TRINITY MANAGEMENT COUNCIL SUMMARY
Hoopa Wildland Fire Facility, Hoopa, CA
September 20, 2006

TMC Members Present: Mike Long, Chair, *USFWS*; Brian Person, *BOR*; Bill Brock, *USFS*; Mike Orcutt, *Hoopa Valley Tribe*; Dave Hillemeier, *Yurok Tribe*; Tom Stokely, *Trinity County BOS*; Curtis Anderson, *DWR*

Non-Voting Ex-Officio TMC Member: Doug Schleusner, *TRRP Executive Director*

TMC Absentee Members: Irma Lagomarsino, Vice-Chair, *NMFS*

TMC De-Facto Secretary: Joshua Allen, *Trinity County*

Others Present: Arnold Whitridge, *TAMWG Chair*; Sherry Miller, *USFS/PSW*; Ed Duggan, *TAMWG Member & Willow Creek Fishing Guide*; Ed Solbos, Priscilla Henson, and Rod Wittler; *TRRP*; Mike Berry and Larry Hansen, *Department of Fish & Game*; Nick Hetrick and Joe Polos, *USFWS*; Tim Hayden, Yurok Tribe; George Kautsky and Robert Franklin, *HVT*; Tom Weseloh, *CalTrout*

The meeting was called to order at 9:05am.

<u>Regular Business:</u>

Introduction: Validate agenda items; approve minutes from June 19-20, 2006

The agenda as submitted by Schleusner was approved.

Orcutt moved to approve the minutes of June 19-20, 2006.

The motion was seconded by Brock, as amended.

Anderson asked about Franklin's proposed changes. He then requested that he and other TMC members be given the chance to review the edits prior to them voting to approve them.

Orcutt withdrew his motion.

The approval of the minutes were delayed to the following day (Sept. 21, 2006)

Open Forum: Comments from the public

There were no public comments at the time.

Report from TAMWG Chair

The report from the TAMWG Chair was postponed due to Whitridge being delayed.

Report from TMC Chair

Report from TAMWG Chair

Executive Director's Report

Orcutt had 3 questions/comments:

1. Regarding public education and outreach; there are so many subcommittees that it seems overwhelming but we should consider establishing a committee on it. If that doesn't work, I would advocate that the Field Office expand their areas of public education to Humboldt County BOS and other areas, especially given the fishing closures, because there is a need to sell the program and generate public opinion.
2. Regarding the Westlands Water District (WWD) letters about TRRP projects. I would like to know how much time it takes the program to respond to the letters and concerns. We've gone through so much litigation with WWD, yet they still hinder the implementation of the program. This costs a lot of money and time to deal with; what can the program do to end this?
3. Regarding flow scheduling, I have suggested using the ROD designated flows in the past. I've heard lots of excuses to not use it, but I am now hearing we might want to do just that. I feel that the ROD designation is a good baseline, but the scheduling needs to be adaptive for 2008 water year development.

FY2008 Budget Development Process Update:
Review August 31 meeting; recommend next steps

This topic was deferred to the following day's meeting due to Lagomarsino's absence.

Ad hoc Information Item:

Battle Creek Restoration Program

Information Item:

FY 2007 Budget Proposal Overview
Current funding assumptions; Priorities/emphasis for PA, RIG, TMAG; Q&As for clarification

The TMC meeting adjourned for a traditionally prepared salmon lunch provided by the HVT at 12:30pm and reconvened at 1:15pm.

FY2007 Budget Discussion Roundtable
Highlights and concerns by TMC members

Action Item:

Approval of FY2007 Budget (w/ Increments)

Adjustments/counterproposals by TMC members

Options

1. reallocate $155k to watersheds
2. reallocate $155k to RST
3. Make WS and RST top priorities if additional FY 07 $
4. Make fry density, bed scour and USGS QA top priorities if more FY 07
5. drop habitat design review

Orcutt made the following proposal:

- $40k for wildlife (+$115)
- Eliminate $30k for habitat design review
- Reallocate Fry Density $90k
- Reallocate LWD $10k
- Reallocate Scour Model ($90k)
- Temperature $10k

Of the remaining $985k, the following is what the named members propose:

	RST	Wildlife	Watersheds
• Orcutt:	$570k	$40k	$375k
• Brock:	$570k	$155k	$260k
• Person:	$500k	$155k	$330k

Stokely moved to go with Brian's modified proposal:

Zero out habitat design review, fry density, LWD mapping, scour model, and water temperature equipment. Then reallocated those funds for RST by increasing the amount by $100k to bring the amount to $500k, and increase watershed funding by $130k to bring the amount to $330k; this would reflect total reallocation change of $230k.

Brock made a second to the motion.

Orcutt: I would like to make an amendment to that motion. I would like to add an additional $70k for rotary screw trapping and to not put it out for competitive bid in 2007.

There was no acceptance of the amendment as given.

A vote on the motion was taken:

Trinity County: Yea
USFS: Yea
USFWS: Yea
HVT: Nay

YT: Yea
BOR: Yea
State (DWR): Yea

The motion passed.

Anderson moved to have any additional funds that become available above the $230k figure be allocated to pay off bow wave for implementation. The motion includes the +$1 million and +$2 million figure which would be added onto the President's Budget.

Stokely made the second to support the motion.

The motion was not voted on and was deferred for discussion at the next following day's meeting.

Adjourn for the day

Hillemeier moved to adjourn the meeting, reconvene at 8:30 am the following day, and continue the discussion in the morning.

Person made a second to the motion.

A **vote on the motion was taken as follows:**

The motion to adjourn was unanimously approved.

The TMC meeting adjourned at 4:45 pm.

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Non-Voting Ex-Officio TMC Member: Doug Schleusner, *TRRP Executive Director*

TMC Absentee Members: Brian Person, *BOR*; Bill Brock, *USFS*

TMC De-Facto Secretary: Joshua Allen, *Trinity County*

Others Present: Ed Duggan, *TAMWG Member & Willow Creek Fishing Guide;* Tim Hayden, *Yurok Tribe*; Sherry Miller, *Redwood Sciences Lab USFS*; Joe Polos, *USFWS*; Robert Franklin, George Kautsky, & two unknown from HVT fishery staff, *HVT*; Gil Saliba, *NEC & Audubon Society Liaison*; Rod Wittler, *TRRP*; Tom Weseloh, *Caltrout*

The TMC convened at 8:45 am.

Long thanked the HVT for providing lunch with fresh caught salmon cooked in the traditional manner; it was appreciated.

<u>Action Item:</u>

Approval of FY2007 Budget (w/ Increments) cont…
Adjustments/counterproposals by TMC members

Executive Director's Recommended Funding Priorities
Above the FY2007 President's Budget Level
(Assumes list of TMC priorities totaling $230,000 as approved on 9/20/06)

Suggested Rank	Project/Activity	PB+1 (1,000,000 -230,000 = 770,000)	PB+2
1	Dark Gulch Rehab (34)	+150,000 = 150,000	+400,000 = 550,000
	Lewiston 4 Rehab (35)	+150,000 = 150,000	+500,000 = 650,000
2	Coarse Sediment Augmentation (44)	+150,000 = 400,000	+100,000 = 500,000
3	Fill 5th SAB Position (7)	+25,000 = 125,000	
4	Weir Operations (101)	+30,000 = 580,000	
5	Carcass/Redd Surveys (102)	+40,000 = 240,000	
6	Local Sediment Source Control (47)	+75,000 = 75,000	
7	IAP; Science Symposium (54, 55, 56)	+50,000 = 50,000	
8	Tribal Harvest Survey, Lower Trinity (99)	+100,000 = 100,000	

Anderson moved the following:

In order to finish the first 24 RIG projects by Sep 2009, the program would need to budget for the FY07 PB at $1.58 million for implementation of mainstem projects and an additional estimated $3.075M for FY08 for a total of $4.655M to stay on schedule. It would be assumed that the program budget would be $14.425 million in FY08. In order to get ahead of the balloon payment, the program would need $1.575 million in FY08 to buy down the bow wave.

Stokely made a second to the motion.

The vote on the motion was taken:

BOR: Yea
YT: Nay
DWR: Yea
HVT: Nay
USFWS: Yea
NMFS: Yea
TC: Yea

The motion failed.

Stokely moved to appropriate the first million dollars to reduce the bow wave and then appropriate the second million dollars for Schleusner's hybrid recommendation.

Hillemeier seconded the motion.

Stokely and Hillemeier agreed to withdrew the motion and second believing that it would not pass the vote.

Orcutt moved to modify the TRRP hybrid as outlined above under PB+$1M, as represented, with an addition of $60k to RST. 9 items would be changed.

Lagomarsino seconded the motion.

Anderson: I would support the motion if the PB+2M if the second million were specifically designated for the RIG to reduce the bow wave.

Lagomarsino asked Orcutt if he would amend the motion as stated by Anderson.

Orcutt accepted the friendly amendment.

Irma accepted the second, which included placing RST between priorities #3 and #4.

The vote on the motion was taken:

The motion was unanimously approved.

Person left the meeting at 9am to attend an OMB meeting.

Information Item:

FY2008 Budget Development Process Update
Review August 31 meeting; recommend next steps
(Item was on the previous day's agenda & was moved due to Lagomarsino's absence)

Regular Business:

Approve the minutes from June 19-20, 2006
(Moved from the previous day so TMC members could review changes to the minutes)

Stokely moved to adopt the minutes, as amended and discussed.

Lagomarsino made a second to the motion.

The vote of the motion was taken:

The motion was approved unanimously.

Information Item:

IAP and Habitat Assessment Steering Committee Update
Progress report and scheduling

Habitat Assessment Steering Committee: Rod Wittler, Tim Hayden, Joe Polos, Robert Franklin, Wade Simmons, Tom Weseloh, and Curtis Anderson.

IAP Steering Committee: Rod Wittler, Tim Hayden, Joe Polos, Robert Franklin, Wade Simmons, Tom Weseloh, and Curtis Anderson.

Hillemeier left the meeting to attend an appointment in Yreka. Tim Hayden stepped in to represent the YT as an alternative.

Action Item:

Proposal for TRRP Goal Statement to Guide IAP
Review/approve Steering Committee's recommendation

Action Item:

Proposal for 2007 Flow Schedule Development
Use of ROD hydrograph to minimize work load impacts

Stokely moved to use the ROD defined hydrograph flows for the 2007 water year.

Lagomarsino made the second to the motion with a friendly amendment that the program would reconsider the use of those flows if extraordinary circumstances arise.

Stokely accepted the friendly amendment.

The vote on the motion was taken:

HVT: Abstain
YT: Nay
DWR: Yea
TC: Yea
USFS: Yea
NMFS: Yea

Absent: BOR

The motion failed.

Hayden moved to have the technical working groups, agency reps, and TAMWG reps work with TMAG staff to develop a process to streamline the flow scheduling process for 2007, including consideration of adoption of the ROD flow schedules.

Orcutt seconded the motion for discussion.

The motion and second were withdrawn.

Regular Business:

Open Forum: Comments from the public

There were no comments from the public.

Calendars: Confirm next meeting date and location

The next TMC meeting will take place on December 13th-14th in Weaverville. The TAMWG will meet the week before.

Orcutt suggested that holding a meeting on the coast in March would be appropriate being that most meetings are held in the Weaverville area. Such a meeting could be fully announced publicly and would probably be well-attended.

Allen indicated it may be appropriate to hold the meeting at Humboldt State University, being that the program has yet to take advantage of our local institute of higher learning to hold meetings so that students who are studying science, natural resources, fisheries, etc…can attend and learn from the process. He stated that he was an Associated Student (AS) Council member during his educational tenure at HSU and could probably get the support of AS for the meeting. He will work with his contacts at HSU to possibly set up the meeting venue in March and report back to the TMC at the December meeting.

Adjourn

Chairman Long adjourned the meeting at 12:52 pm.

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The meeting was called to order at 9:05am.

<u>Regular Business:</u>

Introduction: Validate agenda items; approve minutes from June 19-20, 2006

The agenda as submitted by Schleusner was approved.

The Hoopa Valley Tribe (HVT) requested a few edits to the minutes of June 2006. The changes were given to Allen by Franklin as a hardcopy and softcopy to incorporate into the final approved minutes.

Another change, found under the second day's IAP discussion, line 20, within the second sentence needs to specify that Peltier is "receptive", instead of "advocating" a similar approach and found in the same sentence the term "they" needs to be changed to "we".

Orcutt moved to approve the minutes of June 19-20, 2006.

The motion was seconded by Brock, as amended.

Anderson asked about Franklin's proposed changes. He then requested that he and other TMC members be given the chance to review the edits prior to them voting to approve them.

Orcutt withdrew his motion.

The approval of the minutes were delayed to the following day (Sept. 21, 2006)

It was noted that the USFS will not attending the following meeting, so the TMC will try to get the review and approval done later in the day.

Open Forum: Comments from the public

There were no public comments at the time.

Report from TAMWG Chair

The report from the TAMWG Chair was postponed due to Whitridge being delayed.

Report from TMC Chair

Long had the following to report:

- Thanks to HVT for hosting the meeting

- Thanks to many TMC members and TAMWG members folks for their participation in the B-Team and Budget subgroup meetings. Appreciate their involvement.

- I want to thank my fellow TMC members and alternates for so much hard work;

    - Curtis for his work on the IAP and Roles and Responsibilities issue;
    - Irma for her work leading the Budget process subgroup;
    - Bill Brock and Sharon for their work on the Lewiston gravel augmentation project.
    - Roger Jaegel and Tom Stokely for their work on watershed grants, roads and floodplain issues;
    - The Mike Orcutt and Dave Hillemeier and their staffs for the on-river work, and their continuous advocacy for the Program.
    - Brian for bringing lots of money to the Program, and for bringing new ideas and energy into the Program.

- IAP Process – the IAP process approved at the last TMC meeting was subsequently revised based on recommendations from the IAP working group. We had a conference call in late July to adopt the new schedule and process.

- Budget subgroup – Irma will be reporting on the efforts and status of this group later this morning.

- At the last meeting we voted to send a letter to Kirk Rogers and Steve Thompson requesting they support full Program funding, and, for FY07, provide at least the level of funding identified in the FY06 President's Budget.

- The Program received a response from Kirk Rodgers and Steve Thompson.

Once again, I'd like to use this opportunity to restate what I think the short-term priorities of the Program are:

1) Completion of the IAP;
2) Development and adoption of a revised budget development process to be implemented for the FY08 budget;
3) Agreement on Roles and Responsibilities of all program participants.

Today's agenda will be dominated by discussion of the FY07 Budget. Given that we are only less than 2 weeks away from the start of FY07, and given that we have spent an awful lot of time on this budget to date, we simply must come to an agreement on the budget today. If we cannot agree on an FY07 budget, the issue will need to be decided by the BOR and the FWS. I think we all want to avoid that eventuality, so I will ask now, and again later, that each one of us look for common ground and be willing to compromise to get a budget passed today.

I want to let folks know that I plan to strictly limit input/questions from the public and staff this meeting in an effort to keep things moving along. I will be asking Arnold if he has input as the representative of the TAMWG.

If members want to have their staff provide some input, they can ask to do so, but I will request that such input be brief.

Report from TAMWG Chair

Whitridge: The TAMWG met last week for the most part of 2 days; they mostly considered the budget. They are aware that the budget is not close to full program funding, but they favor full program funding to avoid substantial delays. But it's difficult for the public to understand how the full program isn't even requested by the agencies that request funding. The TAMWG thanks you for "consideration" of full program funding for FY2007. The TMC should seek to use CVPIA funds to help fix problem, as those funds are partly generated by water and power revenues produced from Trinity River water.

There are necessary costs to cover environmental compliance work which was not built in; the TMC needs to take a closer look at that issue to ensure that those costs are adequately budgeted. Environmental compliance costs should not be displayed in the budget under Administration or TMC costs, but rather under projects that they are intended to serve in the RIG to provide clarity, and also to avoid high administrative costs for the program. The TAMWG generally endorses the budget strategies identified in the budget. Though TAMWG doesn't want to endorse what appears to be an inadequate budget; they don't want to send message that it's reasonable or tolerable. But if in fact lower levels of funds are available, then TAMWG had arguments with what staff has proposed. They would like a prioritized list of projects. They would like to give the program reasonable latitude to adjust budgets on projects and revenues without having to convene the TMC, TAMWG, etc…, but also to continue to provide reports on budgets and expenditures. The TAMWG wants the program to make sure that there is adequate funding available for necessary floodplain mods, complete the IAP, implement channel rehabilitation, implement gravel placement , and monitor juvenile fish health. The TAMWG is on record from past meetings for recommending that wildlife monitoring and watershed restoration be fully funded and implemented, and that recommendation is still in effect. I commend program staff for undertaking cost comparisons that might result in cost savings; they didn't make any findings on the accuracy or completion of those comparisons, but keep support for those issues. They were all unanimous recommendations.

The TAMWG also considered the goal statement for the IAP steering committee. They voted 9 in favor to 2 opposed in supporting the goals to restore dependent fisheries only applying to tribal, not commercial or sport fisheries.

Hillemeier: I would like more specifics about environmental compliance funding in the budget.

Whitridge: Those costs should be in the RIG, not in the TMC participation/administration budget. TAMWG didn't want to identify a specific entity in the motion.

Schleusner: There have been changes in the budget spreadsheet that Arnold might not be aware of to address that issue.

Orcutt: I'd like to thank Arnold and the TAMWG for pointing out the inadequacies of the budget. The discussion of the goals of the program was related to a request by the commercial fishing industry, but they aren't represented on the TAMWG. In 1996, the commercial fishers were involved, but now they aren't. It's incumbent that we educate the public about the impacts to Klamath-Trinity basin fish. There are a lot of people asking what's being done about it; we have a plan and program in place, but there's not adequate funding. If we had more funding we would have more projects in place for a restored channel and fisheries. I would like to educate the public, which will help us fix the Klamath-Trinity problems by making them more aware of the issues.

Anderson: The program has certain priorities such as floodplain issues, IAP, channel rehab, and juvenile fish health.

Duggan: There used to be a commercial fishing rep, but they never made it to the meetings. When the TAMWG readvertised for that position, that person didn't get their application in for the latest appointments.

Weseloh: I voted no on the motion about beneficiaries. It has to also include sport fishing communities; if they aren't dependent, who is? There was an attempt to qualify the language that sport and commercial aren't dependent, but they are so he voted no. While the IAP process, subcommittee, and work are moving ahead, it's not a silver bullet for the TMC to think it's solving the budget problems. There will still be budgetary problems, so don't set your expectations too high. In regards to the budget; you don't want to go line by line, dollar by dollar. The budget subcommittee is doing a good job with this. The TMC could spend 5 days on this topic and never achieve consensus. Listing general priorities on where you want to go and how to make it work better would improve the process and you should strive for.

Executive Director's Report

Schleusner had the following report:

1. Summary: Since a written quarterly report was not supplied at the June TAMWG and TMC meetings, this report covers the period from April to September 2006. Primary areas of emphasis and accomplishments for the TRRP staff and partners during this time have included: 1) continued work on FY2006 financial assistance agreements; 2) development and revision of draft budget proposals for FY2007; 3) evaluation of current budget development procedures and ways to improve them for the FY2008 budget cycle; 4) coordination with affected landowners to complete "accords, agreements, and satisfactions" necessary for floodplain structure modifications in preparation for spring 2007 dam releases; 5) pre-design and NEPA/CEQA compliance activities for the Canyon Creek Suite and Indian Creek channel rehabilitation sites; 6) implementation of the Lewiston Hatchery Coarse Sediment Augmentation Project; 7) refinement of study design and operations plan for fish habitat assessment activities and initial field work; and 8) continued efforts to review/revise goals, objectives and schedule for completion of Chapters 1-3 of the Integrated Assessment Plan.

   This is the first Director's Report to include several simplified Gantt charts to help illustrate the Program's progress and significant work scheduling issues to aid in TMC oversight and policy discussions. Nearly all of the tasks could be expanded into their component parts, and very detailed charts are available (upon request) for many projects. Some representations of "completed" and "remaining" activities focus more on schedules rather than quantity, but we will continue to improve upon these displays. Your suggestions are appreciated.

2. General Program Administration:

   - FY2008 Budget Development Process and Subcommittee Results: At the June TMC meeting Irma Lagomarsino was asked to convene an informal subcommittee to examine the budget development process and find ways to improve it for FY2008. Doug Schleusner prepared a concept paper that identified a number of problem areas and possible solutions which he shared with the group on August 31 in Arcata. The group will meet again on October 19. A key finding and major recommendation to the group is that the TMC should plan on approving the FY2008 budget at the March 2007 meeting because of other scheduling requirements established by Reclamation's Acquisition Services.

   - Workgroup Meetings: All workgroups have had at least several meetings and conference calls during the past six months. Reports continue to be generally positive, especially regarding advance notification using the master e-mail list. There are several ideas in circulation on how to make these groups more effective, including better follow up with meeting notes, reassigning the riparian and wildlife components, and asking for more specific work products during the budget development process. More information on these topics will be provided in coming weeks.

   - Public Education and Outreach: The TRRP website (www.trrp.net) celebrated its one year anniversary in August. Use continues to average between 2000-2500 site visits per month. Updated on a monthly basis, we have incorporated links for current stream gage data, flow schedules, reservoir levels, and an e-mail notification service. This site has been very useful for posting draft and final environmental documents for public review, and the before/after photos of current construction projects continue to be well received. The TRRP has been represented in numerous presentations and exhibits during the past six months, and many more are planned into the fall and winter.

3. Rehabilitation Implementation Branch:

- Browns Mountain Road/Culvert Repair: Ed Solbos has continued to work with the Denver Technical Services Center to identify problems associated with this road project and to develop/implement a permanent design solution. He and his staff are also working with Trinity County to identify short-term actions to ensure the road's function through the winter and next spring's releases. As stated in the FY2007 budget documents, this repair will be funded by Reclamation out of non-TRRP dollars.

- Floodplain Structures: During the May 2006 peak releases we reached 10,100 cfs with minimal tributary accretions. Activities are on schedule to ensure that dam releases of at least 11,000 cfs with 10 year tributary flows will be possible in 2007. The TRRP has processed over 30 "Agreement, Accord, and Satisfaction" documents totaling over $140,000 with property owners that have structures requiring modification. These agreements are recorded on the landowner's title at the County Courthouse and relieve this program of any future liability at those locations.

  On September 1, this office mailed out over 400 letters ("return receipt requested") to riverfront landowners formally notifying them that beginning in the spring of 2007, the TRRP would implement up to 11,000 cfs depending on the water year type. The letter also provided information about the "Potable Water and Sewage Disposal System Assistance Program" and numerous applications have been handed out since that date. Two major structures (one house and one garage) still require some type of modification or relocation, and negotiations with the landowners are underway.

- Channel Restoration Sites: The Lewiston Hatchery Coarse Sediment Augmentation Project was completed in late August, ahead of schedule and before the Labor Day weekend. This project included channel widening and instream channel excavation as well as gravel augmentation. It was a very successful partnership with the US Forest Service, who performed NEPA compliance, permitting, and construction contract management. The TRRP prepared construction drawings and specifications, and approved the FONSI on May 31. Due to the unexpectedly high cost of gravel, only 2,500 tons out of the planned 9,000 was placed along 1800 feet of river adjacent to the hatchery. The project was designed so that additional volumes of gravel can be added in 2007 and beyond, funds permitting. Very few complaints were received during the construction period.

The final EA/EIR for the Canyon Creek Suite of Rehabilitation Sites was completed and the FONSI signed on August 30, with contract award planned in the near future. This will allow construction to start in early October.

The draft EA/EIR for the Indian Creek channel rehabilitation site was released on August 3, and a public hearing will be conducted by the County in Weaverville on September 14. Designs are being prepared by the TRRP, and construction will occur in 2007.

4. Modeling and Analysis Branch:

- Scientific Framework and Integrated Assessment Plan: At the June TMC meeting a steering committee was established with Curtis Anderson as the chair of the group. They have been meeting frequently with TMAG staff and the ESSA representatives during the past three months, with particular emphasis on process and overall goals and objectives that will lead to a final version of Chapters 1-3 by December. The first meeting for all program participants will be at Reclamation's Keswick Office September 25-29, followed by a smaller writing session on October 10-12. The first product of the steering committee is a draft program goal which will be presented at the September TAMWG and TMC meetings. Concurrence with such a goal statement is critical to making further progress on the IAP.

- Habitat Assessment: Field work for both 2-d and Empirical Habitat Mapping (EHM) is nearly completed for this field season. The original vegetation cover mapping (McBain & Trush 2001) has been validated, and initial substrate mapping has been completed. Hydraulic data (WSEL, rating curves) is complete, as is the Habitat Suitability Criteria for modeling (Numerical Habitat Mapping – NHM). Most data (low & medium flows) for 2-d model calibration has been collected. Model validation is underway. Two reaches of the mainstem have been mapped by field crews using EHM. Digitizing of those maps should be completed by late October. Collectively, this information should set the stage for a productive discussion at a habitat assessment symposium later this year or early 2007 that will influence the program of work in 2007. Curtis Anderson is also the chair of a steering committee for this effort as well.

- Flow Scheduling: The technical analysis and planning meetings that led up to this year's approved flow schedule are widely regarded as valuable, productive, and a model for future collaborative AEAM efforts. There have been suggestions, however, within the budget process subcommittee that in 2007 the program should use the standard ROD hydrograph for whatever water year type that occurs in order to allow concentrated efforts on the IAP and FY2008 budget. This will be discussed at the September TMC meeting.

- IIMS: The Integrated Information Management System (IIMS) for the Trinity River Restoration Program is making substantial progress. Initial data sets have been acquired and loaded into the system. A training session for program partners is scheduled for November.

- Significant Data Collection: High flow videography, low flow photography, sediment monitoring, post high flow observations of channel conditions.

- Design Input to Implementation Projects: TMAG has actively assisted in development of objectives for the Lewiston and Dark Gulch channel rehab projects in cooperation with the RIG and the larger TRRP ID Team. The TMAG is also working on a large woody debris (LWD) policy proposal for consideration by the TAMWG and TMC at a future meeting.

5. Recent Events and Meetings (Periodically refer to website calendar for updates):
    - April 1 – TRRP Presentations at California/Nevada Chapter of AFS (Nina Hemphill, Tim Hayden, Wade Sinnen), San Luis Obispo, CA
    - April 3 - TRRP Presentations at Federal Interagency Sedimentation Committee (Andreas Krause, Dave Gaeuman), Reno, NV
    - April 10 – Final Water Year Determination
    - April 11 – Flow Scheduling Work Group Meeting
    - April 11 – TAMWG Strategic Plan Conference Call
    - April 14 – TMC Flow Schedule Conference Call
    - April 24-28 – COTR (contracting) Training at Shasta
    - April 17-18 – Physical, Fish, Riparian, Wildlife Work Group Meetings, Weaverville
    - April 26 – G2G Meeting with Hoopa Valley Tribe, Shasta
    - May 3 – G2G Meeting with Hoopa Valley Tribe, Shasta
    - May 3 – Watershed Work Group, Weaverville
    - May 8 – CVPIA Program Activity Review (PAR) Program Managers Meeting (Ed Solbos), Sacramento
    - May 9 – Budget Work Group Meeting (2007 Budget Planning), Weaverville
    - May 22 – Meeting with CDFG on Revegetation Plan for Rehab Sites, Redding
    - May 23-26 – Peak Release of 10,000 cfs
    - May 25 – TRRP IDT Meeting, Weaverville
    - May 26 – G2G Conference Call with Hoopa Valley Tribe
    - May 31 – TRRP Adopts USFS EA and Signs FONSI for Hatchery Site Rehab/Gravel Project
    - June 4 – TRRP Presentations at North American Benthological Society (Nina Hemphill, Tim Hayden, Wade Sinnen), Anchorage, AK
    - June 6 - Budget Work Group Meeting (2007 Budget Planning), Weaverville
    - June 12-13 – Rehab Site Design Field Trip and Planning Meeting
    - June 13 – TRRP High Flows Presentation to Rotary (Doug), Weaverville
    - June 14-15 – TAMWG Meeting, Weaverville
    - June 19-20 - TMC Meeting, Weaverville
    - June 26-29 – TRRP Presentation (Doug) at American Water Resource Association (AWRA) Summer Conference, Missoula, MT
    - July 11 – G2G Meeting with Hoopa Valley Tribe, Shasta
    - July 11 – Watershed Work Group Meeting
    - July 19 – Fish Work Group Meeting, Weaverville
    - August 1 – Contract Award for Hatchery Site Rehab/Gravel Project

- August 3 – Draft EA/EIR for Indian Creek Project Available for Public Review
- August 10 – Trinity River Watershed Council (CRMP), Weaverville
- August 10 – IAP Conference Call
- August 14 – G2G Meeting with Hoopa Valley Tribe, Shasta
- August 16 – Physical Work Group Meeting, Weaverville
- August 17 - Budget Work Group Meeting (2007 Budget Planning), Weaverville
- August 22 - Hatchery Site Rehab/Gravel Project Completed
- August 23 – Browns Mountain Road/Culvert Repair Design Review
- August 25-27 – TRRP Exhibit at Trinity County Fair, Hayfork
- August 28 – USFS and TRRP "Lessons Learned" Review of Hatchery Project
- August 30 –Canyon Creek Rehab Sites Final EA/EIR Completed and FONSI Signed
- August 31 – TMC Budget Subcommittee (FY2008) Meeting, Arcata
- September 1 – 400+ Realty Letters Mailed (notification of future high flows and grant program)
- September 6 – G2G Meeting with Hoopa Valley Tribe, Shasta
- September 11 – G2G Meeting with Yurok Tribe, Weaverville
- September 12 – Presentation to Shasta-Trinity Fly Fishers (Doug), Weaverville
- September 12-13 – TAMWG Meeting, Weaverville
- September 13 – Secretary of the Interior's Listening Session, Redding
- September 14 – Indian Creek Rehab Site Public Hearing, Weaverville
- September 15 – CEQA Certification of Canyon Creek Rehab Sites EIR
- September 15 – TRRP Presentation (Doug, Serge Birk) at Water Education Foundation Tour, Redding
- September 18 – TRRP Design Team Float Trip and Meeting, Upper River
- September 20-21 – TMC Meeting, Hoopa Fire Hall

6. <u>Upcoming Events (Periodically refer to website calendar for updates)</u>:
    - September 25-29 – IAP Meeting #1, Keswick Office
    - September 29 - G2G Meeting with Hoopa Valley Tribe, Shasta
    - October 8 – TRRP Exhibit at Trinity County Salmon Festival, Weaverville
    - October 10-12 - IAP Writing Session, Keswick Office
    - October 11 – Watershed Work Group Meeting
    - October 17-18 – North Coast Regional Water Quality Control Board Quarterly Meeting, Weaverville
    - October 18 – Fish Work Group Meeting, Weaverville
    - October 19 - TMC Budget Subcommittee (FY2008) Meeting, Arcata
    - October 21 – TRRP Exhibit at Coleman Hatchery "Return of the Salmon"
    - October 23-25 – CALFED Science Conference, Sacramento
    - November 13-17 – SALMOD Training Workshop, Arcata
    - November 14 – Physical Work Group Meeting, Weaverville
    - November 27-December 1 – IAP Review by TMC and SAB
    - December 6-7 (tentative) – TAMWG Meeting, Weaverville
    - December 13-14 (tentative) – TMC Meeting, Weaverville

Orcutt had 3 questions/comments:

1. Regarding public education and outreach; there are so many subcommittees that it seems overwhelming but we should consider establishing a committee on it. If that doesn't work, I would advocate that the Field Office expand their areas of public education to Humboldt County BOS and other areas, especially given the fishing closures, because there is a need to sell the program and generate public opinion.
4. Regarding the Westlands Water District (WWD) letters about TRRP projects. I would like to know how much time it takes the program to respond to the letters and concerns. We've gone through so much litigation with WWD, yet they still hinder the implementation of the program. This costs a lot of money and time to deal with; what can the program do to end this?
5. Regarding flow scheduling, I have suggested using the ROD designated flows in the past. I've heard lots of excuses to not use it, but I am now hearing we might want to do just that. I feel that the ROD designation is a good baseline, but the scheduling needs to be adaptive for 2008 water year development.

Schleusner: Related to the Indian Creek Project; we need to develop responses towards Westlands comments. It is not time consuming to respond to the letter. The County will be contacting legal counsel for their final response. There are other things to deal with on Indian Cr. EA/EIR and we will have to do a supplement to deal with other issues.

Brock mentioned that USFWS spent a week with their NEPA team dealing with the Westlands' letter on the Lewiston Gravel Project.

Stokely said that the county considers the letter from Westlands a threat of litigation and he will be looking into ways to pay for legal defense of the Indian Cr. EIR.

Schleusner responded regarding public education: Commercial fishermen response is not strong; maybe we don't need a subcommittee. There is a need however, to increase our outreach; there may be other things to do. It's something we can all work on together.

Long: If more discussion is needed; I can put this on future agenda for TMC.

FY2008 Budget Development Process Update:
Review August 31 meeting; recommend next steps

This topic was deferred to the following day's meeting due to Lagomarsino's absence.

<u>Ad hoc Information Item:</u>

<u>Battle Creek Restoration Program</u>

Anderson gave an overview of the Battle Cr. Restoration Program. The Greater Battle Cr. Working Group is a broad range of private and governmental interests. They developed a display to send around, along with a brochure. TRRP could use something like this for public education purposes. Anderson also introduced Mike Berry with CA Department of Fish & Game (DFG), who helped produce that brochure. He is the new DFG technical representative, taking Harry Rectenwald's position.

<u>Information Item:</u>

<u>FY 2007 Budget Proposal Overview</u>

Current funding assumptions; Priorities/emphasis for PA, RIG, TMAG; Q&As for clarification

Long: The TMC should try to stay focused on 2007 budget allocation issues only. Each TMC member will give a 3-5 minute overview of their position on the budget. Then each member will identify deal killers that would generate a no vote. We will keep track of those on the flip chart. Then we'll discuss on how to handle 3 different budget levels. We could develop a list of projects to fund with additional funding; which may buy down the bow wave of construction.

Schleusner gave an overview of the proposed budget and process. He was hoping for more clarification of budget before the meeting, and the TMC probably should have slugged it out at the June meeting because they don't know more about the budget now than before; but it could have helped to have a more informed discussion about the budget. On August 17th he gave a proposal for $10.2 million budget. The most important thing he heard from the B-team was several incremental budgets. They also discussed USFWS leftover funding which would have gone into the Indian Cr. Project and watershed work.

Solbos mentioned that they try to carry over the USFWS funds; whenever they get other funds, those are spent first, and the USFWS funds are saved for use last so there are other funds to carry over into the next FY if necessary. This is not a bad thing; it's a good thing because they came up with other funds.

Orcutt noted that DFG and USEPA grant funding for the Indian Cr. Project shouldn't be shown in the budget because it muddies the water; it should be clarified by a footnote. How does a tiered approach reconcile with the Senate adding $1-2 million and the potential for CVPIA funding? If we get the $2 million, would we still try for the CVPIA Restoration Funds?

Person said that the tiered approach is congruent with the response from Kirk Rogers and Steve Thompson to build the budget with a "walk up" approach. If the program gets the funds, we would know how to deal with it, but we should not count on it.

Orcutt: It doesn't set any limitations on what happens in Congress. Where is the line drawn on how much we ask for?

Person: The TMC is on record supporting full funding, but we should budget using the President's Budget as reference. There is no limitation on us getting CVPIA RF dollars. Nothing we've done says we don't want that money. If we get more money, we can spend it a number of ways.

Orcutt: In the future, when CVPIA RF are being requested, the tribe would like to have input or consultation.

Solbos: The request for CVPIA RF was based upon dealing with the bow wave because it's most compelling. We are currently focusing on changes since June. There is some sort of perception that the Weaverville office is proposing to hire field crews. It's not true and there is no intention of the staff taking on field monitoring and supervising in a substantial way. However, we would like to supplement existing work with existing staff. As for TMC participation; there are only 2 entities that have funding associated with it. We used year-end money to fund the USFS for 2007/08; Trinity County and DWR will be receiving 2007 funding. The TAMWG underestimated the figure: higher full program funding for the County is more likely in the amount of $174,000.

Stokely: The County still hasn't received funding or notification of any award, even though we were told "it's in the mail". I hope to have that grant be signed by the CAO and that the BOS will ratify that signature at their first meeting in October. However, it should be noted for the record that "full program" funding for the County is much more than that estimate. Just to keep the doors open to even participate in the program with Josh & I, costs are more like $193,000 for personnel plus administrative overhead costs (i.e. rent, utilities, travel, etc…), so that total figure is more like $250,000. Currently we try to make up funding shortages through other grants, however the low hanging fruit is pretty much gone for us to apply to grants for, but the majority of all the work we do is associated with the program, and the fact is we need more funding.

Orcutt observed that this is the first time that funding has been provided in one fiscal year for the next fiscal year. This new spin on obligating funds for future fiscal year is new to him. He's concerned about carryover and ask about additional funding when there is carryover funding each year. That problem is a matter of adjusting the contracting process. It's been a cushion and buffer for the TRRP, but we need to prioritize the budget. When there is surplus money, we should look at innovative ways of accessing that money.

Solbos emphasized a few accomplishments:

- The Canyon Cr. contract will be awarded; the bid came in below the engineer's estimate. We will try to obligate it with FY 2006 funding.
- The environmental compliance contract with North State Resources is expiring; we went through new bids, and they won the competitive contract. We were also able to obligate the entire contract thru FY2009 with the FY2006 budget. The value of the NSR contract was $580k through FY2009. It is unknown when the Master EIR Draft will be available.
- Floodplain Structures are moving along. They moved a house, added $50k for well and sewer grant program to bring it up to $265k, and there are about 30 applicants for the program.
- Gravel placement is moving ahead, though they didn't have enough money for to purchase the full amount of coarse sediment; they placed more funding in that line item to cover costs. The contract awards will be deferred for the Dark Gulch and Lewiston sites until 2008; though it could delay the award for a year due to monetary factors.

- Increased CEQA lead by $25k and increased watersheds by $50k to $200k.
- In the $10.2M budget, they would award Lewiston 4 and Dark Gulch in 2007, but would have to still defer for more gravel; $11.2M would get even more gravel. More gravel would come from Indian Cr. project by processing them on-site and delivering that gravel to hatchery and other rehab sites. I would also highly recommend that the program avoid out of basin gravel for in-basin instream use. This would help to reduce invasive species problems by having out of basin spoils piles.

Orcutt: The TMC made a motion to obligate remaining FY2006 funds with a strong consideration of anything that relieves budget pressures in 2007. I'd like to see a total break down of all categories that fell into that category. My concern is heightened that we're putting money into contingencies for future years (GMA, NSR); we're putting a lot of things into the "what" if category, but other projects may not happen at all. It limits flexibility on a number of activities.

Schleusner: We can't let the NEPA/CEQA compliance process slip in order to keep the projects moving ahead. The NSR contract gets us going with the programmatic EA/EIR that covers the last portion of Phase I projects and all of Phase II which will allow a streamlined processing later. This is not speculative and it buys us a lot of flexibility in future years.

Orcutt: What about the $400k for sediment monitoring? I disagree with that amount.

Solbos: The Indian Cr. project will be ready for spring flows. The program will be ready for an extremely wet water year type flow of 11k cfs + 10 year tributary inflows. After the project we will have more benefits the following year.

Wittler: For 2007, we are taking in the watershed line items, 45-49, which are administratively done by the TMAG, but it will remain in the RIG budget. Stream gaging costs keep going down as well temperature monitoring and modeling.

Wittler then gave an overview of the sediment management monitoring. There has been some observation that the high flows were effective at removing fine sediment from the river upstream of Grass Valley Creek. It was also noticed that there was a lot of sediment downstream of GVC, which may be berms eroding. Doing an analysis of gravel vs. fine sediment would help balance coarse sediment additions. There is a long-term need for the monitoring of sediment.

Franklin: There currently is no funding for substrate mapping and geomorphic mapping.

Wittler: When we determine where we are at in IAP process, will make determinations later.

A general discussion followed about the use of aerial photography and bathymetric surveying. The river bed has changed over the last couple of years and the program would like to document it. The question focuses upon what is the best method for cost and methodology. Low level, high resolution imagery is inexpensive and easy to keep track of long-term changes; rubber-sheeting the orthos to make them match geographical referenced places would not be difficult. There is not enough confidence in the bathymetric survey right now; however, the program could manually survey the bed during low water conditions in site specific areas.

Orcutt: Who is on the wildlife subcommittee? What is the importance of wildlife to the TRRP? I would like to merge the fish group with wildlife to cut down on meetings and costs; essentially everything with a nervous system would go into that group. All others could be covered by the physical work group.

Wittler; The wildlife white paper stated that the ESA and the goals of TRRP for wildlife are reasons for wildlife program monitoring.

Orcutt: So why include draft of something that was never adopted (strategic plan draft only)?

Wittler: It includes specific language on wildlife.

Long: The ESA has been discussed; though I'm not convinced that new information is necessary for permitting under NEPA and CEQA. I don't see a huge need for the wildlife studies.

Mike Berry from DFG believes that studies that are proposed are within the purview of what needs to be done, but he is not recommending more funding. This is the third year of turtle studies being done and DFG supports the proposed budget.

Brock: This year's wildlife budget includes an equivalent funding from USFS. We almost lost permitting from ACOE due to a need for a riparian plan. It might be pennywise and pound foolish to eliminating wildlife studies. This funding level will help prevent that.

Hillemeier: What would site specific surveys be compared to?

Wittler: It can't be compared without full bathymetric surveys. It's comparing apples to oranges due to different methodology.

Orcutt: Was the fishery subcommittee convened after the B-team meeting?

Wittler: No.

Orcutt: What was the fishery subcommittee's feeling on the fry density study?

Wittler: I don't know what the content was of that topic. There were probably several opinions.

Polos: It wasn't discussed in a lot of detail at the April fish team meeting. The fish team did come up with high/med/low ranking; it maybe medium ranking. Josh Korman and Sam Williamson are not talking about the same project and the fish team hasn't gotten into the nuts and bolts of that. The fate of post-emergence fry is important information and dominant modes of mortality that is needed to be known to adjust management practices accordingly. Rod is convinced that it's very important to know how fry utilize habitat and how much is out there, etc.

The fish group has a lot of work to do to figure out what needs to be done. This funding will allow the fish group to define the studies on its scope of work.

Orcutt would like to see the high/low and medium rankings from the fish group. He also strongly suggests that the fish subgroup review it. Screw traps have been controversial for years; there may have been suggestions over the years to review it, but he's not sure if the SAB has been requested for their input. This proposal for downstream migrant trapping funding reductions needs peer review through the fish subgroup or identify if it's the TRRP staff recommendation.

The TMC meeting adjourned for a traditionally prepared salmon lunch provided by the HVT at 12:30pm and reconvened at 1:15pm.

FY2007 Budget Discussion Roundtable

Highlights and concerns by TMC members

Mike Long suggested focusing on allocation issues for 2007. The plan is to go around the table and identify deal killers and place them onto the flip chart. He suggests focusing on President's budget as a baseline. The TMC could identify prioritized projects if more funding becomes available, though they could just pay down bow wave also, or tack funds to projects where appropriate.

Schleusner: In addition to that, there are priorities shown in the additional funds levels of +$1 million and +$2 million contingency budgets. These should have the expression of program priorities.

Person: There are not any show stopping issues for me or BOR.

Hillemeier: There are none now, but some may arise later. I would like to identify projects funded with 2006 funds that weren't priorities or identified by TMC in its budget for FY2006.

Schleusner: The best place to look at is the variance report.

Hillemeier: I would like to just vote on $9.2 million budget.

Person: Regarding advocacy for funding for the program. I am meeting with the OMB examiner tomorrow; each area office is to portray what are the top 3 budget priorities for 2008. One of those and first on the priority list is TRRP and as to why. BOR is in strong support of the TRRP.

Curtis: There are no showstoppers in $9.2 million budget. I do have a high priority and concern with page 4, which states that implementation will be done by Sept 2009 which will complete all Phase I projects?

Solbos: We would need a large sum of funding in 2008 to fund it; we probably won't have it. We would need $14 million in 2008 to do that and still we probably could not meet the schedule. The program needs additional appropriations and/or the CVPIA RF in order to not experience these kinds of delays. There may be a need to get Congressional approval for more than 15% of “normal” funding mid-year.

Orcutt: There are two issues preventing me from voting yes: the rotary screw trapping (RST) which is flat-lined at $400k which he wants that figure to be pending a fish group meeting, and in general wildlife monitoring. One of frustrations of process is that input is asked for, and then it’s the Field Office to characterize whatever comments they make. It gives the impression that everybody has been consulted, but that’s not necessarily so. There is a hydrology concern with bathymetric survey and it should be eliminated. Geomorphic monitoring and mapping should have more funding. Referring to line item #99 on page 7, we had requested $150k for tribal fishery monitoring, but now it shows up as zero in the $9.2M budget.

Kautsky: There also are no new funds for the Coded Wire Tag machines. This item keeps getting deferred and it’s a time-sensitive line item; it’s a $20k issue that can be taken care of easily.

Brock: There are no deal killers at this point For USFS. I would like to thank Doug and his staff for the information and input they provided.

Stokely: There’s inadequate funding for TMC participation. We will have a shortfall in FY2008. Due to the grant process we are always get funding in one year for the next future year which sets us back a few quarters in spending it, then Reclamation says we are not spending it fast enough, and we lose the next year’s grant which is precisely what happened this year with $200,000 for watershed restoration. On top of that, the expenses are not static and grow with each year due to increased costs, yet the grant stays the same amount. We can’t do business that way, it needs to take into account the length of the application process, the time it takes to process and award, inflation, and cost increases. The County would also like to see an increase of $250k for watersheds; we can’t do the watershed grant program with only $200k. I also have a question about legal defense. We may end up taking funding out of the USEPA/DFG grant contribution of $700k+ to those projects to pay for legal defense since neither the program nor BOR will give us funds to fight litigation for their projects. We are a poor disadvantaged County and if we have to go to court for every project without funding against the largest water district in the country, then we can’t and won’t be the CEQA lead. So the question is should the funds be for defense of the Indian Cr. Project or should it be for the Master EIR?

Long: USFWS has concerns with TRRP staff doing on the ground work. We keep hearing about how much work they have and that they don’t have the time to manage it all; I really think the program should not go in that direction. The LWD mapping is not fully vetted through the work group, so it is not ready. I have problems with the wildlife funding; I would rather see funds go into RIG budget for implementation. The fry density study is not ready for prime time. We have waited since the TRFE for those results. It still is going to require another year to work out differences between Korman and Williamson we should wait for the IAP, and it should definitely not be funded. Rotary screw trapping estimates are all different situations. I still can’t see how the information in that comparative report translated into a $400k estimate? I just can’t see justification for that item, it will likely be insufficient.

Nick Hetrick asked Hillemeier if he had any deal breakers.

Hillemeier: I may have some now. They would be wildlife funding, the rotary screw traps, watershed funding, and Trinity Co. TMC participation funding. As per RST; the HVT, YT, and USFWS have been doing it for years. Since USFWS determines the amount in arrears, the two Tribes negotiate in their Government to Government (G2G) contracts. Who can do the work to standard at the best price? Some segment would go out to bid at the best price.

Person: Bidders who would submit the amount would be based on an estimate in this budget and it would be awarded to the low bidder.

Schleusner: Conceptually, the idea is they say what they want, then describe it, and obtain bids for the proposed work. Deliverables, ability, and cost are the selection criteria.

Orcutt: Several items haven't been vetted through the fish working group; we need to have that. In regard to self-governance, there are certain regulations that apply. I understand that TRRP is available for contracting with Tribe(s). Does that mean that grants.gov applies to a program activity available to an Indian Tribe? In general, the new cost estimates haven't had an opportunity to be reviewed by the various parties. I would like to see it funded at the 2006 level. If put out to bid, most, if not all activities should go out to bid. Does grants.gov apply to tribal AFA's?

Person: My understanding is that AFA's don't apply to grants.gov. This project is under the discretion of Reclamation to do it through grants.gov or through an AFA.

Stokely: I don't feel comfortable with not having funding for TMC participation for FY2008 because there is nothing in FY2007 showing for FY2008. Trinity County now gets TMC grants one year for the following year and has little or no confidence that the FY2008 funding would be available early in 2008.

Person: At grants.gov, when listed, the procurement folks made it clear it's only for TMC members; it's not for anybody to apply.

Stokely: I'm willing to drop my show stopper if there is a commitment to use, if necessary, FY2007 end of year funding for FY2008 for Trinity County TMC Participation or leftover funds for 2006 for 2008, and then request a multi-year contract.

A general discussion followed about putting RST's out to bid. Such topics included the criteria for awarding it., what would be the scope of work?

Orcutt: I'm uncomfortable with the lack of specifics.

Hillemeier said this issue may be a show stopper; he is not willing to put it out to bid.

Long: There are concerns of Tribes regarding funding; if USFWS funds are used to fund a private contractor for a project, then maybe that award should go to a Tribe.

Schleusner: They almost always use BOR AFA funds for this, its not timely for USFWS funds.

<u>Action Item:</u>

Approval of FY2007 Budget (w/ Increments)
Adjustments/counterproposals by TMC members

Brock: I gave support for wildlife studies. It is the Regional Forester's position that the program needs to look at wildlife; if the funding goes, then so does a grant we have for $155,000, and the collapsing house of cards would ensue.

Berry: I would throw out in third year of the 3 year study and expect the bird studies to continue indefinitely. There is $30,050 from TRRP for a third year of turtle study.

Orcutt: I've been asking questions about this for 2-3 years and still haven't gotten answers to my questions. I would suggest reducing the amount to $30k and allocating the remainder ($125k) to RST's.

Schleusner: As the responsible line officer for the channel rehab sites, when I sign a FONSI, I would find it professionally irresponsible to do so without the wildlife information to back it up. I would hate to be forced into a corner where a litigant could stop the program due to wildlife issues. This relates to the revegetation issue and impacts of the rehabilitation sites to other species. The TAMWG charter talks about fish and wildlife species, acknowledges that wildlife is a part of that program, and we shouldn't abdicate that responsibility. If this line item is not funded through TRRP, we will ask BOR to fund it with other funds.

Orcutt: During the development of the science, wildlife wasn't a big concern of that program, nor has been the federal government been in a strong advocacy position for the conservation of water for in-basin uses. HVT thought it was a contract, but it's apparently not. I'm in a quandary of what to think.

Person: If wildlife is zeroed out, then Doug as a BOR employee when complying with NEPA can't sign because he doesn't have the data to support it. What would TMC do to urge completion of that FONSI?

Whitridge: We are essentially trying to change the system. If wildlife studies are zeroed out, it would be a proclamation that we know the results of our actions, and we don't need to monitor such stuff. We don't completely understand things and the ROD admits it. It seems awfully arrogant to say we have it under control because nobody thinks that. TAMWG discussed its previous recommendation not to mess with wildlife.

Long: We won't resolve wildlife. We could we come up with tidbits.

Stokely suggested putting on hold $275k worth of projects identified in Mike Long's memo to cut. He went through the list; water temperature monitoring upgrade $10k; USFS Sediment

Monitoring QA $5k; Bed Scour Model $90k; LWD Mapping $10k; Habitat design review and expert consultation $30k; Fry Density $90k.

Stokely, Hillemeier, Orcutt and Long agreed that fry density could go. Hillemeier suggested that there needs to be a fry density workshop to determine the best way methods.

Stokely said that he has a hard time supporting projects that haven't been fully vetted through the various work groups.

Wittler mentioned that the SAB says this is late to be done and we need information to get to help determine fish populations through SALMOD. He is confident that the fish subgroup can work out a SOW on this.

Watersheds, rotary screw trapping, and wildlife are areas of disagreement. No apparent consensus on cutting some of the TMAG items identified in Long's memo on the budget.

Person: Habitat Design Review can be cut $30k.

Options

6. reallocate $155k to watersheds
7. reallocate $155k to RST
8. Make WS and RST top priorities if additional FY 07 $
9. Make fry density, bed scour and USGS QA top priorities if more FY 07
10. drop habitat design review

Hillemeier says that there is large disagreement on fry density now, and the TMC seriously needs to consider a study design by the fish work group at a later date.

Schleusner: The spreadsheet is meant to be used as a planning tool; it is the intent of program, irrespective of the final amount of budget.

Person mentioned that he could forego LWD and Temperature Models to retain QA for sediment.

Orcutt: What does the full program for RST's look like?

Orcutt made the following proposal:

- $40k for wildlife (+$115)
- Eliminate $30k for habitat design review
- Reallocate Fry Density $90k
- Reallocate LWD $10k
- Reallocate Scour Model ($90k)
- Temperature $10k

Of the $345k difference Orcutt proposed to reallocate $175k to RST, the other $175k to watersheds, with the contingency that RST's won't put out to bid in 2007, and then have the fish team review and come back with a recommendation on the level of trapping and associated costs (issues that haven't been resolved). He also advocated adding $10k even though there was no evaluation of COLA's, travel, etc. from last year's amount because it is an annually increasing cost that needs to be accounted for.

Person: The primary metrics of accomplishing the TRRP is what we do with the habitat (gravel vs. fine sediment) and how the fish are returning. If we give up bed scour, do we not give up metrics of effectiveness of the program? In terms of fish measurement, would we give up fry density in its entirety for rotary screw trapping? There is no consensus on how to go about fry density. We could evaluate scour model if additional funding were made available. By adding $170k to RST and eliminating competitive bidding, this can potentially increase the price. It's about 12% of the total program budget. Is this what we want to do?

Orcutt: What are the fundamental metrics of the system? Is it little fish going out and big ones coming back? There hasn't been a proper level of technical discussion on the screw traps.

Person: There is no disagreement on the importance of RST's as a metric for TRRP success; though there may be a benefit to putting it out to bid.

Brock: There are a few members who are uncomfortable about eliminating wildlife; could we consider eliminating watershed increases? We can make watersheds a priority for increased funding.

Person: I'd consider bringing the RSTs to $500k with another $100k, then backfill $70k into watersheds.

Of the remaining $985k, the following is what the named members propose:

	RST	Wildlife	Watersheds
• Orcutt:	$570k	$40k	$375k
• Brock:	$570k	$155k	$260k
• Person:	$500k	$155k	$330k

Habitat design, fry density, bed scour, LWD mapping, and the water temperature upgrade are zeroed out; but they are considered a high priority if more funds become available.

Brock said he might be able to get the USFS to come up with another $45k for watersheds from the USFS budget.

Orcutt: Would Person's proposal put screw traps out to bid?

Person: The agency has the discretion whether or not to put it out to competition or negotiate with one or more of the partners. Reclamation will continue to consider that. If it is part of motion, so be it.

Solbos: What would be the priority be those items for the TMAG or entire program? For instance, would awarding construction contracts be a higher priority over these TMAG studies?

Orcutt: My concern with wildlife it is a test of who has a say like zeroing out wildlife. If we do that, we have decision points where agency discretion could overrule TMC direction. I have a fundamental concern about which projects get into that category and how they get there? What does a policy recommendation from the TMC mean? Doug, does BOR have discretion to overrule the TMC?

Schleusner: The TMC is advisory body only; items in the budget already have changed due to their discretion. However, the recommendations of the TMC are rarely altered by Interior.

Orcutt: How and when will that occur? When does DOI interject their discretion?

Person: If we couldn't come to terms on wildlife, the way I believe it would play out is meeting with the TRRP folks to see if they can fill out their obligations w/o a wildlife budget. If BOR felt strongly that they couldn't do it, then Brian would talk to Mike Long to come to terms to have a united voice to talk to Kirk Rogers and Steve Thompson about it.

Orcutt: I'm not trying to be antagonistic, but we are the policy group and have the information. When things linger on for years, the answers aren't forthcoming. RST's are also an issue that has been on the table for years. Sometimes all the information isn't given to this group.

Stokely moved to go with Brian's modified proposal:

Zero out habitat design review, fry density, LWD mapping, scour model, and water temperature equipment. Then reallocated those funds for RST by increasing the amount by $100k to bring the amount to $500k, and increase watershed funding by $130k to bring the amount to $330k; this would reflect total reallocation change of $230k.

Orcutt: Would the projects lost be a high priority if more funding becomes available, or would they just go into the TMAG budget?

Brock made a second to the motion.

Hillemeier asked Kautsky about replacing CWT machines. Kautsky replied that they are designed to process 2 million fish; already a few of the machines have a count of 2 to 3 million or more on them. The hatchery is currently marking 1.1 million fish a year.

Orcutt: I'm opposed to this motion. It doesn't address my fundamental concerns. I would compromise on Brock's motion. Would the USFS be as likely to fund an extra $45k to watersheds if that figure is $330k verses the $260k figure? I thought it was a pledge to try and come up with more funding, but it doesn't show up on the books.

Schleusner: I'm willing to go with the qualifier if the cut items are the next set of priorities if we place part of additional funds into the construction award.

Orcutt: I would like to make an amendment to that motion. I would like to add an additional $70k for rotary screw trapping and to not put it out for competitive bid in 2007.

There was no acceptance of the amendment as given.

A vote on the motion was taken:

Trinity County: Yea
USFS: Yea
USFWS: Yea
HVT: Nay
YT: Yea
BOR: Yea
State (DWR): Yea

The motion passed.

It was noted that Lagomarsino (NMFS) will be present at the following days meeting and Brock (USFS) will not be able to attend due to having to deal with the Pigeon/Bar Complex fires.

Orcutt: So should we expect the President's budget or expect more funding will make itself available?

Long: After dealing with the $230k figure, we need to reduce the bow wave, and deal with the budget in December.

Anderson: Under the current budget, we will need a lot more funding in 2009 to get the 24 sites done by December of 2009. If you take into consideration the total for FY08, then that figure is $15.425 million. If one can't get a TMC participation grant for FY08 early in year, we will get it out of the 2007 budget or remaining funds from 2007.

Solbos: The bow wave is too big and we won't be able to award contracts on schedule. I'm comfortable with a $700k bow wave; but it's a $1.5 million bow wave (balloon payment) that will adversely impact future years that I am uncomfortable with. We could try to find other funds at the end of the fiscal year; if could find half of it, we could stay on track.

Orcutt suggested that the TMAG and RIG look at alternatives for extra funding.

Schleusner: It's already in the proposed staff budget. That's different than putting remaining funds into the implementation budget.

Whitridge: The formal TAMWG position is to stay with allocations, but they have extensively discussed the bow wave issue. Anything being discussed here today wouldn't get them into trouble with the TAMWG.

Anderson moved to have any additional funds that become available above the $230k figure be allocated to pay off bow wave for implementation. The motion includes the +$1 million and +$2 million figure which would be added onto the President's Budget.

Stokely made the second to support the motion.

Long: I like this idea, because if there are budget cuts in any future years, I would like to have as much maximum discretion in future years as possible.

Orcutt: I can't support. This is a science program as well, and we can't just put all of the funds into implementation. There needs to be a balanced approach.

Hillemeier likes the philosophy of the motion, but thinks a little more science funds would go a long way, such as science workshops. A couple of hundred thousand dollars could do a lot for science, while putting the most into implementation.

Person: I have a FY08 budget meeting w/OMB, the program made the top 9 list for additional funds in FY08 to make use of an additional $7.5 million for projects.

Brock: I would like to make a modification to the motion to hybridize the budget by adding additional science funding.

Anderson: I would modify that to go along with the line items identified in the draft budget.

The motion was not voted on and was deferred for discussion at the next following day's meeting.

Adjourn for the day

Hillemeier moved to adjourn the meeting, reconvene at 8:30 am the following day, and continue the discussion in the morning.

Person made a second to the motion.

A **vote on the motion was taken as follows:**

The motion to adjourn was unanimously approved.

The TMC meeting adjourned at 4:45 pm.

TRINITY MANAGEMENT COUNCIL MINUTES
Hoopa Wildland Fire Facility, Hoopa, CA
September 21, 2006

TMC Members Present: Mike Long, Chair, *USFWS*; Irma Lagomarsino, Vice-Chair, *NMFS*; Mike Orcutt, *Hoopa Valley Tribe*; Dave Hillemeier, *Yurok Tribe*; Tom Stokely, *Trinity County BOS*; Curtis Anderson, *DWR*

Non-Voting Ex-Officio TMC Member: Doug Schleusner, *TRRP Executive Director*

TMC Absentee Members: Brian Person, *BOR*; Bill Brock, *USFS*

TMC De-Facto Secretary: Joshua Allen, *Trinity County*

Others Present: Ed Duggan, *TAMWG Member & Willow Creek Fishing Guide;* Tim Hayden, *Yurok Tribe*; Sherry Miller, *Redwood Sciences Lab USFS*; Joe Polos, *USFWS*; Robert Franklin, George Kautsky, & two unknown from HVT fishery staff, *HVT*; Gil Saliba, *NEC & Audubon Society Liaison*; Rod Wittler, *TRRP*; Tom Weseloh, *Caltrout*

The TMC convened at 8:45 am.

Long thanked the HVT for providing lunch with fresh caught salmon cooked in the traditional manner; it was appreciated.

<u>Action Item:</u>

Approval of FY2007 Budget (w/ Increments) cont…
Adjustments/counterproposals by TMC members

Schleusner submitted a proposed budget for use of +$1 million and +2 million.

There was a general discussion of Schleusner's proposal for the two increased budget items if additional funding is made available.

Stokely: Regarding funding of 2008 TMC participation for Trinity Co. and DWR? If there are leftover funds in 2007, will they get funded prior to 9/30/06?

Schleusner suggested the sequence in the order shown:

Executive Director's Recommended Funding Priorities
Above the FY2007 President's Budget Level
(Assumes list of TMC priorities totaling $230,000 as approved on 9/20/06)

Suggested Rank	Project/Activity	PB+1 (1,000,000 -230,000 = 770,000)	PB+2
1	Dark Gulch Rehab (34)	+150,000 = 150,000	+400,000 = 550,000
	Lewiston 4 Rehab (35)	+150,000 = 150,000	+500,000 = 650,000
2	Coarse Sediment Augmentation (44)	+150,000 = 400,000	+100,000 = 500,000
3	Fill 5th SAB Position (7)	+25,000 = 125,000	
4	Weir Operations (101)	+30,000 = 580,000	
5	Carcass/Redd Surveys (102)	+40,000 = 240,000	
6	Local Sediment Source Control (47)	+75,000 = 75,000	
7	IAP; Science Symposium (54, 55, 56)	+50,000 = 50,000	
8	Tribal Harvest Survey, Lower Trinity (99)	+100,000 = 100,000	

Schleusner: These items and amounts are generally based on priorities displayed in the PB+1 and PB+2 columns in the 9/19/06 spreadsheet, and are intended to meet the TMC's request for a priority list that emphasizes reduction to the rehab site "bow wave" (Curtis's approach) while adding several key TMAG items (Dave's "hybrid" approach). This list would be used if additional funds become available over and above the President's Budget level of $9.2 million (plus the $230,000 already specified in the motion approved yesterday).

Orcutt: About the deal stopper from yesterday, I would like another $60k for RST and $50k for tribal harvest. I suggest taking Dark Gulch at 140k (-$10k), Lewiston 4 rehab at $105k (-$45k), local sediment at $50k (-$20k), and coarse sediment at $120k (-$30k). I also want the project ranking changed and place RST between rank 3 and 4.

Stokely asked Schleusner if DWR and TC would be able to get their TMC participation grants in late 2007 if it appears unlikely that such funding would be made available early in FY 2008.

Schleusner said his office would do everything it can to make that funding available in a timely manner.

Anderson moved the following:

In order to finish the first 24 RIG projects by Sep 2009, the program would need to budget for the FY07 PB at $1.58 million for implementation of mainstem projects and an additional estimated $3.075M for FY08 for a total of $4.655M to stay on schedule. It would be assumed that the program budget would be $14.425 million in FY08. In order to get ahead of the balloon payment, the program would need $1.575 million in FY08 to buy down the bow wave.

Stokely made a second to the motion.

Person: BOR will advocate getting $7.5 million in FY08 from OMB.

Lagomarsino asked if Schleusner's proposal was an alternative to Anderson's motion.

Schleusner: It's my hybrid approach to reduce the bow wave by $300k, instead of $770k as proposed by Curtis.

Orcutt: I conceptual support this motion to maintain some level in the TMAG and science portion of the program; but I feel that there needs to be more science in the program. Our history is such, that whatever extra money comes in, usually will go towards the RIG. So I would suggest that any additions above the PB+$1 million would go towards construction.

Hillemeier would support PB+1M for Curtis's motion, but for PB+2M, he'd like the second million to go into the TMAG.

Person asked about lower Trinity tribal harvest.

Orcutt: The Yurok Tribe currently gets that funding. HVT would like to propose that we obtain the funding for Lower Trinity Tribal Harvest.

The vote on the motion was taken:

BOR: Yea
YT: Nay
DWR: Yea
HVT: Nay
USFWS: Yea
NMFS: Yea
TC: Yea

The motion failed.

Stokely moved to appropriate the first million dollars to reduce the bow wave and then appropriate the second million dollars for Schleusner's hybrid recommendation.

Hillemeier seconded the motion.

Stokely and Hillemeier agreed to withdrew the motion and second believing that it would not pass the vote.

Orcutt moved to modify the TRRP hybrid as outlined above under PB+$1M, as represented, with an addition of $60k to RST. 9 items would be changed.

Lagomarsino seconded the motion.

Long said he preferred doing the PB+1M and PB+2M all at once.

Orcutt thanked Reclamation for obtaining year-end funds, but noted that those funds are usually allocated to the RIG budget.

Anderson: I would support the motion if the PB+2M if the second million were specifically designated for the RIG to reduce the bow wave.
Lagomarsino asked Orcutt if he would amend the motion as stated by Anderson.

Orcutt accepted the friendly amendment.

Irma accepted the second, which included placing RST between priorities #3 and #4.

Person has concerns with adding so much funding to the RST and Lower Trinity Tribal Harvest Survey.

Orcutt: The HVT may be able to get and additional $2 million in Senate funds and other possible additional funding

The vote on the motion was taken:

The motion was unanimously approved.

Orcutt: Is there any way that BOR will be designating an alternate for you in case you can't attend a meeting?

Person: BOR will have Russ Smith's position filled at the end of the month and that person will be my alternate.

Person left the meeting at 9am to attend an OMB meeting.

Schleusner: I would like to give Ed the flexibility to use the additional funds (PB+$2M) as he sees fit. Mostly the funds would be used for rehab sites, but it may include more funding for gravel.

A general discussion of "what if" the program were to get the PB+$2M and in addition the CVPIA RF, the TMC would have to come back to reallocate those extra funds.

Schleusner: The $1.5M of CVPIA RF requested would go specifically to floodplain structures, channel rehab, and gravel placement.

<u>Information Item:</u>

FY2008 Budget Development Process Update

Review August 31 meeting; recommend next steps

(Item was on the previous day's agenda & was moved due to Lagomarsino's absence)

Lagomarsino gave an overview of the budget subcommittee meeting and findings. She was asked to put together a better process for development of the FY08 and beyond.

Draft Budget Goal: To have a more efficient budget process in order to have the FY08 budget approved in March. The FY08 budget process can go through existing work group. FY09 and beyond could use a different approach. How will the IAP influence annual program of work, etc?

Lagomarsino would like to talk to the Glen Canyon AEAM group (and possibly other groups) to find out how they do their budget annually?
Orcutt would like to get the group into the federal budget development process. It's not something the subcommittee talked about, but it's a critical component because the program dos not have enough funding to do everything.

Lagomarsino said that she doesn't think the group was charged with that task. On top of that as a federal employee she can not be involved, except through her participation in her own agency's budget.

The group went through Lagomarsino's draft proposal for the 2008 budget.

Schleusner noted the importance of having the budget approved by March 2007 so that agreements can be signed early in the fiscal year.

Lagomarsino: The work groups haven't been used to develop priorities and budgets. There is great power there to use that process to help develop the budget. They strive for decision making using consensus, but that won't always be the case.

Schleusner: What would help the work groups to be more effective is to develop planning and budgeting constraints for each work group. For instance, we can't submit a federal budget 50% larger than previous year's budget; however, we could include a "full program" column in those deliberations.

Orcutt: I would like an analysis of the ROD's initial construction cost estimates vs. what the actual construction costs are for channel rehab projects and floodplain structure modifications. It would include costs both realized to date, anticipated full program costs, analyze full program costs, and look at the gap between what is budgeted versus what is actually needed.

Schleusner: The ROD specified much less funding for TMAG versus the RIG in cost estimates versus actual costs.

Long said this is a high priority process issue.

Hillemeier: I would like to hear from Glen Canyon folks on the budget and AEAM. We should keep the budget work group working on the budget process, but have a separate group that would seek out other means to obtain additional funding.

Anderson: The biggest impediment for the work group is note taking; they need somebody to take notes so that all members can actually participate in the meeting instead of excluding one due to their having to take notes for the group.

Long: The actions taken and recommendations made by the group needs to be documented. Schleusner said he has talked some with the recent acting director of the Glen Canyon program, but he cautions the TMC that the program is different, as it doesn't have construction like this program does; it's mostly monitoring and research, but they also have a long lead time. The science symposium could be tailored from their efforts.

Schleusner: We will look into the contracting requirements of getting a note taker. It would be beneficial to have notes from those meetings. The work groups haven't been voting groups; it's hard to figure out who actually gets to vote. So far we are striving toward consensus and identifying different points of view.

Lagomarsino: It's the spirit of cooperation that's necessary in the work groups. I hope that there could be a majority opinion about the priority projects, with minority opinions expressed.

Schleusner: I've heard we need to do a better job on obtaining the various viewpoints.

Lagomarsino asked if various agencies could provide some staff support to take notes.

Orcutt: I don't want us to lose sight of having a separate subcommittee working on developing a larger budget.

Schleusner said it makes him and other federal employees feel uneasy. Maybe non-federal members of TMC (and TAMWG members) could form a separate subcommittee.

Lagomarsino: They can look at the full program of work and then the non-federal members can take that to Congress and the Administration to fill the gap.

Hillemeier and Orcutt asked about the "core" activities and what they are.

Lagomarsino: We haven't fully identified them, but they are routine and recurring; TMC participation, TAMWG, stream gaging, SAB,

Schleusner: Probably 70% of the budget may fall into that category, but if funds are limited, it leaves very little discretionary money remaining.

Stokely: I would like to thank Irma for taking a look at these issues; the, key missing link in the budget development process are the work group recommendations. That was part of the "old" TRRP which is now missing and has led to my discomfort with funding certain new projects because they haven't been fully debated and discussed at the work group level. The TMC may eventually want to lay down the committee/voting rules for the subgroups.

It was noted that the next meeting for the TMC Budget Subgroup would be held on October 19 in Arcata at Irma's Office. The budget subgroup is in the process of advancing guidelines for the budget development, which would take into account the PB and the full program of work; and includes work groups in 2008 to help develop that budget.

Anderson: Even if we are voting by subgroups, I would still like to hear the staff recommendation.

Lagomarsino wants affirmation that the group is going in the right direction.

Schleusner: Individuals that are involved in the work groups are probably also involved in the IAP process. They need to focus on that now and then work on the budget after Jan 1. We will have a meeting on October 19th to better define the process and will take this back to TMC in December for its blessing for the 2008 budget for the annual program of work.

Regular Business:

Approve the minutes from June 19-20, 2006

(Moved from the previous day so TMC members could review changes to the minutes)

There was a discussion about the striking of Schleusner from the TMC member list. Long made note that by the TMC By-Laws, the Executive Director is in fact a member of the TMC, albeit a non-voting member. It was clarified that his position should be stated that he is as "Ex-Officio

Non-Voting Member" in the minutes. This change would take affect for the June minutes and all future minutes.

Stokely moved to adopt the minutes, as amended and discussed.

Lagomarsino made a second to the motion.

The vote of the motion was taken:

The motion was approved unanimously.

Information Item:

IAP and Habitat Assessment Steering Committee Update
Progress report and scheduling

Habitat Assessment Steering Committee: Rod Wittler, Tim Hayden, Joe Polos, Robert Franklin, Wade Simmons, Tom Weseloh, and Curtis Anderson.

The HA workshop was supposed to meet no later than September. However, they needed the attendance of key people for that workshop who not available or in the country. It was the recommendation of the steering committee to postpone the meeting until October.

IAP Steering Committee: Rod Wittler, Tim Hayden, Joe Polos, Robert Franklin, Wade Simmons, Tom Weseloh, and Curtis Anderson.

The IAP Steering Committee held their first meeting and are on schedule to have the second draft of chapters 1-3 of the IAP to the TMC for approval at the December meeting. The first 2 days are open to all program participants.

Franklin what about rescheduling of HA workshop and when and why/how?

Anderson: We haven't talked about who should be involved in that workshop. The steering committee needs to meet and talk about it; which will probably occur sometime in early 2007.

Orcutt: I appreciate the work by steering committee, but I wonder how it all fits in with the IAP?

Anderson: The group is concentrating on chapters 1-3 of IAP, what the program is doing to meet the goals of the program and why. Chapters 4-9 are how, where, and when are we doing that. For instance, in chapters 1-3, we discuss what and why. Therefore, the HA workshop in the first quarter of 2007 would fit in with chapters 4-9; development on how, where, and when specifics.

Orcutt: I'm concerned that TMC approved the IAP schedule in June; that also incorporated the resolution roundtable. I am concerned that the TMC may not be up to resolving scientific disputes; we may want modifications of the Resolution Roundtable. I would like to know the process for a policy/legal-level review of the IAP.

Orcutt has strong reservations about the product being done by December.

Anderson stated that it should be no problem and will be done.

Hillemeier left the meeting to attend an appointment in Yreka. Tim Hayden stepped in to represent the YT as an alternative.

Action Item:

Proposal for TRRP Goal Statement to Guide IAP

Review/approve Steering Committee's recommendation

Anderson presented the IAP Steering Committee Memorandum of 9/21/06.

Long wanted to eliminate or modify the yellow section.

Hayden: This has implications beyond the IAP process. There are different interpretations of what is "completion" of Trinity River Restoration (b23 of CVPIA) related to goals for the TRRP and the goals of the CVPIA PAR.

Orcutt: I am reluctant to move on this today. One reason is due to the fact that the CVPIA PAR effort, there are some people who are trying to quantify and define what the intent is of the TRRP goals. I would like to talk to my policy people are related to interpretation of the statute.

Stokely said he doesn't agree with the interpretation by TAMWG that the dependent fisheries only includes tribal fisheries. His understanding of the legislation is that the tribal, commercial, and sport fisheries are all dependent fisheries that need to be restored.

Wittler: The steering committee said this is for guidance to the IAP. You could consider the statement to be guidance.

Orcutt said he needs to review the goal statement again. It includes the word "wildlife" but doesn't include Tribal Trust. It will be useful for the CVPIA PAR review.

Long: The IAP group needs guidance. Is anybody unhappy with it totally?

Orcutt: There should be other things that should perhaps be in there.

Stokely suggested that adoption of the goal statement by the TMC would be very useful in commenting on the latest CVPIA PAR document for the following week.

Lagomarsino: There should be no ambiguity in the statement, so it is not ready to adopt it today. We should have done this 6 years ago and we definitely need it; but I'd like a legal review of it.

Polos: Some of the words that Irma questioned are directly out of the legislation. "Fully participate" means full fishing rates for a particular species, and that information does exist.

Schleusner: Jim Monroe might enjoy doing that kind of review, but he might not have time. A formal Solicitor's Opinion might take longer than we are willing to wait. The ROD itself doesn't give authority to fund projects.

Orcutt: The 1998 Leshy Opinion identifies funding authority for the TRRP. The crux of the matter is you are trying to incorporate legislative language to identify the intent of the TRRP.

There was no action using a motion to adopt the goals of the IAP at this time. The goals will be revised and sent to Schleusner to send to Jim Monroe.

Hayden said the TMC should revise it because his perception is that the Steering Committee has done all that it can.

Polos: Defining "full fishing" wouldn't help right now.

Long will obtain the comments on the IAP goals by October 5 from TMC members. He will then synthesize all of the comments, revise them, and send it out for review to TMC.

Wittler will send out latest version to the TMC for those comments.

<u>Action Item:</u>

Proposal for 2007 Flow Schedule Development

Use of ROD hydrograph to minimize work load impacts

Schleusner reported that the first calendar quarter for 2007 is extremely impacted: IAP, the 2008 budget, prep work for rehab sites, flow scheduling, etc. In order to reduce the work load, going with the straight ROD hydrograph would save a lot of time. The past flow scheduling has been a positive collaborative process, but there is a default, which is the ROD.

Stokely: In Extremely Wet years, would we still limit high releases based on floodplain infrastructure?

Schleusner: Yes. Given that and the fact that the opening of sport fishing season will be April 1 in the future, there won't be a conflict with the opener of trout season. But it will still a learning exercise.

Orcutt: Every year I looked at the ROD as the starting point. Some things that came out of the exercises were trivial such as trout season openers, plus the issue of fall flow reservations. I think the program needs to look at the previous year, review monitoring, and make adaptive management decisions. If you don't review and assess the information and move on, it may be a mistake.

Hayden: My initial response was that the flow scheduling is one of the best examples the program has of collaborative science in action. I can also appreciate staff concerns with time. I would suggest looking at the flow scheduling process and streamlining it, but not completely abandoning it.

Schleusner suggested this as a one-time event because of the heavy work load.

Anderson: TRRP has never released a true ROD hydrograph.

Schleusner: That is correct; it has never been released exactly as per the ROD. The first 3 years were under a judge's order and other years had peaks adjusted for calibration purposes.

Anderson: There is too much work to do now with IAP; this would save a lot of effort. Reviewing previous years' data happens at the physical work group meeting.

Orcutt: Now that some construction is underway, riparian issues may provide some variability in flows. There may be some flexibility for streamlining.

Lagomarsino made note that it is legal for the TMC to adopt the hydrograph. It's not logical to have flow scheduling meetings due to the additional burden of other aspects of the program such as monitoring, rehab, IAP, budget, etc. There is a need to buy some time to get through these large elements.

Orcutt would like a safeguard that the working groups be asked for their opinions about just using the ROD flows.

Wittler: Criteria was established last year for triggering discussion of fall flows. None of that criteria was met this year; however, those criteria would remain active during drier conditions.

Stokely moved to use the ROD defined hydrograph flows for the 2007 water year.

Lagomarsino made the second to the motion with a friendly amendment that the program would reconsider the use of those flows if extraordinary circumstances arise.

Stokely accepted the friendly amendment.

Schleusner: If the TMC goes with this course of action, it needs to stick with it. Extraordinary should mean more than just a critically dry year.

Orcutt said that he didn't want to see budgets cut because of the lack of meetings on this issue.

Schleusner agreed. There would be other tasks and meetings to attend to.

There were questions about TAMWG feelings on the issue. It was noted that the TAMWG didn't make any formal motions on the issue.

Orcutt: Under extraordinary circumstances; would a problem with riparian encroachment be an extraordinary circumstance?

Schleusner: Hocker Flat was just built and we had high flows this year, and being that there are not a lot of constructed sites; it's a good year to go with ROD flows.

Duggan: The TAMWG did have an extensive discussion of the issue; they saw no reason to not follow the ROD flows. We've all worked so long to obtain the ROD flows, why not use them.

The vote on the motion was taken:

HVT: Abstain
YT: Nay
DWR: Yea
TC: Yea
USFS: Yea
NMFS: Yea

Absent: BOR

The motion failed.

Duggan thanked the TMC for their work on the budget.

Stokely noted that DFG has $10 million for the "Klamath" but it's all going to Shasta and Scott Rivers. The California Advisory Committee on Salmon and Steelhead Trout sent a letter to the Director of the Department of Fish and Game recommending that projects throughout the Klamath-Trinity basin be funded with those funds.

Hayden moved to have the technical working groups, agency reps, and TAMWG reps work with TMAG staff to develop a process to streamline the flow scheduling process for 2007, including consideration of adoption of the ROD flow schedules.

Orcutt seconded the motion for discussion.

Schleusner: The Interdisciplinary Team Meeting may be the place to consider that issue, rather than going back to each technical working group, and readdress this issue at the December meeting.

The motion and second were withdrawn.

The TMC's desire is that it will be discussed at the next ID Team meeting, and it will be added to the December TMC meeting agenda after that review.

Orcutt: This should be a standing agenda item on TMC member updates/agency reports. The TMC really does need to generate program support beyond areas in the basin to develop broad based public support for the TRRP. I would also like public service announcements to include information highlighting certain issues and encouraging the public to attend.

Long added that if something needs to be on the agenda, send it to both Doug and him to get it added to the agenda.

Stokely asked that a watershed presentation be added to the December agenda to show what has been done with the funding.

<u>Regular Business:</u>

Open Forum: Comments from the public

There were no comments from the public.

Calendars: Confirm next meeting date and location

The next TMC meeting will take place on December 13th-14th in Weaverville. The TAMWG will meet the week before.

Orcutt suggested that holding a meeting on the coast in March would be appropriate being that most meetings are held in the Weaverville area. Such a meeting could be fully announced publicly and would probably be well-attended.

Allen indicated it may be appropriate to hold the meeting at Humboldt State University, being that the program has yet to take advantage of our local institute of higher learning to hold meetings so that students who are studying science, natural resources, fisheries, etc…can attend and learn from the process. He stated that he was an Associated Student (AS) Council member during his educational tenure at HSU and could probably get the support of AS for the meeting. He will work with his contacts at HSU to possibly set up the meeting venue in March and report back to the TMC at the December meeting.

Adjourn

Chairman Long adjourned the meeting at 12:52 pm.