

Final Minutes  
**TRINITY MANAGEMENT COUNCIL**  
 Hoopa Tribal Chambers, Hoopa, CA  
 Wednesday and Thursday, June 20-21, 2012

**Wednesday, June 20, 2012; 12:00 PM**

**Attending Members**

| <b>Member</b>                   | <b>Representative Seat</b>                                 |
|---------------------------------|------------------------------------------------------------|
| Brian Person                    | Bureau of Reclamation, Chair                               |
| Joe Polos <sup>1</sup>          | Fish and Wildlife Service, Vice-Chair                      |
| Dave Hillemeier <sup>2</sup>    | Yurok Tribe                                                |
| Mike Orcutt                     | Hoopa Valley Tribe                                         |
| Seth Naman <sup>3</sup>         | National Oceanic and Atmospheric Administration, Fisheries |
| Bill Brock <sup>4</sup>         | Forest Service                                             |
| Curtis Milliron                 | California Natural Resources Agency                        |
| Roger Jaegel <sup>5</sup>       | Trinity County                                             |
| Elizabeth Hadley <sup>6,7</sup> | Trinity Adaptive Management Work Group                     |
| Robin Schrock <sup>7</sup>      | Trinity River Restoration Program, Executive Director      |

1) Alternate for Nancy Finley; 2) replaced by Tim Hayden on day 2; 3) alternate for Ann Garrett; 4) alternate for Sharon Heywood; 5) replaced by Judy Pflueger on day 2; 6) Gil Saliba sat in on day 1; 7) non-voting members.

Others that attended: D.J. Bandrowski, Eric Peterson (Trinity River Restoration Program); George Kautsky, Andreas Hilton, James Lee, Regina Chichizola (Hoopa Valley Tribe); Don Reck, Janice Pinero, Kristin White, and Josh Israel (Bureau of Reclamation); Wade Sinnen (California Department of Fish and Game); Teresa Connor (DWR); Russ Bennett (Redding Electric Utility); Ed Duggan, Arnold Whitridge, Ian Cocas, and Michelle Riley, and several other attendees from the Trinity RCD and Forest Service.

**List of Motions that Passed during the Meeting**

**Mike Orcutt made a motion to accept the December 2011, January 2012, and March 2012 meeting minutes.**

**Roger Jaegel seconded the motion.**

**The motion passed unanimously.**

**Roger Jaegel made a motion to accept changes to the bylaws: 1) action items for which a vote is anticipated at regular meetings will be forwarded to the TMC in advance; 2) address how members shall be notified about special meetings.**

**Dave Hillemeier seconded the motion**

**The motion passed unanimously.**

### **Action Items Derived during the Meeting**

**Brian Person will provide a summary of the Lewiston Power Plant to the Trinity County Board of Supervisors.**

**Teresa Connor and Seth Naman will set up a presentation for the TAMWG on Trinity River Basin inflow forecasting methodology, possibly including the algorithms.**

**Robin Schrock will share the external scientists' proposal to study gravel bars with the Fish Workgroup.**

**Robin Schrock will request that discussions between Reclamation and the Trinity PUD on temperature and reservoir management be shared with the Trinity County Board of Supervisors.**

**Brian Person will inform the Commissioner that the Hoopa Valley Tribe is not in complete consensus over the starting date of the proactive fall flows.**

**Elizabeth Hadley and Brian Person will finalize the agenda and meeting dates for the TMC and TAMWG joint meeting by early July.**

### **Regular Business:**

#### **1. Introductions**

Brian Person opened the Trinity Management Council (TMC) meeting and invited the attendees to introduce themselves. As they addressed the agenda, Mike Orcutt asked that they address the workgroup processes. Brian Person noted this, but since Ernie Clarke would not be at the meeting he suggested that they could address this at a future meeting.

#### **Approval of December 2011, January 2012, and March 2012 minutes**

**Mike Orcutt made a motion to accept the December 2011, January 2012, and March 2012 meeting minutes.**

**Roger Jaegel seconded the motion.**

**The motion passed unanimously.**

#### **2. Open Forum**

There were no public comments at this time.

#### **3. Report from Trinity Management Council Chair**

Brian Person provided his report of activities by the Trinity Management Council (TMC). He started with his review of the discussions and ideas regarding the upgrade to the Lewiston Power Plant. He noted the advantages would be: 1) an increase in generation capacity from 350 kilowatts to 2.2 megawatts; 2) a doubling of the flow capacity from the plant, allowing more cold water with more control of the water; 3) providing attraction water closer to the hatchery, and; 4) eliminating the fish stranding concern behind the retining wall. Roger Jaegel asked that a summary of Lewiston Power Plant status be provided to the Trinity County Board of Supervisors.

**Action item: Brian Person will provide a summary of the Lewiston Power Plant to the Trinity County Board of Supervisors.**

Person gave an update on landowner issues. He indicated that Trinity River Restoration Program (TRRP) officials had met with Mr. Dave Wellock on several occasions, but his concerns could not be addressed at that level. TRRP staff then assisted Mr. Wellock in submitting his tort claim. The Office of the Solicitor has since determined that the impacts to Mr. Wellock's property were not a tortious act, so Reclamation is pursuing another avenue to address the claim. Mr. Wellock's initial claim was in the amount of \$1200, but he has since indicated that he is seeking a more permanent fix for his irrigation line and maintenance of his levee.

Regarding correspondence, Person noted that a response letter was sent out to the Trinity Adaptive Management Work Group (TAMWG) before their most recent meeting. The TAMWG was happy with the response. The TMC has received a new TAMWG letter, but this had no major issues or recommendations to address. Person noted another letter was sent to Don Glaser supporting fall flows. Mike Orcutt commented that the TMC is advisory to the Secretary and that the first version of the TMC letter was going to be sent to the Secretary but that this was overruled and was sent instead to the Regional Director. Several concerns were raised. Roger Jaegel asked if this is a policy. Dave Hillemeier said that this could be a problem and that this should be "agendized." Bill Brock asked why this particular letter was not sent to the Secretary. Person said this was not a new policy; rather, in this particular case, this was the guidance he received. Person acknowledged these concerns.

Person brought up the TMC Action Tracker. He noted that he and Robin Schrock went over it and that virtually all items are current. Ed Duggan asked that the TMC Action Tracker be sent to the TAMWG.

Person next brought up the planning of the joint meeting with the TAMWG. Robin Schrock noted that the Doodle Poll picked mid-July and August 2 as the two best dates. She noted that there were up to 5 people that would not be able to attend as of the current poll. Person said they would take up the agenda for this joint meeting tomorrow and another Doodle Poll would be issued.

**4. Report from Trinity Adaptive Management Working Group Chair**

Gil Saliba, vice-chair of the Trinity Adaptive Management Working Group (TAMWG) reported on their recent meeting.

Saliba reported that the TAMWG discussed public comments. The TAMWG received comments and a letter from Gail Goodyear regarding the contracts for researchers to collect data on Goodyear's property. Goodyear commented on the lack of hypotheses and the scientific method. Saliba opined that the public may not understand that the program is not doing research but instead is doing monitoring as prescribed by the ROD.

Saliba's report prompted a discussion. Robin Schrock gave an additional perspective to Goodyear's complaint. Schrock reviewed how letters are handled by the program and noted that landowners are asked to participate and access to private lands is requested. Schrock said that Goodyear did not sign one of these original letters and declined to participate. Schrock said she was not quite sure what Goodyear wants because the Goodyears declined to participate with the Program in an earlier project and that the program has offered to

provide all quality controlled, quality assured data requested to Goodyear. Roger Jaegel thought perhaps the public is confused about what the program is about and that this should be addressed in a specific response. Person asked if Goodyear had specific questions. Schrock said they offer the background documents (Flow Evaluation, ROD, EIS) but the public does not have patience to read all these documents. Roger Jaegel stressed the need to be able to explain concepts in simple terms to the public—they may not trust the program.

Saliba continued his report and noted that Rod Wittler presented the flow discussions. Saliba said that the public still wants to know how the decisions on flow release from the dams are being made. Some discussion followed and it was explained that DWR and NOAA provide the water year projection every year and TRRP develops the flow schedule based on that prediction. Ed Duggan also noted that Wittler explained it pretty well, but a large change was made this year, and at the last minute—from a dry year to a normal year (thus increasing flows from the reservoir). Person asked if Teresa Connor of DWR can arrange for a presentation from the DWR on how the water year is determined. Seth Naman from NOAA said he could help.

**Action item: Teresa Connor and Seth Naman will set up a presentation for the TAMWG on Trinity River Basin inflow forecasting methodology, possibly including the algorithms.**

Seth Naman acknowledged that, since the prediction came out “right on the line,” it could be perceived as the government being in “cahoots” and picked a result so as to justify the release of more water downriver.

Gil Saliba next reported that the TAMWG is looking forward to the joint meeting with the TMC and is looking forward to the results of the Phase I review.

More discussion followed on public outreach. Ed Duggan commented on the public’s question about the need for 10 years of unlimited access to property in order to monitor. Robin Schrock said this was based on the life cycle needs of the specific monitoring element. The need to provide better and clear information to the public was noted. Roger Jaegel thought it is important to convey to the public how dynamic the river is. Curtis Milliron said the dynamics require long-term monitoring and that this can be a 100-year process.

Mike Orcutt had several comments. He opined that the California hatchery review is beyond the [scope of the] program. He also noted they need to be careful on how to present the Phase I review as an analysis and an unbiased review of the program. The public outreach and an attempt to oversimplify can be troubling and may not represent the program correctly. A concise and well thought out explanation on gravel is needed. Finally Orcutt asked that the Hoopa Valley Tribe be allowed to review drafts of the TAMWG minutes. Robin Schrock suggested that the minutes should not be released beyond the TAMWG prior to TAMWG acceptance as being final just as TMC minutes are handled.

Gil Saliba noted that the only discussion about the hatchery report at the TAMWG was that the report is forthcoming and the TAMWG is curious about how hatchery fish may be affecting native fish.

## 5. Report from the Executive Director of the Trinity River Restoration Program

Robin Schrock, Executive Director of the Trinity River Restoration Program (TRRP) passed out a copy of her memo to the TMC that constituted her report. She went through the report for the TMC. She noted the following projects:

- flow scheduling and the fall flow recommendations
- updates on the implementation designs, permitting, contracts
- watershed assessment is still in the queue and nothing is happening right now
- Phase I review is in final stages
- Ongoing projects: design meetings, realty coordination, Phase II planning, floodplain study, 22 new applicants for the well program, Bucktail bridge study.

Schrock reported on the following science updates:

- Beechie report is available and makes some statements on habitat capacity from future projects. Wade Sinnen said the report seemed to state that the program is producing more fish than would be expected by modeling.
- adult salmonid monitoring review
- external peer review
- Fiscal 2013 science work plan
- Visiting scientists to examine gravel bars.

The issue of visiting scientists prompted concerns by the Hoopa Valley Tribe about the participation of outside groups on activities not prioritized by the various work groups. George Kautsky asked about the source of funding. Schrock clarified that this is a more research-oriented effort and is not being funded by the program. Mike Orcutt asked how this may integrate with the program and wanted to know the need for the study. Schrock noted that the proposal was received and TRRP could not fund it so it as passed on the Reclamation's Science and Technology Transfer (S&T) Program. Gaeuman and Krause of the TRRP office served as reviewers and it was recommended it be funded through Reclamation S&T. The work will provide an assessment of gravel bar dynamics in a controlled environment. Orcutt asked if the workgroup had been queried. Schrock said it was a separate effort from the workgroup efforts. Orcutt said he was not comfortable with it. Kautsky noted the program is guided by objectives or goals and asked how independent studies results will be integrated. Roger Jaegel noted that the public is interested in adult holding and asked if this study will address this. Schrock noted this study focused only on gravel bar formation. Joe Polos asked that the proposal be shared with the Fish Workgroup as there may be some opportunities to collaborate with this effort. Schrock asked if the Fish Workgroup would likewise allow this new group access to their plans and data. Polos said he did not see why not.

**Action item: Robin Schrock will share the external scientists' proposal to study gravel bars with the Fish Workgroup.**

## 6. Workgroup Updates

Robin Schrock passed out the TRRP workgroup summaries and went over them for the TMC. She touched on Flow Workgroup and the flow decisions and fall flows. She mentioned the Temperature Workgroup's activities. Roger Jaegel asked that Reclamation discussions with the Trinity Public Utilities District (PUD) be passed onto the Trinity County Board of Supervisors such as the temperature analyses and reservoir management.

**Action item: Robin Schrock will request that discussions between Reclamation and the Trinity PUD on temperature and reservoir management be passed onto the Trinity County Board of Supervisors.**

Schrock continued the workgroup updates and touched on Interdisciplinary Team, the Design Team, and Fish Workgroup. Andrea Hilton commented on the Physical Workgroup activities. Schrock next reviewed the activities of the Wildlife and Riparian Workgroup and Watershed Workgroup. She finally noted that the Data Team finished their work and has now been formally disbanded.

Roger Jaegel introduced a discussion about plans to avert a fish kill. He noted that Don Glaser said there will not be a fish kill on his watch. Jaegel suggested that the program develop a “contingency plan” to control temperatures and avoid another fish kill. Person summarized the current plan or approach of the program and noted that there is an upcoming agenda item on fall flows. He further noted that Rod Wittler’s updated flow schedules are predicted to meet temperature requirements. Jaegel persisted and noted that he had heard a number of excuses of why we don’t have a plan. Seth Naman asked if Jaegel wanted a generic plan for any year and one that lays out what would be done if a fish kill may develop. Jaegel pointed out that when temperatures spiked in 2002, there was not a plan to guide management. Jaegel wanted “a document he could look at.” Person directed Jaegel to the Fall Flows Workgroup report in Jaegel’s packet. Tim Hayden noted that a plan is not in place but they have an approach that includes model runs of the Shasta, Trinity and Whiskeytown reservoirs. He said this is one way to adjust to temperature changes. Mike Orcutt said an approach should be integrated into the operation plan and the Biological Opinion. Jaegel agreed that it may be a good idea to write the policy into these plans. Orcutt thought a report should be prepared and then incorporated into the OCAP documents. Hillemeier clarified that OCAP is driven by multiple biological opinions. He asked how that would interface with those. Orcutt noted the law says the fish get the first diversion and the Trinity is a “higher standard.” There was more discussion about the way water should be divided between Trinity needs and Sacramento needs and about reducing exports versus benefits to other needs and basin of origin rights. Jaegel concluded by noting when the water gets warmer, he will ask this question again.

There were complaints about the delivery of information prior to the meeting. Whitridge asked that the TMC not wait to the last day to finalize their agenda and post it on the website. Hillemeier suggested they hire additional staff and bring a photocopier. Schrock defended the performance and cited agency reductions on the number of printers, the increased work load for public outreach, lack of support by program partners as to timely responses, and a staff that is doing their best to respond to the greatly increased stakeholder demands of 2012.

**7. 2012 Budget and 2012 President’s Budget**

Schrock next reported that the President’s Budget request for 2013 for the TRRP is the highest yet with a request of \$18.1 million. She passed out a set of notes on the 2012 budget. One item of discussion was the shortfall of \$55,000 in the SAB and Phase I review. It was noted the need for a good report, on time, in order to maintain trust of the public. Schrock noted the compensation for the SAB for the Phase I review was “miniscule” and D.J. Bandrowski is doing an excellent job in managing them. The two week review by the workgroups may be delayed. D.J. Bandrowski will be reporting on this tomorrow.

Mike Orcutt asked about the \$250,000 for the watershed assessment and if the funds may be rolled into something else if the project is not performed. Schrock said the project is in the competition queue but has not been awarded; it should be awarded August or September and would go into 2013 funding. Any surplus would be absorbed into the program. Orcutt asked about the \$150,000 for the wellhead protection and how long will the program continue. Person said this addition is a two-year program.

Orcutt asked if the program will be ongoing and he asked about “reimbursability.” Orcutt clarified that A-30 funding is reimbursable by the users and power companies. Person noted that funding is first appropriated by Congress and then repaid by water and power users through the rates.

Bill Brock asked if the program administration funding had jumped significantly in 2013. Schrock said the increase is proportional with the program increase and they would need increased staff to get more projects on the ground.

Arnold Whitridge had a complaint that the information they are discussing such as the budget is not available as handouts. He asked that things they talk about are available on the table as a TMC policy. Person and Schrock assured it is their policy to have the documents for future meetings.

### **Information/Decision Items:**

#### **8. TMC Bylaw Changes for Telephone Conference Decisions**

Person introduced the discussion of the TMC bylaws and reviewed that the TMC felt they needed more frequent communications and therefore introduced the monthly teleconference updates. The question was brought up as to how to “memorialize” the provision that when necessary, the TMC may consider and vote on motions during teleconferences. Person passed out a copy of the bylaws with the proposed changes, which was then discussed. One item brought up by Mike Orcutt was that agendas could benefit by noting those items requiring action so members would have time to prepare.

**Roger Jaegel made a motion to accept changes to the bylaws: 1) action items for which a vote is anticipated at regular meetings will be forwarded to the TMC in advance; 2) address how members shall be notified about special meetings.**

**Dave Hillemeier seconded the motion**

**The motion passed unanimously.**

#### **9. Fall Flow Release Recommendations**

Person complemented the work of Seth Naman and Tim Hayden on the preparation of the fall flow release recommendations. Naman then presented the findings of the workgroup that developed the fall flow recommendations designed to avert a fish die-off such as occurred in 2002. Naman referred the TMC to his memo that described the rationale for the recommended flow rate of 3,200 cfs at river mile 13 on the Klamath River. Person clarified that this flow was not for temperature but to flush the river to reduce the density of pathogens. Naman agreed that the best way to manage for the pathogen Ich is by flow and not by temperature. To reduce temperature at the lower Klamath would require substantial releases. He referred the TMC to Figure 2 in his memo that showed the proposed flows

versus the normal flows. Naman also referred the TMC to Table 3 that showed the criteria for emergency flow releases. Increased signs of fish disease or increased mortality would trigger a doubling of flows for a 7-day period. Mike Orcutt clarified that > 50 dead adult salmonids in any 20-km reach with the confirmed presence of Ich would trigger the increased flow. Ed Duggan noted the need for the Willow Creek community to be notified about increased flows for public safety.

Naman said they did not take these recommendations lightly as these flows are not natural. He referred to the bullets in his memo noting some potential negative consequences (premature migration of lamprey, dewatering of redds with subsequent flow reductions, hybridization of spring and fall runs, problems for amphibians). Naman acknowledged that this recommendation has some level of uncertainty as the fish die-off was rare and they have never seen a run size similar to the 2012 predicted run size since record keeping began in the late 1970s.

Roger Jaegel said this sort of analysis is what he had been looking for. He asked why the Klamath River water was not being considered. Naman said the source of the water was “slowing down” the group and causing some “friction.” They all agreed that an increased hydrograph was needed in the lower river. Person asked if increased flows come from the Trinity, what is to stop Klamath fish from being attracted into the Trinity. Wade Sinnen noted that over the last 18 years, only one Klamath fish has shown up at the Trinity hatchery. He said it is not entirely clear how fish respond, but it is not anticipated to be a major problem. Mike Orcutt asked how many acre feet would be released. Naman said 48,000. Orcutt asked if there are areas for minor modifications and noted that he had some issues of the starting date of the increased flow and asked whether consensus was reached. Tim Hayden said the workgroup could revisit it, but there may not be time. Hayden also noted that there was “overall consensus” on the recommendation despite that there may have been some differences of opinion on minor elements. Person said the issue has been discussed at the Washington level, including a briefing for the Commissioner.

Orcutt acknowledged that the additional release volume by beginning August 1 is not “a lot of water,” but they anticipate a large return of spring run fish and they are not always out of the estuary. George Kautsky noted that the workgroup process did not follow the normal protocol in that the sub-workgroup did not report back directly to the workgroup. Instead the report went “quickly to Washington.” The real issue was whether the releases should start in August 1 versus August 15 (extended release) and whether there is an attempt to measure the numbers of spring Chinook in the estuary. Tim Hayden again advised if a revisit is needed, it should be done quickly. Dave Hillemeier noted that it was thought the “right players were not in the room” to decide on the source of the water but the additional water (beginning August 1 rather than August 15) is thought to be 2,500 acre-feet. Orcutt argued for the need to err on the side of releasing too much water as no one wants another fish kill on their watch. He emphasized the need to monitor for the negative biological effects. Dave Hillemeier and Tim Hayden both agreed with Orcutt that they do not know the size of the spring Chinook run and it may be good to err on the side of more water.

Dave Hillemeier asked that Table 3 intended that the confirmation of Ich meant that the confirmed cause of death was Ich. It was pointed out that cause of death would be an expert opinion as it is difficult to determine the cause of death.



**Fall Flows Discussion**

Person described some of the discussions that have occurred in the past on the fall flows. He referenced that the ROD does not discuss fall flows. He said that the regional director understands the issues and will brief the Commissioner again next week. He does not anticipate they will try to truncate the volumes recommended by the sub group. They are supportive of releasing water to avert a fish die-off. Orcutt asked about any decision on the Humboldt County contract. Person explained that whether Reclamation acquires water or simply releases it from project storage is still not decided. Wade Sinnen asked how litigation may affect fall flows. Person said it is possible that opponents could file an injunction in an attempt to prevent the release.

**Adjourn for the day 5:00 PM****Thursday, June 21, 2012, 8:30 AM**

Person opened the second day of the meeting. Mike Orcutt asked about what was resolved regarding the addition of two weeks to the proactive flow release. Person said he was surprised to hear that the Hoopa Valley did not believe that consensus was reached during the meetings to recommend the proactive flows. He said he would inform the Commissioner and this would be addressed. Orcutt said the process did not serve him well. The sub-group of a workgroup did not appear to follow the protocol of information and decision forwarding. Person acknowledged that he made the presumption if the workgroup members were part of the consensus, then the agencies or entities they represent were also on board. Person said this should be taken up in a future meeting. George Kautsky noted that workgroup protocols were worked out about two autumns ago at a scientists retreat.

**Action item: Brian Person will inform the Commissioner that the Hoopa Valley Tribe is not in complete consensus over the starting date of the proactive fall flows.**

**10. Implementation Update**

D.J. Bandrowski of the TRRP briefed the TMC about the implementation of channel restoration and the Phase I review of the TRRP.

He passed out handouts and began with a presentation on the implementation of the channel restoration work. He noted that they are initiating work next week and have a two-month permit "window" to perform all the in-river work. Bandrowski projected an overhead view of the Upper Junction City site and noted they reached consensus on the bank work and the large woody debris and that the landowners are "on board."

At this point, the TMC discussed the efforts to keep landowners and public informed. They also discussed the in-channel structure (IC-3) to be built to maintain flow to the side channel. They discussed the off-channel ponds and the likelihood they may close off and asked about the monitoring that is planned. Judy Pflueger asked Bandrowski about their accuracy of the designs and of their modeling predictions. Bandrowski said the hydraulic modeling is quite accurate but it is more difficult to predict river behavior and habitat formation. Wade Sinnen asked how the construction may be affected by unpredicted changes in flow in the river. Bandrowski acknowledged that the potential for the proactive flows starting August 1 could be a problem.

Bandrowski next projected the overhead view showing the design for Lower Steiner Flat and noted that they are only waiting on the permits which should arrive next week and work should start July 1. All the concerns from the miners and stakeholders have been resolved.

On a third point, Bandrowski explained the cost-benefit analysis of the Bucktail Bridge. He said that during the 2011 flow event, the river flow was close to the Bucktail bridge girders and, as a result, they are contracting with CH2M-Hill to perform a cost-benefit analysis for replacement of the bridge. There have also been hydraulic and habitat concerns here. Mike Orcutt asked about the Feasibility Study and how the Bucktail Bridge fits into that.

Bandrowski said the bridge could potentially be an implementation project of the program. Judy Pflueger noted the release was actually 12,000 cfs in 2011 and there was debris in the river creating shaky conditions. Bandrowski said he would continue to update the TMC.

On a fourth point, Bandrowski said that there has been ongoing discussions and debate about the Indian Creek site. He hoped that the July 30 Design Workgroup meeting will address this and they will be able to come up with a recommendation on what to do. Andrea Hilton asked if the recent rip-rap work there was permitted. Bandrowski was not aware of those projects but would be glad to talk with Hilton about it.

On his last point, Bandrowski said they are working systematically through the process to upgrade wells on private properties. Person verified that the 22 applicants will exhaust the \$150,000 allocated to this project. Bandrowski said they will be examining closely the request to build an extra road to one of the projects. The well project covers the entire 40 miles of the river. The applicants must pass a set of criteria to be accepted. Person asked if there were an additional infusion of dollars from the federal level, what the state of readiness is. Bandrowski said they would be ready to adjust to a variety of changes such as Phase I review or landowner concerns. He noted there is an upper limit to what they can take on because of a “constructability aspect” such as meeting turbidity concerns or other environmental concerns. He thought they could implement at most 3 or 4 projects on the river in any one year. They only have July 15 to September 15 window in which to work. During the July 30 Design meeting, they will be working for the out year planning.

## **11. Phase I Review**

Bandrowski next focused on a change to the Phase I review of the TRRP and passed out two memos they had received from the Science Advisory Board (SAB), who is conducting the review. Bandrowski concentrated on the more recent memo, dated June 21. That memo, plus phone conversations Bandrowski had held with the SAB, indicated that the SAB felt strongly that the job of the review would need more time in which to do a proper scientific and independent review. Some of the reasons for the delay included the sheer size of the job, but also issues of data delivery, data processing, analyses, contracting issue with the support teams. The SAB will not have a report out by July and they cannot commit to a date given the large scale of the project. Bandrowski said that the delay from the SAB was a big surprise to him as they did not let him know until recently. Bandrowski said he needs the TMC guidance on how to proceed.

Person asked if the SAB has convinced Bandrowski that the SAB has been given an “unrealistic charge.” Bandrowski opined that the SAB wants all the information and not just 80 % in order to “fully review” the projects. He noted that their names (the SAB scientists) will go on the report and they do not want to do a partial job. Also, Bandrowski noted the design of the review was to be independent of the TRRP and despite his protests,

Bandrowski cannot simply order them to produce the review on time. Person noted the request of the SAB in the June 21 memo that proposes a two phased review. Bandrowski said it seems to be heading to a Phase I review, Phase II recommendations and then in 2013 produce a larger program review. In order to force an earlier delivery, the program would have to forego the independent review.

Naman noted that the public has an expectation that the review will guide future projects. If the report doesn't arrive in time they will need to explain this. Elizabeth Hadley agreed that the public needs to be involved and informed. Schrock mentioned that the SAB needs to have some of the data that has not yet undergone quality checks and control. She said she did not want to provide an excuse for the delay but the SAB is doing a very thorough job and the public may not understand the complexity of what the SAB is doing.

Joe Polos said he was concerned with having parts parsed out and he had hoped for an entire package. Tim Hayden noted the March 30 memo has a timeline on page 7 and thought it may be useful to revise the scope so it is clearer. He asked if there is going to be a change in the presentation in November, and if so, this should be made very clear to the public and partners. Naman again pointed out the importance in notifying the public right away to let know where things are. Pflueger asked if the SAB understands the critical nature of the report and whether they understood that this could threaten the entire program. Bandrowski said "absolutely." Hadley cautioned that groups can take advantage of giving breaks on deadlines. Bandrowski said the timeline slip is "unacceptable," but the SAB does not work for him. Person said they are going to "get what they are going to get" before design starts for the upcoming years and asked if the SAB can provide the needed guidance to influence design. Bandrowski agreed that there are different things they can do. The overall question from the public is, "Is the program progressing in the right direction?" Bandrowski thought the SAB may give input on specific issues side channels, gravel, woody debris and then comment on the program direction.

Orcutt expressed his disappointment and said this memo may be in "code talk" as it does not describe the question of the schedule. He said the project appears to be "negligent," for example they have not gotten the wildlife information. He did not see a new schedule. "Someone needs to be honest about the timeline." Bandrowski said the SAB refused to produce a schedule because "they don't want to be held to it." Orcutt said there may be a misperception about what role the public may play during the review. It is critical as to how this is presented to the public. Joe Polos said he is concerned that focusing on just the next 23 sites may cause the review to lose sight of the systemic review.

Person asked Bandrowski, with the comments he heard, does he have clear direction in how to proceed? Person also asked if there is a support element we are missing or failing to provide the SAB? Bandrowski said the wildlife monitoring is missing but it is mainly a time issue. Bandrowski urged the TMC to tell their staff to understand that there will be nothing to review on July 1, or July 15, and the SAB will not commit to August. Andrea Hilton asked why the program cannot pressure the three consulting firms to produce the review. Bandrowski said the support contractors cannot force the SAB.

Schrock gave her perspective. She characterized the recent phone call with the SAB as the "toughest call" she had experienced. She acknowledged the SAB names will be on the report and they have their reputations to protect. The stipends they are being paid "do not even begin to approach their efforts." The SAB wants to err on the side of science and if this is going to be a science-based program, they have to do a science-based assessment.

**Break**

Upon return from the break and before resuming the agenda, Person introduced a few visitors from the NRCS and Forest Service. Two public acknowledgements were made for the career service in Trinity River restoration to two members of the Trinity County RCD—Cynthia Tarwater who received the national Two Chiefs Award from the Forest Service and BLM chiefs for her contributions to promoting roads restoration and reducing sediment in the uplands, for success in leveraging funding, and work in the South Fork of the Trinity River. Pat Frost, who is retiring from the RCD, was recognized by the TRRP for his community efforts and collaboration on river and watershed restoration projects. Science Update

**12. Science Update**

Schrock commented on a number of science accomplishments, including the adult salmonid review, adoption of peer review, acknowledgement of external scientists working on the river, finalization of the field portion of the sediment monitoring, and geomorphic assessment by the USGS. She noted the increased funding proposed in the President's budget is a reflection of the perception of the program's progress. Orcutt noted there was also pressure brought by program partners and that this has helped to bring in the increased funding.

**13. 2012 Flow Schedule**

Schrock gave a slide presentation on the 2012 flow schedule on behalf of Rod Wittler who could not attend this meeting. She showed graphs of predicted and actual inflows to the Trinity Reservoir, the planned release hydrograph, and temperature data. Wittler recommended the TMC make alterations to their meeting dates so as to better coordinate with next spring's water year prediction. He specifically recommended the TMC to schedule a special telephone call on about April 12 to finalize any necessary changes to TRRP recommendations.

**14. 2012 Flow Hydrograph**

Orcutt introduced James Lee as the new employee for the TRRP that works through the Hoopa Valley Tribe. Lee presented a set of slides on the 2012 hydrograph with comments regarding the response of riparian system. He reviewed that they are trying to prevent riparian encroachment at the water level and are trying to encourage riparian re-growth at the higher levels at construction sites. They are using the hydrograph to help accomplish those two objectives. He showed how they modified the standard hydrograph so as to better represent a natural hydrograph (similar to that on the mainstem Trinity near the North Fork). They replaced the straight line recession and the long bench with more frequent but shorter benches. They are using rates of water recession (0.1 foot per day) so as to facilitate root growth and plant establishment. Curtis Milliron asked when the monitoring will be available to tell us if the seedlings are surviving. Lee thought this year's report will be available next year. Milliron also asked about the flexibility in managing flow so as to best utilize the fact that cottonwood seeds have only a few days of survival to establish. Person thought there was some flexibility. Joe Polos said that this idea has been discussed by John Bair and they have considered performing surveys to determine when the cottonwood seeds may be ready. Ed Duggan asked how tributary accretion may influence this planned hydrograph. Lee acknowledged that tributary accretion is not very well accounted for in

their proposed hydrograph and that this should be given more thought. Person thanked Lee and said that they were glad that Lee was part of the program.

Before lunch break, since they were slightly ahead of schedule, Person suggested they address the calendar.

### **Lunch 12:00 – 12:35 PM**

#### **15. TMC-TAMWG Joint Meeting Agenda**

Person introduced the topic of the joint meeting between the TMC and TAMWG. He noted the last meeting was successful and they were able to have a successful meeting without a facilitator. Hadley said they had a number of new TAMWG members and she suggested the first item of the agenda would be to fully introduce each other and who they represent. She also asked that the meeting focus at a higher level about the program and not to get into the weeds. Person noted the interdependent relationship between the TMC and TAMWG. He noted that the TAMWG may occasionally get beyond their charge and perhaps they could explore this relationship. Hadley noted the TAMWG's desire is not to criticize but to help the TMC.

They recounted some of the past issues brought up at the last joint meeting; these issues were discussed but were not "action items." Some of these issues included communications, response letters, Phase I review. Orcutt thought they need some time to think about it. He noted the need to discuss outreach efforts and that some structure would help to make progress. Schrock noted that they need to help representatives to inform their constituents. She said Jeff Morris, the public information representative, cited his impression of the wide diversity of constituents over the basin and the need to get to know them and their perceptions. Brock noted at last meeting, each member gave a ten minute introduction and this ate up the whole morning. Person said that everyone liked that, and it was "disarming" and set a common tone. Tim Hayden noted the usefulness of both TMC and TAMWG members attending each other meetings. Ed Duggan agreed and noted great improvement between TMC and TAMWG chairs. Person said he regretted having to send the "mega-letter" but it was worth the effort to summarize the TAMWG's recommendations and the TMC's responses as of that date. Hadley summarized what she had heard members say about agenda items and listed introductions, how we respond. Morris offered his perspective on outreach and expectations of how the TMC could help the TAMWG. Lack of information and how to disseminate information was brought up. Curtis Milliron noted that he was struck that this program was more integrated than any other program he has seen. He noted the very technical presentations made at the TAMWG meetings. He thought the infrastructure is "amazingly solid" and there is "good resources to be applied, but yet there is still conflict." This may be expected when you propose change. He noted the threat of TAMWG members going to Congress to pull funding was unnecessary and he opined that they all need to exercise more temperance. Schrock noted that TAMWG may be perpetuating this; she noted a TAMWG member cited in the newspaper that the program determined the water year. She opined that the TAMWG need to read the foundation documents. Duggan acknowledged that the media looks for sensational news. Milliron agreed noting "we need to tell our own story." Brock commented the strong voices at the TAMWG are now gone—Birk, Weseloh, Leydeker and Whitridge—and now is a good time to reassess changes. Schrock noted that August 2<sup>nd</sup> was so far the most popular date for the joint meeting.

Orcutt said it may be good to review the facilitated meeting and to see what progress has been made. Person said they could put in “bullet form” the commitments that were made. He asked what may be the tangible outcomes and goals. Hadley thought they should have an agenda for the joint meeting in early July. Schrock reminded everyone to complete the Doodle Poll. Hadley and Person said they would do follow up phone calls as needed.

**Action item: Elizabeth Hadley and Brian Person will finalize the agenda and meeting dates for the TMC and TAMWG joint meeting by early July.**

#### **16. Open Forum**

Person opened the discussion for open forum and noted that this meeting has been sort of an open forum throughout. Ed Duggan said he wanted to comment as a representative of the recreational fisherman. He said they have concerns of restrictions on fishing within the boundaries of the Hoopa Valley Reservation (HVR). If there were restricted fishing on the reservation, he asked that the TMC consider the TRRP funds now allocated for the sport creel counts on the reservation be diverted to other needed programs. Person reiterated that the program funds sport harvest surveys. The attendees present were not familiar enough with this program to determine if the surveys are needed or not. The tribal council is working with its programs to develop alternatives addressing the issue of public access to the Trinity River via HVR lands. Tim Hayden thought there may be some confusion over the restriction on professional guides but not private fishing. Milliron asked if this will be addressed by the time of the fall run. Orcutt said he could not speak for them (tribal council), but there is a recognized need to address issues. He can send everyone the tribal ordinance (Title 15 – Trespass and conservation ordinance) and it is available on the tribe’s website.

Tim Hayden asked if there are public meetings planned for Hoopa and Weitchpec. Schrock said yes.

#### **17. Calendar and Upcoming Meetings**

The following dates were discussed:

September 19-20, 2012 meeting somewhere on the coast (to be set up by FWS)

December 12-13, 2012 meeting in Weitchpec

April 3-4, 2013 meeting in Weaverville (10 AM to 5 PM on 4/3 and 8 AM start on 4/4)

April 12, 2013 teleconference to finalize any changes to the water year.

#### **Meeting Adjourned 1:30 PM**