAMWG meeting.

10 Orcutt asked if there is a commercial fishing interest on the TAMWG.

The answer was that nobody applied to represent commercial fishing interests.

Long: All of the people who applied were appointed.

15

Orcutt: The peripheral issue is fishery closure this year. Some of those line items like diseases, the 2002 fish kill, and fisheries management are some of the issues that linger are not being resolved.

20 Whitridge: No single person is responsible, but these issues affect all of us; think about it.

Orcutt: Outreach is something we need to be more attentive to. The fact that the commercial fishing industry didn't apply; well I'm not sure what is in the meaning of that. They have been critical of fisheries in the past and their industry is in bad shape.

25

Weseloh: The lake resorts and Humboldt Co. also didn't re-apply, mostly due to not having enough staff to participate. They may have just missed the application deadline through lack of ability to be involved on a regular basis.

30 Schleusner: The Trinity Lake representative was caught by surprise and would have applied if they had been reminded.

TMC Chair Report

35 Long has been digesting documents and talking to program participants about:

1. The Program is making tremendous progress.
2. Large and complicated program and growing pains are inevitable
3. ROD and implementation plan: staff has done a good job shaping the program
- 40 4. Unanimous that the program was working fairly well, but some work is left to be done.
5. Areas with lack of clarity or disagreement is not an indication of failure, it's just that we haven't been able to devote the time to deal with the 5% of things that isn't working well.
6. Emphasis should be made to ensure that there is the highest level of collaboration by all program participants; it works both ways. TMC, tech reps, etc are to make sure we are
- 45 moving forward in the same fashion.

7. Ensure all program partners are engaged and to adequately use the expertise of all entities.
8. Completion of the Science Framework is tremendously important.
9. Implementing the budget process as identified in the implementation plan is important. Also Irma's plan that was approved at the last TMC meeting, to work with 2007 budget, nobody disagrees.
10. Need to meld science framework and budget process so that monitoring and study needs are driven by the science, then move to RFP's for project proposals for studies and monitoring. Project proposals should be reviewed by expert review panels for design, budgeting, timelines, etc. We need independent review.
11. Proposals are ranked by agreed-upon criteria and funded appropriately
12. Achieve a clear and common understanding of roles and responsibilities. There are still differing views or misunderstandings about those roles and responsibilities.

Most of things Long mentioned are not new.

Irma Lagomarsino, as vice-chair, has been involved in the various meetings and conversations, added that the last few days there has been news on the Klamath side. There is opportunity here, but things are in chaos on the Klamath side. In the last 3 days, the ocean salmon fishery closure or diminished fishery is a real catastrophe for ocean salmon commercial fishing from Southern Oregon to Central California. It's a huge problem. As a representation of how chaotic things are, on Monday, Judge Armstrong issued an injunction against BOR and NMFS to reconsult on the Klamath Project BO, and issue a new opinion to the court and plaintiffs to review. She also ruled that Reclamation will meet Phase 3 flows until the new BO is approved by her. For this year, it's a good water year. However, it demonstrates that an enduring solution where there is multi-stakeholder agreement is still elusive.

The Department of Commerce and Interior today submitted prescriptions on Pacific-Corps FERC licenses. It was a bold demonstration by both departments that dramatic changes are made on the Klamath River. If changes are implemented, it would be of significant benefit to the fisheries.

There are also settlement negotiations on the FERC licensing. Some progress is being made. They may have an enduring long-term solution for Klamath, but unsure for now.

Lagomarsino said she sometimes loses sight of what an incredible opportunity there is in the Trinity. She and Long have rededicated themselves to it. The program is bigger than the Weaverville office or themselves. What will make it work will be coming together in collaboration and various debates and discussions amongst the groups.

Lagomarsino: It is an honor and privilege to be here today on the TMC. The roles and responsibilities discussion will be good.

One other item that need working on; there is no mechanism for resolving scientific disputes. Disputes are healthy, but there is no resolution on how to solve the problems. We don't have a system of accountability to track the progress of the program. Director reports are good, but need

something other than a GIANT chart. Here is what we said needed to be done; need to update progress. We also need to deal with program challenges and ambiguity. The role of the SAB and how they interface with the program needs a serious conversation.

5 Long: I would also like to challenge the TMC to be more engaged in the program. Everybody already has a challenging job and this is one of myriad problems/issues you deal with. However, the magnitude and importance of this effort requires a strong focus. There are some small things to do, such as reviewing minutes for accuracy, but also to follow up on past actions/discussions. TMC members should also attend TAMWG meetings whenever they can. There are some
10 movers and shakers on that group. It also helps for preparation for TMC meetings.

Long suggested protocols for these meetings:

1. Make sure that all members get to weigh in on the topics
2. Don't talk over anybody
- 15 3. Whoever has input; they should speak up, but be concise
4. TAMWG should ask for TMC member comments before audience and staff comments
5. Should have TMC input
6. Be respectful
7. Rules don't apply to the Chairman

20

Robert Franklin: Thanks for the comments. I was intrigued about comments on the Klamath. The Trinity is the Klamath, although that fact is often times disregarded, but technically the Trinity should be called the South Fork of the Klamath. It's Klamath science. When it comes to dealing with conflict of opinion, we aren't clueless. Orderly and well-documented debate is important
25 and was critical to getting the Trinity ROD.

Mike Long will summarize his comments in writing.

Orcutt noted that for the record that the HVT has responded in writing to the TMC in the form of
30 a letter to Brian Person. He had copies with him to distribute. A lot of the issues they have brought forward are long-standing issues.

In regard to work group schedules, Orcutt thinks there is a struggle with the roles and responsibilities with the ROD designated groups. He would like to see memberships, etc.
35

Schleusner said that Orcutt had been sent the work group plan document. The TMC formally approved it at the last meeting.

Orcutt: The strategic plan was mentioned, but we're challenged with the IMEP plan, we need
40 that first. I'm not sure how this conceptually fits. When agendas are developed and items are included that are informational, I would like the TMC to have latitude to turn those into action items if necessary. The pulse of the program reported by Mike Long weighed against what Irma said and I feel that there are areas of challenged that remain unresolved, but as far as the TMC playing the intended role in the ROD is that there would be an opportunity for executive
45 discussions. However, we can't have those, according to the Interior Solicitors, but we need that ability to have frank discussions.

Hillemeier: Regarding the subgroups and the schedule for the next year. The intent wasn't to make things more difficult, but was to be inclusive in order to formalize.

5 **Report from Executive Director**

Schleusner reported that the discussion held this morning is appropriate for the TMC such as roles & responsibilities, communication, etc...Regarding the issue to get TMC members more engaged, we've had the conversation before, but there is no global solution. TMC member participation varies due to use of expertise and knowledge to do things that others can't do. All the partners have been contributing what they can to the program to advance the restoration agenda.

15 Trinity County has instituted joint permit review with his office to review projects in the floodplain. The HVT was absolutely instrumental in the litigation, which has been a unique ability. NMFS issued an emergency take permit during ramp down operations to do other things; we are also reviewing with NMFS a list of projects for the coming year that these are within the context of the ROD and the BO. USFS is working on design and NEPA documentation for the hatchery project.

20 There is a need to focus on value added from a particular agency. Identify champions for a particular piece of work. As far as work group meetings are concerned, the website calendar is up to date, and the master e-mail list has been updated.

25 Schleusner introduced John Klochak and Dave Gaeuman, his new staff members.

He mentioned a visit by a group of students from the University of Vermont due to word getting out about the successes of the Trinity River restoration and the issues.

30 The President's FY07 budget shows \$7 million in regular appropriations, but nothing in CVPIA Restoration Funds (RF), there may be \$1.6 million in USFWS. This year's allocation was \$13.2 million, in FY07 it is \$8.6 million.

35 Schleusner then discussed some of the floodplain work taking place. The Poker Bar Roads (PBR) contract has been completed. There was a public scoping meeting for the Indian Cr. Project February 6th with 25 members of the public present with serious concerns, mostly about higher flows, not the project. This was the best turn-out to date for a public meeting dealing with restoration issues. Unexpectantly, the contractor for the PBR project, Larry Yingling of Eagle Rock Construction, stood up and said that the program keeps to their word and will work with the concerns of landowners, it was not necessary that he vouch for the program but it was appreciated. He mentioned that he had a tough time this winter with the Poker Bar work, but his company got through it. Dick Treadwell (of the Bigger's Bridge project) also vouched for the program to the ICFRP landowners that staff will do their best to meet all concerns.

40 A comment letter came in during the scoping period for the Canyon Creek project from Westlands Water District (WWD) being that they don't think CVPIA funds should be used for restoration, that the County never certified the EIR/EIS, and that the rehab projects are being

piecemealed. Schleusner said that he feels that the project is moving ahead appropriately. His office is preparing a response to the WWD letter.

He also mentioned that the TMC can take information items and turn them into action items anytime it is deemed necessary.

Information Items:

**CVPIA Program Activity Review and OMB Program
Assessment Rating Tool**

*Update on the process, implications for CVPIA
Restoration Funds, TMC participation on workgroup*

Ed Solbos gave a presentation about the CVPIA Program Review and how it affects Trinity River Restoration. A handout of the presentation was made available. There are two review taking place: OMB CVPIA PART Review and the CVPIA Program Activity Review. PART Review is based on 25 common questions that evaluate program performance in sections such as Program Purpose & Design, Strategic Planning, Program Management, and Program Results. He gave an overview of the scheduling of the process. He stated that activities such as floodplain rehab and other activities that the program takes to restore the Trinity River is in fact a part of CVPIA §b(23) and the appropriation and use of those funds is appropriate for the program. A matrix was prepared, but was not well received.

Long: Should Ed be doing this?

There was a general discussion about how the TMC can provide input into the CVPIA process.

Brian Person said that Solbos did a good job identifying the differences between PART and PAR. He is concerned about having somebody other than Solbos' knowledge be involved, there might be a gap. Aside from providing data, there is not much else we can do about PART. The dichotomy is that while TRRP is a small segment of CVPIA, it should be championed in the proceedings due to its successes.

Stokely: We need to provide input to the matrix and draft report. Also 3 elements of matrix are legislative language, administrative actions and barriers to implementation.

Orcutt: It's all about appropriations; CVPIA RF, USFWS, and BOR. The Trinity River since 1992 has been contributing to the RF, mostly through power generation, which is about \$5.4 million/year. We never got a penny until 2000, because of that this is a very important endeavor. I think that most interests do want some input into the PART process by April 14, 2006. I suggest having sub-group meet in relation to PAR and coordinate with TRRP FO to track the process. I would like to have input into PART before April 14, 2006.

Solbos doesn't think there is an opportunity to provide input into PART.

Tim Hayden mentioned that the subgroup can provide comments on the action part of the matrix. Need comments from TMC on draft report.

Stokely moved to formalize the TMC CVPIA PAR Trinity working sub-group for the CVPIA review, coordination with the Field Office, to help disseminate information about the TRRP, to come back to the TMC with its suggestions/recommendation, and the TMC would have approval of any recommendations/suggestions. Stokely, Whitridge, Hayden, and Danny Jordan would be the designated representatives. Hillemeier seconded the motion.

Solbos: The subgroup can work with the folks down there. We need to give this group discretion to represent the TMC in this process. They may need to go back to the TMC, but maybe during review of a draft document. There is not enough time to do take it back to the TMC in many cases.

Person to Solbos: Is there any linkage to the 2 processes- PAR and PART?

Solbos: It would have been great if the time frames were reversed for PAR and PART. But there is no time to do that now.

The vote on the motion was called:

The motion passed with 6 yeas, 1 nay (USFWS), and 1 abstention (HVT).

Lunch was called from 12:30 to 1:30

Update on Floodplain Structures

*Status of modifications, implications for 2006 release
Schedule*

Solbos gave a presentation about floodplain structures and mentioned that they are making good progress. The PBR contract has been a difficult one to finish due to the weather not providing many openings to do work. He essentially gave a quick overview of the program's projects such as well replacement/moves, road upgrades, and rehab. In one instance, the program gave landowners compensation in exchange for a permanent waiver of liability. The well water and sewer grant program will soon be in effect with the County managing that grant.

As per the Indian Creek project, the Chancellor garage doesn't need to be moved because new modeling of the project shows it would reduce water elevations to acceptable levels, approximately 1.7 feet. The HEC-RAS model was within 0.2" during 7,000 cfs flow for calibration purposes, but we don't know how the river will evolve downstream.

A general discussion followed about of issues and comments by Sid Michelson, river resident, regarding the Indian Creek Project.

Orcutt: This project is being accelerated to protect properties, but it appears that the project is sensitive to surface elevations and input, I wonder if it'll be as precise as Ed says it'll be.

Solbos said that it was originally a rehabilitation site, but we're not done when it's done. There is an issue of groundwater infiltration under houses. This is a good first approach, but more may need to be done to protect the houses.

5 Whitridge: Everybody is pretty happy with the sensitivity and public relations of the TRRP.

Mike Deblasi asked if funding will be there in 10 years to continue working on this project.

10 Solbos mentioned another constraint on this year's flows is the hatchery gravel/channel rehab project which will start immediately after the flows go down in late July.

Flow Schedule

*Review analysis process, water year forecast, objectives
to be achieved, options considered, evaluation of trade
offs, recommendations*

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Wittler gave an overview of the rivers flows for water year (WY) 2005, including the water year type, WY05 considerations, and what the actual release look like on a hydrograph. A handout of the presentation was made available. He then gave an overview of WY06 planning that showed the process to the current recommendation, WY06 forecast, management targets during a wet WY, and ROD wet year flow objectives. Reasons were given for changing the hydrograph and considerations in making WY06 flows. Criteria for late summer flows will not be met & the TMAG does not recommend a late summer flow at this time. An overview of the different options for extremely wet WY flow was given, noting that the TAMWG preferred option is #1. He also talked about sediment within the system and the carrying capacity of the river at different locations. It was mentioned that smolts are outmigrating an average of three weeks earlier than historically due to ROD flows. Riparian issues in regards to rehab projects and infrastructure was compared to the different flow options.

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A general discussion about the statement that outmigration of 80% of smolts is taking place earlier the past 5 years, though Rod doesn't think it's invalidated yet.

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Whitridge: The TAMWG recommends that the program go with the Option #5 flow. There is too much uncertainty to deviate too far from the ROD, such as changing the 2000 cfs bench. TAMWG also wants to monitor for the combined early schedule. The TAMWG also noted the sand problem and renewed its perennial request that the program move away from just the mainstem restoration and deal with sediment and watershed control measures.

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The TAMWG recommendation was given as a written letter to the TMC during the TAMWG chair report.

Weseloh said that any questions regarding these flows, there should be a way to answer them when we get to the budget at the next meeting.

45

Wittler: Watersheds and the multiple burn areas are contributing to sediment in the mainstem. The watersheds were already soaked before the big rains around the end of December.

Stokely: I have planned a watershed tour on April 14 to areas upstream of Weaver Cr., including Browns Mountain Rd, which traverses across numerous small and unnamed tributaries that have been “burping” sediment into the mainstem from the north side of the river. The Lowden Fire area (Lewiston Burn) will also be looked at. Some of Trinity County’s proposed work for this year will be reviewed.

Robert Franklin commented in general on the issues that had to be discussed and considered in this effort to determine flows.

Jaegel: How we prioritize criteria for various options?

Weseloh: By tributary accretions.

Orcutt: What happens if Trinity River Flow Evaluation (TRFE) hypotheses are invalidated? There is some uncertainty about temperature objectives; there is little difference between the various options, so why not just adopt the ROD flows for a wet year?

Jaegel: Which option is best for the fish, while taking into account temperatures objectives, sediment transport, etc?

Wittler: Addressing Mike Orcutt’s comments on the TRFE hypotheses. There has been collaboration with Flow Study authors with Joe Polos and I present at the flow schedule meetings, Scott McBain has been briefed on those meetings, and Paul Zedonis also participated in the analysis. From a scientific standpoint, you can’t validate a hypothesis, you can only invalidate it. We seek information to invalidate our hypotheses.

Person: The first lens is what? Second lens? The third lens is ecological improvement such as riparian improvement

Wittler: The high priority is the fishery, but you can’t ignore the secondary issues such as riparian floodplain recruitment and wildlife.

A general discussion proceeded about the specific elements of the TRFE wet year recommendation and what was considered for the final recommendation by TMAG, RIG, and TAMWG.

Manji: We use mean numbers within 2 major bands (deviation) of information.

Jaegel moved to accept Option #5 as the flow schedule for WY06. The motion was seconded by Manji.

Orcutt expressed strong reservations that anything other than the ROD flows may be inappropriate. The consideration for the flow delay for the fly fishing season opener strains our credibility as a scientific body; it is political, to some degree. He would feel more comfortable

with Option #1 if there are deviations from the ROD. There was some criticism of last year's flow schedule.

5 Jaegel: Since this is an adaptive management program, Option #5 would have a more positive impact on fish habitat and that's a good reason to deviate from the ROD.

10 Wittler: There is an extra day at 8,500 cfs under Option #5 compared to Option #1; thus more sediment transport and geomorphic work is done with those flows. It does put at risk our intention to meet steelhead smolt temperature criteria for steelhead. However, the risk is small because snowmelt runoff from tribs and the mainstem will be cold enough as is.

Person: What was the criticism from deviating from the ROD last year?

15 Orcutt: USFWS and BOR regional directors wanted to use some of the water for an early fall release to prevent another Klamath fish kill. We had to go to a lot of extremes to get the information to the high levels at the Interior Dept.; there were also concerns expressed by some Congresspersons about going to 7,000 cfs and deviating from the ROD flows.

20 Tim Hayden said the Yurok Tribe also has some concerns about deviating from the ROD flows. However, with the sediment issues and having participated in the flow development process, the Yurok Tribe will support Option #5.

25 Doug: In 2005 there was no delay in the flows to accommodate the opening of fishing season. Whereas, in 2003 and 2004 there were some delays in the flows for fishing season.

A vote on the motion was called:

The Motion passed with 7 yeas and 1 nay (HVT).

30 **The meeting was adjourned for the day at 5:05 pm. The TMC will reconvene on Thursday March 30th at 8:30 am.**

TRINITY MANAGEMENT COUNCIL MINUTES

Trinity County Library, Weaverville, CA

Thursday, March 30, 2006

TMC Members Present: Doug Schleusner, Trinity River Restoration Program(*TRRP*); Brian Person, Bureau of Reclamation (*BOR*); Sharon Heywood, US Forestry Service (*USFS*); Mike Long, US Fish & Wildlife Service (*USFWS*); Erma Lagomarsino, National Marine Fisheries Service (*NMFS*); Dave Hillemeier, *Yurok Tribe*; Mike Orcutt, *Hoopa Valley Tribe (HVT)*; Roger Jaegel, *Trinity County*; Neil Manji, CA Department of Fish & Game (*CA DFG*)

Others Present: Tom Stokely & Joshua Allen, *Trinity County Natural Resources*; Sid Michelson, *Indian Creek Rehabilitation Project Area Property Owner*; Dave Gaeuman, Andreas Krause & Rod Wittler, *TRRP*; Tim Hayden, *Yurok Tribe*; David Steinhauser, *TAMWG Member & Bigfoot Rafting Owner*; Joe Polos, *USFWS*; Tom Weseloh, *CalTrout*; Abbey Stockwell, *Ameri-Corp Watershed Steward Member for CalTrout*; Danny Jordan, Robert Franklin, & George Kautsky, *HVT*; Bill Brock, *USFS*; Gil Saliba, *Redwood Regional Audubon Society and Northcoast Environmental Center Liaison*

The meeting was called to order by Mike Long at 8:40 am.

Orcutt clarified why he voted no for HVT on the recommended flow. He did so because there is no technical support for one aspect of the flow (i.e. delayed ramping up for trout season). He & the Hoopa Valley Tribe are not against recreational opportunities. There are other fisheries, such as tribal spring chinook fisheries that are impacted by the higher flows, and really the TMC would/should not want to get into that.

An agenda item was added to discuss a potential extremely wet year flow scheduling.

Information Items:

Integrated Monitoring Plan and Science Framework

Review schedule approved at December 2005 TMC meeting, reasons for changing schedule, accomplishments and costs to date, next steps

Wittler had to delay v1.0 of the plan, it was due March 27th. The review period was too short. Government to Government responsibilities also need to be addressed. It also need integration with Upcoming flow scheduling and budget processes. He will present an updated schedule, called Plan B in the near future. There are delay advantages such coordination with flow scheduling process, coordination with budget process, opportunities to resolve internal differences, and there are resolution process uncertainties.

Wittler explained that the program has now been restructured into four work groups, watershed, riparian, fish and wildlife, and physical. Wildlife put in with fish instead of riparian.

Long: What kind of assistance can we provide? My thoughts are let's continue to engage all of the partners and utilize all of the expertise, but make it clear what is the assignment and deadline,

and hold everybody accountable for getting it done. It's all of our responsibilities. It's one of many things of this restoration program. We all need to pitch in and see that it's done. We also do need a plan for addressing comments or explaining the rationale if consensus isn't reached. There needs to be built into the process a mechanism on how to keep the TMC informed. It's not to take control, but make sure that things get done.

Schleusner: I, Rod, and others have talked of this, about not losing minority views or resolving differences of opinion. There will be a lot of agreement. It's not likely that individual TMC members will have the opportunity to read the whole thing. The TMC principals' role needs definition which is not likely to come from TMC members; so how we facilitate your review and understanding? We need to identify areas of agreement; then significant differences that the TMC needs to be aware of. Does that make sense? If not for nuts and bolts information, read Chapters 1 and 2 for conceptual stuff.

Long: The TMC is keeping the process going. I'm not planning on reading it line by line. Let's use the TMC to keep it moving forward, but not the day to day discussions.

Jaegel: Who is really in charge of tracking, making sure the program is on schedule, costs are being met, etc?

Schleusner: Rod Wittler.

Robert Franklin said USFWS and BOR are both responsible.

Schleusner: But the point person is Rod.

Lagomarsino: The TMC needs an action plan. Not just folks in the Weaverville office producing the document, but others are contributing to the effort as well. What is the process for scientific debate? If debate can't be resolve, should it be brought up to the SAB? What is under dispute besides habitat assessment?

Wittler said his view of the structure is that the TMAG is the scientific body for providing the leadership for producing this document. ESSA Technologies in Vancouver, B.C. was originally hired. Create, review, iterate it, and then make a recommendation to the TMC. Conceptual models and hypothesis and IMEP are 2 separate documents. My fiduciary responsibility is as the government's technical representative. As an example, the TMAG staff's opinion is that harvest management is ripe for consideration and the role of the program in harvest management is under debate. How much the program should be doing, our interests, and how that translates to scientific studies and budget priorities. There are some issues that staff doesn't feel are a priority, but others feel it's a high priority. That's an example of what needs to be resolved.

Lagomarsino: Some feel it's important to AEAM and others don't.

Orcutt said there's an opportunity today to provide some direction. In terms of the information presented, the example is a good one and shows there need to be science and policy decisions. This is a policy issue. The April/May time frame for resolution of disputes; what is the process?

Is it just the field office or does it include others? For September, it should be a TMC policy review. A fundamental issue here is how do you resolve scientific disputes; is it just the Federal Officer or is it something else? It's a critical element of this program. HVT has serious concerns that the document changes the objectives in the ROD, so it's critical. Science people need to get together April-May, and before it's adopted there needs to be SAB and TMC review. He hopes TMC will provide policy review.

Manji asked about areas of scientific disagreement, it must be done now. It's been painful decision making. We need help, either internally or externally. The minority often feels their opinions are not valued or accounted for. There is no TMC review in the schedule. When does the TMC fit into the schedule? Do we need to integrate into it now for policy? Why wait until September to review policy issues? If in specific comments, maybe we need to bring them up now. What are the roles and responsibilities?

Long: Dispute resolution is a larger issue than just the IMEP/Science Framework, but we need to figure this one out now.

Schleusner: The policy input at this stage is to use one approach continuing to move forward with all detailed technical aspects and wrestling with points of disagreement or the TMC can provide policy guidance now to help reduce technical conflicts. Watersheds, harvest management and the like are major policy issues. I would like any policy guidance now that will narrow the disagreements at the technical level that should prove valuable.

Hillemeier: Problem with that is harvest management isn't just policy, but also science to measure the success of the program. Survival of cohorts is related to conditions in the river.

Lagomarsino: I would like to see the scientific rationale for doing certain things like redd surveys and carcass surveys.

Wittler: It depends upon what we call the major metrics of success of this program. TRFE said we'd increase smolt production through habitat increases. The TRFE established smolt production as the metric. However, a better metric is smolt to spawner ratio which requires more scientific information. Scientists need the metric to impact how they write it up.

A general discussion continued about how to deal with these technical/policy issues.

Lagomarsino: We are not ready to make those decisions now; there is a need for input from technical folks.

Manji: Let's try to tackle the handful of thorny issues in a different forum. That would allow cutting the document down because the rationale is already in place. Involving the SAB earlier might help. To have it all in the IMEP, it'll just get lost. I'm frustrated because I feel that the adult component is very critical; I provided lots of comments and documents, but I don't know what I can do to make the case any stronger. Then let the process take its course. We need to designate folks to make those decisions and move on. We can't go any further without dealing

with these concepts; such as counting small fish and adults, or not. The number of fish is the cornerstone of the program. We haven't even figured out the metric.

Jaegel: I'm not comfortable making judgments on the validity of the science. We have an SAB and review panel; I would hope somebody has the authority and responsibility to make those calls, but it's not the TMC.

Long: The TMC does have to make the call, but needs SAB input, which has been underutilized; we need to put something in front of them. If we need a question answered, they should be the ones to answer it.

Orcutt reiterated that the policy issues need to be resolved and the SAB has a role. What in the document is being driven by costs?

Wittler: The same staff putting together the IMEP will be working on the budget in 2 weeks. It's impossible to separate science from the financial implications of it. Such as \$3 million for smolts & \$4.5 million for smolts and adults, for instance. You can't take funding out of the picture. It needs to be cost effective. I want to avoid wasting time on a plan that can't be implemented because it's too expensive. We need more direction.

Orcutt: The direction should be to come up with what the science says is necessary and then the TMC to prioritize. It's not the role of the scientists to prioritize. I'd like to defer to a workshop, but it will get into the color of money.

Long: Let's get SAB to answer specific questions now to help resolve some of these issues early. Integrate SAB and IRB's in IMEP framework.

Heywood: We should come up with draft priorities to give to the TMC. The scientific debates should be independent of budget. On smolts and adults, SAB says best is both, but what are you willing to pay for?

There was more general discussion of how to resolve these issues with TMC, TMAG and SAB.

Franklin: I didn't know there was a chairman of the SAB?

Wittler: Clair Stalnaker is chair.

Franklin: Clair denies that he is.

Schleusner: I think the members asked Clair to informally be the point person.

Whitridge said that the TAMWG doesn't have a lot of advice about the schedule. TAMWG would say that the issue of watersheds is a huge policy issue that is important now. The sand coming out of watersheds is a big problem now. It's an obstacle to restoration. Therefore, should the TRRP try to figure out the problems in watersheds, or should we let somebody else be in

charge? Who is in charge? It's too bad if budget decisions are made without technical priorities; instead drive the budget by the science, not fitting the science into the budget.

5 Weseloh reiterated that the Science Framework is the business plan, the budget is the financial expression of that. He is worried that trying to fit it into the budget as doing what we don't want to do. Can either deal with the issues up front, or have a 1000 page document with all the options laid out. Budget shouldn't drive science.

10 Long: About the monitoring and modeling document; should monitoring be reviewed by SAB as part of this process? Monitoring goes into modeling.

15 Whitridge is worried himself. The models and hypotheses document should be nailed down before the program models for it. If there are disagreements about the hypotheses, we are really spinning our wheels. There is a need for direction from SAB on the models and hypotheses.

Franklin: I read the document and put together 6 peoples' comments into one. It's a significant document and a roadmap. 2 of 3 tools that mankind has for restoration; channel conditions, temps, water quality and harvest. I am optimistic that channel mods and temp management can be met. The crux of the matter is what do we tell Ed Solbos to do, when, where and how?

20 Hocker Flat is good, but it's a tiny piece of what needs to be done. Our budget is going down but the need is great. All good ideas are minority opinions in science. Need well-documented debate. If something has great value, it will be apparent.

25 Wittler said that the SAB doesn't want small pieces and making policy decisions.

Long: I disagree. We pay them, they shouldn't be contributors, but we should ask for their guidance on unresolved issues.

30 Orcutt: What has the SAB been given since establishment? What is their function? There is no direct communication to the TMC from SAB.

35 Polos: What you monitor depends on goals of program. Are our marching orders the ROD, restored fisheries, what? Until this issue is hashed out, we don't know what to do. When Jay Glase was with the program, there were juvenile monitoring funds; what happened?

Person: What is the dilemma; is it that roles aren't understood or we're not doing them?

Long: I think we know the roles, but we haven't had them met.

40 Wittler: It's a good idea to have Clair Stalnaker on board because he designed the structure of the program and SAB. There are inherent conflicts between the way the program is planned, how it was written up in ROD, and the implementation plan vs. execution, which is a struggle.

45 Person: If we were to buy a fleet of cars, do we go to SAB to tell us what kinds of vehicles we need such as vans, etc. ,or do we go to them to deal with trivial things such as color?

Manji: There isn't clarity on goals of the program; it would be easier if there is. Maybe the TMC needs to jump through the first hoop.

5 Wittler: There isn't a specific science framework work group. The individual work groups can deal with them and take them back to the IDT meetings. However, there are 2 issues that might require a dedicated meeting such as Habitat Assessment and another potentially unknown one.

10 Orcutt wants to form a technical work group from TMC members, to determine the need for integration with SAB and expert review panels, as necessary. He also wants a workshop across all disciplines, science and policy somewhere after June/July before the TMC approves the document.

15 Manji agreed that the TMC needs to give schedules. It doesn't matter about work groups because it'll be the same people. Habitat Assessment is a huge unresolved issue.

Wittler: The September IMEP review would be the workshop that Orcutt suggested. TMAG, minority viewpoints, SAB and TMC.

20 Orcutt: Internal differences are part of all TMC members/participants interactions?

Wittler: Yes. We are reaching toward scientific consensus, but may not make it, but will give scientific rationale for different alternatives. I would like approval of a schedule and process.

25 Lagomarsino: It would benefit from more narrative. It's ambiguous.

Long: When does SAB get involved and what do they get involved in?

30 Schleusner would like to avoid setting up another work group because we have a plethora of them now. If we set up another group, who are the reps? There have been complaints about being exclusionary- how do we deal with it? We have a mechanism in place through work teams to deal with the initial and important discussions. May elevate to IDT if necessary. Let's use the structure we already have.

35 **An IDT meeting is scheduled for May.**

Hillemeier wants to see a bulleted list of differences of opinion. If there are TMC monthly conference calls, could differences could be brought to the TMC.

40 Whitridge wants to understand who will produce Version 1.0 in Sept/Oct? Is this our plan or not? What/who is the final approval?

Orcutt: There will be contentious issues throughout the process. We (TMC) all need to understand and vet those issues.

Schleusner: Does TMC want the Sept. conference to be a decision-making venue? If so, then we need further direction to the staff to develop v 1.0. It's implicit in the schedule presented by Rod.

5 Lagomarsino wants Schleusner and Wittler to fill out narrative for the schedule so the TMC can clearly understand it, then put in TMC approval, reasons for various reviews, etc., and then have a TMC conference call to determine it. We can also review if the existing work groups are enough to deal with it.

10 Long: Without firm details, we can't make a decision today.

Orcutt: Why can't various working groups be led by non-Federal Officer members? There needs to be more structure to the working groups. What is the role the TMC has in the work groups? Can the TMC change, modify, or revise the structure? I think there is inconsistency in
15 application of the implementation plan.

Schleusner: It was previously discussed about because it's a logical thing to do and meets the intent of the implementation plan. However, it's a mutual responsibility of all the members of those working groups. We are not just having them for milk and cookies. There will be
20 delegations, recording minutes, etc to all members. If there is a compelling reason for somebody else to be a lead, that can be worked out within a group. For the development of agendas, meeting arrangements, etc. it seems most appropriate to have TRRP staff do it. Nobody opposed it at the December meeting when a motion was made.

25 **The TMC decided, without a motion, to have the TRRP office provide more detail on deadlines, revised schedules, decision points, participants, the role of SAB and TMC, ownership of documents, and trying best to incorporate the input given today. A conference call could then be used to consider it for approval. Items need to be sent to TMC members prior to the conference call; this would give the opportunity for TMC**
30 **members to respond before a conference call.**

Heywood: Can we live with the schedule impact?

35 Long: It's been delayed a long time, slipping 2-3 weeks is not a big deal.

Wittler: I think we should stay on the side of caution in terms of the schedule for this project. I would rather do it right, air differences, have time to resolve them, and give the contractor time to be responsive, etc. I agree the proposal is appropriate.

40 Jaegel: What is the cost of delaying this? What are we giving up in order to do this?

Schleusner said he didn't see a large increase in contract costs, there may be a small modification now and again. The primary cost will be collective staff time.

45

Strategic Plan

*Review recent efforts and report by TAMWG at
March 23 meeting*

5 Schleusner: The impetus came from the TAMWG, a draft strategic plan was developed, and the last time it was look at was in 2004. A conference call between the TAMWG and TMC about the strategic plan took place. The TAMWG view is that they are supportive of the plan but more focus needs to be on the science framework. A plan has value, but some of the issues that need to be addressed is public information and environmental compliance. TAMWG spent time about
10 developing a vision statement. I'm not sure where they will go with it, possibly develop it and present it to the TMC. The plan is a bridge between the ROD and implementation plan to give more direction to yearly program work. My highest priority is accomplishment report for 2004/05.

15 Whitridge: I think I agree with all that. TAMWG members continue to think that the plan is important. The idea is if the plan can be developed, it helps to form other issues such as budget considerations. The TAMWG thinks it is appropriate to reflect science framework, so there is a continuing sense of interest. I'm hoping that the TMC can maintain interest and give some input. There is not one view on TAMWG what the plan is or what it will do; primarily it should be a
20 public outreach tool, it needs work in that regard, but shouldn't design it solely to be that tool. Trying to plan for what its use will be. The TAMWG is willing to help. The schedule has slipped because we did not follow through as fast, but no blame needs to be passed around.

25 Schleusner: There is a conference call scheduled for the second week in April, but I don't expect to have draft strategic plan for June meeting.

FY2007 Budget Process Update

*Review recommendations from Irma Lagomarsino's
work group, recent progress, conceptual proposal for
30 2007 process*

Lagomarsino's conceptual proposal for the budget was generally discussed.

35 Schleusner gave a presentation about the budget process update. A handout of the presentation was made available. The important issue is the first step in getting people to think about the budget again. He doesn't think this will resolve anything, but comments will help them to move forward on this issue. A new operating environment for fall 2006 includes: floodplain infrastructure mods to allow 11k + 10yr tributary flows, have 9 rehabilitation sites done, two years of high peak flow releases implemented, the office is almost fully staffed, the framework is
40 complete, and benchmarks have been completed. Recommendations for 2007 include: moving the April TMC meeting to March to allow more time for budget prep, complete the budget development/review/approval by June 30, use multi-year agreements when possible, continue using the 50/30/20 ratio as starting point for FY07 budget, have work groups develop criteria for funding priorities in budget process, improve info transfer between B-Team to TMC, use science
45 framework process to inform FY07 budget, have SAB review TMAG priorities, continue to move toward a RFP driven process and use of Expert Review Panels. He then went over the draft

process and time schedule. A review of the program goals and objectives was given and linkages between the program and budget. There is a new conceptual basis of TRRP program of work, with watersheds now being a component of that work. Priorities for FY07 are based on FY06 decisions. May 9 is the first scheduled B-team meeting. The FY07 budget in the President's

5 Budget is only \$8.6 million, the final budget for FY06 is \$13,264,000. There is much less to work with for FY07.

Long said that there may be \$1.5 million from the USFWS in FY07 (\$100k less than FY06).

10 Hillemeier wanted to discuss the CVPIA Restoration Funds (RF) zero budget for 2007; we've gotten it in the past, what has changed?

Schleusner: Within the past couple of years things have changed. Last year was the first time we received an earmark in the President's budget. It's not included this year.

15 Person: My office has raised the issue for development of the FY08 budget and it's a high priority, but it will be more challenging in future years.

Hillemeier: Can we get CVPIA RF dollars for FY07?

20 Stokely noted that the elimination of the Trinity from the CVPIA RF budget gives the appearance that there has already been a decision by Interior regarding the CVPIA PAR and that Interior has already accepted the CVP water and power customers' position that Trinity no longer qualifies for funding under the CVPIA RF.

25 Person responded that BOR is aware of that perception.

Orcutt: Is the budget subcommittee still convened? Previously the TMC approved funding for 2 kinds of habitat assessment and subsequently the FO eliminated funding for one of those types of assessments. Is that within the realm of the budget subcommittee's agenda?

30 Rod gave a presentation of the Habitat Assessment update. The plan for this came from the Turtle Bay meeting in 2004. Basically there are a number of competing methodologies. Two objectives, temporal and spatial. The original plan was to do 2D (numerical) mapping & empirical habitat mapping. The key is numerical mapping, you can do a number of discharge

35 models. With empirical, you can only map one discharge at one time. Bill Trush thought that empirical mapping is the most important.

A general discussion ensued about habitat mapping. Clarification of the types of mapping and what is appropriate for use in the program was discussed. Accordingly, both methods are useful

40 and have their own strength, but there needs to be work with them to see how well they work. There is a sense that a workshop would help to work out the methods. A review panel list was reviewed as well as the symposium for this issue. A study plan with outside review and facilitation of the workshop is sought. Draft agenda/goals was written with TMC members and partners. The breadth of the Executive Director authority to change budgets was on the agenda,

45 but the group didn't have time to deal with it. Schleusner sent out a document identifying what he believes his budget authority is and isn't, but it wasn't approved by the TMC.

Whitridge: TAMWG believes the budget subcommittee no longer exists.

5 Orcutt: How do you get into the agency budget cycles? We are chasing the tail here. There are opportunities to comment on the President's budget and there are opportunities to get supplemental funding through Congress.

10 Manji mentioned that DFG's Fishery Restoration Grant Program will have proposals due in Mid-May. As much money may not be available as in the past, but we should be able to actively compete for funds on the mainstem, such as gravel augmentation. We should find out what is the best approach to get funding this next year and get together to discuss it.

15 Tom Weseloh said that the DFG's website has the RFP out and it's on the DFG website. The deadline is May 19.

A general discussion about other sources of funding, such as the DFG FRGP, to supplement the program by partners took place.

20 **Lagomarsino wants the Executive Director's authority issue put on the next TMC agenda.**

Jaegel: How do we influence the out-year federal budgets?

25 Schleusner: TMC doesn't influence USFWS on how to submit their budget proposals, for instance, but it's taken into account. It's the same in Reclamation. They submitted activity plans for FY08 last July. It's embargoed until February 2007 when it's released under the President's budget. I have requested larger requests than in the past that is going through inner agency review by BOR. I don't know what the outcome will be. We try to articulate the needs and justify the costs, as well as be competitive.

30 Person gave a brief summary of BOR's internal budget process. Meeting legal requirements, being cost effective and successful, and having stakeholders on board are important things to keep up the funding. These are tough budget times due to Katrina and the war.

35 Schleusner: The budget that goes forward is in the BOR format; it's not a 1/1 match of the budget categories that we get. We try to advance those parts of the program that allow us to be the most competitive in the budget process.

Kautsky: What is a zero-based budget?

40 Schleusner: Last year the TMC tried to conceptually go through such a process. It wasn't a true process, but it looked at why are we doing the process and how does it shake out compared to other things.

45 Kautsky: What about the unconstrained budget? How does this relate to development of the science budget? Should unconstrained science speak in the draft budget?

Schleusner said he will have such a line item in the budget, as well as 2-3 out years. He will refine accuracy and thoroughness.

5 Kautsky: Showing full program costs give the political firepower for some to go to Congress to get additional funding.

Lunch was called from 12:30 to 1:15.

10 **Update on Evaluation of Wildlife Emphasis in the Program**
Discuss findings related to NEPA/CEQA needs, short term recommendations for budget process

15 Wittler: Wildlife was broken up into two components; environmental compliance and wildlife. Environmental compliance is minimal, so that basically nothing needs to be done with compliance. We could do nothing or stay on the same track we are now. It includes birds, herps, and frogs. Basically the budget for this item will be \$250k/yr. Ecosystem vs. species management: I suggest that the program focus on multi-species monitoring and planning.

20 Orcutt: I guess I'm a little unclear; we have talked about this issue for several years with no resolving of the issue. I wondering, being that there was a concern, I like to see some type of written documentation about what occurred here. What is the compliance monitoring of this issue? I recall that the budget process was held up specifically due to there being issues and concerns between monitoring and construction. As I understood, we were supposed to have a meeting, but it never occurred. Now, environmental documentation has taken care of it & there is no longer a concern. I can tell you that with the current budget figure, it is going to be slim pickings for funds for wildlife monitoring.

30 Wittler: At one point, Bob was the point of contact for that issue, but he has since left, so I have grouped those two together. We separated riparian from wildlife. Riparian has moved more towards the geomorphic portion of the program. The wildlife part of it is now going to be within the fish program. Based upon our meeting last year when this issue was raised, my staff is telling me that the info needed to compile env docs is complete, but monitoring may be needed in the future. I can get a scope of work for any of the partners if need be.

35 Long: So Mike, you indicated that a written document about this issue should be done.

Orcutt: I would like, at a minimum, a write-up on the chronology of the history of wildlife monitoring.

40 Schleusner: The majority of environmental compliance work does not have a specific chunk of money to deal with wildlife in the environmental documents. We believe there is sufficient information to write documents for current and foreseeable projects. Wildlife is composed of three components. What about permits, what about design of construction, and what about followup monitoring? There are no additional costs for wildlife right now. What is the role of wildlife in the science program? With talking with Brandt & NSR, there is no other added

amount that is added to specifically do wildlife. As part of the environmental documentation process, it is being reviewed per project. But at this time, there is sufficient information available to do the work. With what we have now, there is no extra cost to analyze wildlife. The TMC needs to come up with a policy of what is the role of wildlife in the program. We will continue to find ways to reduce cost and complexity while maintaining a legally defensible document.

Jaegel: Rod mentioned using indicator species. That seems vague to me. What is an indicator species and what is it used for?

Wittler: The focus of the program is fisheries restoration, but other species are affected by the program. Being that salmon are the species that the program is aiming to protect and restore, something that is good for the fish may be actually be a negative benefit to other species. Basically we will continue to do population census to see how other species are doing and use that as an indicator of the impacts by the program to them. The indicator species include Western Pond Turtles, Yellow-Legged Frogs, and some birds. The species are in the USFWS and USFS contracts for the work.

Hillemeier: The TRRP has a 5 year contract with them, is it subject to available funding?

Wittler: Yes.

Franklin: The technical debate hasn't been thorough or well-documented. Until the IMEP and priorities are in place, we are fishing around for what to do. The technical discussion hasn't matured enough yet. If the discussion had matured, we could respond to Roger's questions.

Jaegel: Indicator species may have nothing to do with regulatory compliance; we could spend a lot of funds and just spin our wheels.

Schleusner said that his office will provide the chronology and the line items in the budget and where it all is now. Summarized statements of work will also be provided.

Habitat Assessment Project

Review of current study design, accomplishments to date, items to be resolved, next steps

Wittler gave a presentation of the Habitat Assessment update. The plan for this came from the Turtle Bay meeting in 2004. Basically there are a number of competing methodologies. There are two objectives, temporal and spatial. The original plan was to do 2D (numerical) mapping & empirical habitat mapping. The key is numerical mapping; you can do a number of discharge models. With empirical, you can only map one discharge at one time. Bill Trush thought that empirical mapping is the most important because it is quick and may save the program some funding. It is a technical disagreement, but not a policy issue for the TMC to resolve. The question is which is best scientifically and from a cost perspective. The program will be doing empirical habitat mapping this summer. There has been lots of work already done on 2D modeling. The numerical model allows for future predictions. What if games, etc. can be completed.

A general discussion ensued about habitat mapping. Clarification of the types of mapping and what is appropriate for use in the program was discussed. Accordingly, both methods are useful and have their own strength, but there needs to be work with them to see how well they work.

5 There is a sense that a workshop would help to work out the methods. A review panel list was reviewed as well at the symposium for this issue. A study plan with outside review and facilitation of the workshop is sought. Draft agenda/goals was drawn up with TMC members and partners.

10 Wittler: The disagreements arise from doing 2-D modeling first, then empirical. We're going to do empirical first, then 2-D. Some people don't want 2-D at all; they would rather do mapping wrong using grease pencils instead of GPS. We should have a completely written plan first.

Manji: Eyes are different for empirical, which makes different results.

15 Lagomarsino: Has this all been adequately vetted?

Wittler: The circumstances are that in October of 2004, we got a baseline for the next spring's high flows.

20 Wittler justified his schedule of work due to the need for a quick turn around on it.

Long: The scope of work hasn't been adequately laid out to ensure that the methods are being applied appropriately, or whether certain data will be collected. Speaking bluntly, but respectfully; this has been a lightning rod for the program. How do we move forward and get this thing done?

Jaegel asked who gets to decide.

30 Long; I'm not sure.

Orcutt: We need a sufficiently framed problem/issue/concern/disagreement to resolve it. We are dancing around it right now. There is some accountability needed here. HVT has had major concerns with the project for many months. HVT had formally withdrawn from this project in October. They had a process to resolve the dispute with Brian Person. The HVT would like a workshop to help resolve the issue. Who would be the facilitator? The ground rules need to be specific. It's a challenge for this group to step in and take a leadership role.

40 Long said it's good to discuss this issue openly at the TMC. He appreciates Orcutt's willingness to discuss it here.

Hillemeier doesn't want to stop the train that's moving because the project has already started.

45 Orcutt said Thom Hardy is supportive of a workshop on this issue.

Person: Interest in this issue goes beyond government to government relations. It is helpful for BOR to clarify that HVT wants this openly talked about.

Hillemeier: If it is a technical disagreement, it is probably a good idea for a workshop.

Lagomarsino: It appears that the scopes of work haven't been adequately fleshed out to compare the different methodologies. Let's talk about the purpose of the workshop here today.

Jaegel: Whoever is in charge needs to work it out.

Franklin said this is the cornerstone of the entire science program. It's important because we can't count fish accurately, so we need to assess habitat. The result of the workshop would be a study plan for habitat assessment. There is no external review and little internal review. The plan isn't even doing studies of lamprey.

Heywood: What about taking this to the SAB?

Jaegel: We need to walk out of the workshop knowing what we are doing.

Hillemeier: Can't we look at lamprey habitat later?

Franklin: No, because substrate measurements aren't good enough.

Hillemeier feels uncomfortable developing a brand new study design. We should build on what's been done already. Move forward, resolve differences, and develop ground rules. There is a need for a study plan for outside review, which will result of the workshop.

Franklin took over discussion of this topic and wrote the following on the overhead:

Purpose of Habitat Assessment: Collaborative development of work plan for completion of Habitat Assessment study plan sufficient for outside review by experts. Study plan to be reviewed by TMC in preparation of expert review.

Weseloh made note that this is going to cause more work for TRRP staff and that other partners should help to reduce the impact on staff so other projects don't fall behind.

Add-on Agenda Items:

Information Item:

Roles & Responsibilities

Long gave out a handout with the program's roles & responsibilities to the TMC members. It was essentially for their review and this topic will be brought up again at a future meeting/conference call. The issue needs to be addressed, but a special session may not be necessary.

Long will check with Jim Monroe to see if a closed session is possible, though it is highly unlikely. May 19th or 24th will be the tentative date of this meeting to be held in Arcata at 9:30am; Long will e-mail a confirmation to all members.

- 5 **A TMC conference call will be held, if necessary, during April 13-15 for extremely wet water year flow contingency planning. Additional conference calls will happen if needed.**

10 Schleusner: It's 50/50 that we could slip into an extremely wet water year (EWWY). The ROD says that until infrastructure is completed, there is a cap on releases. If it does become an EWWY, there will be 210k a/f more water to put onto the hydrograph on either ends or else we need to stick to ROD prescribed flows.

Orcutt: When will the program know that infrastructure concerns have been completed?

- 15 Schleusner: The status report of infrastructure was given by Ed at the last meeting; it will be some time until infrastructure is complete.

Orcutt: If infrastructure is the main stumbling block, that's a lot of water that will be lost.

- 20 Person: The interpretation is that infrastructure needs to be completed for impacts from high flows before full ROD releases begin.

Orcutt: The river is going to suffer due to the loss of a substantial amount of water.

- 25 Kautsky: As I understand it, Ed has said that WY07 will be able to have an EWWY flow.

Schleusner: That is correct.

- 30 Lagomarsino: Maybe we should get Jim's legal advice before we consider doing anything with more water if it is the EWWY. There is a risk.

Orcutt: So what is the risk?

- 35 Long: With Westlands and others watching the program as well as landowners who will be impacted, there may be legal challenges to those higher releases.

Orcutt: So who gets the extra water?

- 40 Schleusner: More than likely CVP users.

Long: I think we need to have a discussion about this with myself, Brian Person, and Kirk Rodgers to get clarification of the subject.

- 45 Jordan: Next year's budget is being cut back. If there is not enough money to cover infrastructure needs, then we will never be able to implement full ROD flows. So how are we going to carry this out?

Orcutt: I'd like to explore opportunities to fix this problem.

5 **The flow work group will more than likely have a recommendation for flows by the 11th at the latest. Tentatively, the flow &/or framework conference call will be April 14th at 9am.**

Action Item:

Adoptions of the Minutes

10 Due to not having a quorum, TMC could not take action on this item. The minutes will be up for approval at the next meeting. Comments & edits will be submitted to Joshua Allen for editing and then resubmitted to Schleusner.

Open Forum: Comments from the public

15 No Comments.

Calendars: Confirm next meeting date and location
(Tentatively June 19-20, Weaverville)

20 The meeting date was changed due to a Klamath Task Force meeting being held on June 21-22.

Meeting was adjourned at 4:45pm.

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