

Draft Meeting Notes of the Trinity Management Council (TMC) meeting of September 17, 2001
Location: Red Lion Inn, Redding, CA

The meeting was opened by Chairman Mike Ryan at 9:05 am. He introduced Doug Schleusner, who is the new TMC Executive Director.

TMC Members and Staff Present: Chairman Mike Ryan, USBR; Doug Schleussner, Executive Director; Dave Hillemeier, Yurok Tribe; Laurie Fenwood, USFS; Ralph Modine, Trinity County; Mary Ellen Mueller, USFWS; Mike Orcutt, HVT; Neil Manji, DFG and Bill Mendenhall, DWR for the State of California; Irma Lagomarsino, NMFS (arrived at 9:35 am)

Others present: Russell Smith and Donna Darr, USBR; Jay Glase, USFWS; Scott McBain, McBain and Trush; Serge Birk, CVPWA; Byron Leydecker, CALTROUT and Friends of the Trinity River; Pat Frost, TCRCD; Curtis Anderson, DWR; Nick Hindman and Kirk Sornborger, WAPA; Jim DeStaso, USBR; Jeff Phipps, NCPA/WAPA; Bill Brock, USFWS; George Guillian, USFWS; Danny Jordan, HVT; Frank Dimick, Westlands WD; Joseph Jarnaghan, HVT; Charlie Chamberlain, Yurok Tribe; Tom Stokely, Trinity County Planning Dept. and note taker.

Chairman Mike Ryan noted that the State of California's vote is proxied to Bill Mendenhall of DWR and Neil Manji of DFG. If they both agree, they get one vote, if not, there is no state vote.

Doug gave a few introductory remarks. His name is pronounced Schloysner (spelled Schleusner). He was born in Yreka where his father taught at Fort Jones High. He worked 10 years in the Shasta Trinity NF, with 25 years total in the U.S. Forest Service. He has a bachelor's degree from the University of Idaho at Moscow, with a master's degree in landscape architecture from the University of Massachusetts, Amherst. He has also worked in Alaska. His wife's family is from Redding. He worked for 6 years in Santa FE, NM as a Forest Service resource officer and has been the last 5 years in Washington, DC. He is excited about the job and program, the depth and complexity. Doug will start on October 14, with his duty station in Weaverville. <Note: Doug is temporarily located at the Trinity Co. RCD office -530-623-6004>.

Approval of Minutes of 7/23/01 and 8/27/01 meetings:

Motion by Ralph Modine to approve the minutes of the 7/23/01 and 8/27/01 meetings, second by Laurie Fenwood, unanimous approval.

Public Comments:

Byron Leydecker gave some oral comments from a prepared statement (see attached):

Serge Birk gave oral comments on behalf of a group of interested stakeholder and parties from a prepared statement (see attached):

Jeff Phipps gave oral comments (not from a prepared statement) - He said the program needs more focus on restoration actions. Use science to make better decisions for pilot projects and to evaluate restoration actions, there needs to be more balance of restoration actions in this plan. Monitoring is critical, many of the monitoring isn't linked to specific restoration actions, monitoring needs to focus on efficacy of restoration actions and fishery responses to actions. Mary Ellen Mueller asked where monitoring isn't

linked to restoration actions. Jeff said there are a lot of geomorphic studies, but not a lot of studies of the fish response. Jeff said he would review his notes and come up with a more detailed response to her question.

Jay Glase brought up the spring flow schedule for next year, there may be advantages to altering the specific timing and instantaneous volumes, without changing the overall allocation of water. This might be discussed later in the meeting.

Scott McBain said the budget was linked to some of the issues such as the flow schedule. If the flow schedule is modified, it may have some impact on the priority of studies being contemplated. For instance, temp. and fish health issues are planned to be evaluated. If the schedule is modified, it may affect the hypotheses.

Mary Ellen Mueller asked who was at the June workshop? Scott McBain said some of the attendees at this TMC meeting were present then. She said appears to be a disconnect between the workshop participants and the draft budget. Scott responded that he can't speak for the stakeholders, and he can't say that there is universal buy-in to the concepts from the workshop just because folks were participants.

Serge said the stakeholders responded in a timely manner to the workshop invitation. At the conclusion of the meeting, he was under the impression that there would be a follow-up to the workshop and there would be an opportunity to review the documents and findings. That never happened and there was no collaborative effort, it has been a unilateral effort to develop the budget. Many of the groups meet alone and didn't review each others' work.

Budget and Program for FY 02- Scott McBain-

Prioritization Criteria-(from overheads by Scott McBain), which is the basis for development of the draft budget.

1. Implementation of ROD activities (mostly geomorphic)
Gravel Introduction
Bank/Channel Rehab: design/planning/bio surveys
Bridge improvements: design/planning/bio surveys
Some watershed work, but conduct evaluation in parallel
2. Information gaps identified from Flow Evaluation Study- portions of hydrographs with largest uncertainty and largest water consumption (wetter years)
3. Testing key hypotheses from TRFE- critically dry year and other water years
4. Baseline information upon which implementing the restoration program will be measured, i.e. aerial photography, snapshot of existing conditions to compare later.
5. Cost, cost effectiveness, ability to achieve objectives of study (technical feasibility)

Several items were discussed that were different from the previous budget reviewed by the TMC at its August meeting. It was noted that the budget needs to be reduced by \$1.2 million in order to be balanced with the request by the Administration for \$10.15 million in total funding (\$7 million from the Trinity River Division, \$2 million from USFWS and \$1.15 million from the CVPIA Restoration Fund).

The TMC went through the budget, line item by line item, with discussion of each line item.

There was a short break from 10:40-10:45.

Mike Ryan said he had discussed the Congressional budget status with his budget people and he hadn't heard of anything different being proposed by Congress at this time. Mary Ellen Mueller said that USFWS is expecting a rescission of the budget due to the terrorist attacks. Nobody knows at this point in time what Congress will do to the budget.

Joseph Jarnaghan expressed concerns with the slowness of replacing the bridges and costs involved in the SEIS/RDEIR, and the possibility of further budget reductions from the emergency in NY and Washington, D.C.

Ralph Modine noted that Trinity Co. is preparing a CALFED grant application for the bridge replacements which, if approved, would use the CVPIA Restoration Fund. The county has also applied for funding through the Department of Fish and Game's grant program.

Dave Hillemeier asked about the \$2.1 million for mainstem implementation in the FY 2001 budget? Is there any carry over? Russ Smith said there might be \$100k-\$200k carryover. The Sacramento folks are adding up the numbers now.

There was a general discussion of how different agencies consider administrative costs vs. project-specific costs. It appears that each agency does things differently.

Tom Stokely discussed the need for Environmental Impact Reports under CEQA (combined with EA's under NEPA) for site specific project work because the larger EIR had not been certified and won't be until the supplement is completed. He suggested the need to minimize the number of total environmental documents because each is a target for litigation.

Byron Leydecker brought up the concept that the SEIS may reopen the entire ROD, and that money from mainstem construction projects could be redirected to watersheds, the ROD may be different, and may take longer than anticipated to have the supplement completed.

Mike Orcutt said the program should move forward with what the judge has allowed to move ahead.

Donna Darr suggested that the TMC look at the medium priority projects for budget cuts.

Break for lunch from 12:30 to 1:45 pm. After lunch, the line by line discussion of the budget proceeded.

There was a general discussion of in-kind contributions from other agencies such as DWR, which has appx. \$350,000 in state funds for surveying, aerial photography and other related activities.

There was a general discussion of the budget process for next year. It was suggested to streamline the budget process, but the TMC still must understand the budget and not rubber stamp the budget.

There was a motion by Hillemeier for the TMC to approve the budget as modified by the TMC that day (see final budget approved by the TMC for details). The motion was seconded by Ralph Modine. Motion passed 7-1, with Mike Orcutt of the Hoopa Valley Tribe (HVT) voting No.

Public Comments-

Danny Jordan said he witnessed a redesign of the ROD through this budget process. If there are unfunded projects, it may jeopardize the coho salmon. This raises questions about the validity of the Biological Opinion by NMFS for no jeopardy. There is a need for budget planning and a need for a change in attitude in use of the CVPIA RF for use in the Trinity. The HVT was told that planning for budgets before the ROD was pre-decisional, now it is being ignored, he feels we are stepping backwards in terms of tribal trust and ESA considerations. This process is undermining the ROD and a serious concern of the HVT. This is not a fair process. The Trinity River has generated \$5.4 million in revenue annually to the CVPIA RF. The bridges should not be put in this budget- get it from Transportation Funds. The cost of the SEIS should come out of the federal gov't's budget, not this one. The TMC should take the position that the full amount of revenue from the Trinity River's water and power sales into the CVPIA RF be made available for this program.

Joseph Jarnaghan asked what the \$5.4 million in CVPIA RF money is used for? Why isn't it being used for the Trinity River?

Mike Ryan said that there needs to be a presentation to the TMC on the CVPIA RF and how its expenditures are determined.

Mike Orcutt said there needs to be clarification of the role of the stakeholders in this process because there are complaints.

Flow Schedule for next year- Jay Glase said we are restricted to a critically dry flow year, with a maximum of 1500 cfs. We might be able to obtain geomorphic advantages if the schedule were changed within the same total allotment. Scott McBain said the 1997 flood did a lot of nice habitat below Junction City to create gravel bars. However, recent years of lower flows have resulted in the berms re-forming. It is desirable to have higher magnitude flows to kill riparian vegetation and move the spawning gravel at Lewiston downstream. If flows were increased to 6,000 cfs, other flows such as temperature control would need to be reduced.

Stokely questioned if we have enough resources collectively to facilitate a flow schedule change, will NEPA be required? What amount of work will it require? Who will object? What won't get done? Mike Ryan will check with the Solicitor's Office on what could occur under NEPA.

The next TMC Meeting was scheduled for October 23 in Redding, 9-4 (subsequently postponed due to a lack of a federal budget).

Potential Future Agenda Items: Update on flows, budget, contract updates, staffing status, SEIS/R, developing RFP's, review Trinity Co. Grant Program RFP, CVPIA RF, SB 271/CCSRP, state budget process.

Motion to adjourn by Mary Ellen Mueller, second by Neil Manji, adjourned at 5:42 pm.