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Arnold Whitridge, Dana Hord, Friends of Trinity River,
Joseph McCarthy, Emelia Berol, David Steinhauer, Thomas Stokely
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Via FedEx

March 21, 2011

The Honorable Kenneth Salazar, Secretary
Department of the Interior
1849 C Street NW
Washington, D.C. 20240

Re: Trinity River Restoration Program

Dear Secretary Salazar:

We write to you on behalf of very involved organizations and individuals - some of whom serve on the Trinity Adaptive Management Working Group, the Program's (TRRP or Program) stakeholder entity - to inform you of the ways in which the Program has strayed from provisions of the Trinity Record of Decision (ROD) that we believe cast serious doubt upon the Program's ultimate success. Some of us have been involved in Trinity River restoration efforts for more than 20 years.

Set forth here is some of the history and the original vision, organization structure and implementing processes of the Program as prescribed by the ROD. We also will set forth some of the major variances in the Program from what was intended in the ROD. Additionally, attached is a binder (a complete CD is inside the binder) that contains specific information related to problems within the Program, most of which continue unresolved - many some years later.

The original vision of the Program was that it was to be unique within the Interior Department, an opportunity to become a national model of a restored river basin ecosystem below a federal dam. For that reason, the ROD provides for the Trinity Management Council (TMC), the Program's policy/decision making entity, and the Executive Director to report directly to the Office of the Secretary of the Interior.

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That responsibility has been shunted down to the Commissioner of Reclamation, then down to the regional director of the Mid-Pac Division of the Bureau of Reclamation (BOR) and the regional manager of the CA/NV U.S. Fish & Wildlife Service (USFWS), and then further down to the BOR and USFWS representatives serving on the TMC. The ladder goes no lower, so when conflicts within the TMC arise or it cannot make decisions because of super majority voting provisions in its By-Laws, essentially final decisions for the TRRP reside with the lowest level BOR and USFWS representatives. This is straying far from what was envisioned and what was set forth in the ROD.

Personnel turnover on the TMC has been significant and essentially does not consist of agency representatives who can speak for - commit - their entities as was intended. Initially, some senior agency representatives were members, but as changes have occurred, lower level personnel have become their entity's representatives on the TMC and unfortunately there are some who have little familiarity with the Program.

The organization has been changed in other significant ways. The TRRP has a science function and an implementing function. The head of the science function no longer reports to the TRRP's Executive Director, the person accountable for ultimate Program results, but rather to the Field Supervisor of the Arcata office of USFWS. This change in organizational structure from the ROD resulted from and evolved out of a need for a "solution" to the Arcata office retaining USFWS funds appropriated for the Program that it received. USFWS funding appropriated by the Congress for the TRRP now go to the Program except for \$500 thousand retained in Washington, D.C. and about \$700 thousand, presumably to pay the costs of Arcata USFWS staff involved in TRRP issues.

Channel manipulation projects to "unhand-cuff" the river from years of extremely low flows because of water diversions were intended to remove encroachment of riparian growth that had channelized the upper river, and then to "let the river do its own thing." Channel manipulation projects constructed in Phase I appear to be far greater in scale than was intended by the ROD. Additionally, while some three side channel projects were intended for the 47 channel manipulation projects set forth in the ROD, already 12 have been constructed in just the first phase of project construction. Apparently, more are planned in phase two construction projects.

The ROD acknowledged that its recommendations then were based upon the best available science at the time and they could change as a result of later scientific review and analysis. Analyses of planned projects and of completed projects were to be undertaken and reviewed by Independent Scientific Review Panels. No pre-project reviews have been undertaken until recently, and the resulting suggestions from those reviews by the Independent Review Panel have not been incorporated in proposed

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projects at this point. The Science Advisory Board, intended to review overall Program activities, rarely has been used.

This Program was intended to be scientifically based using "Adaptive Management" with input from groups of scientists that comprised Independent Review Panels. It has not been. It is important now that further channel construction be paused – as provided in the ROD – for a period determined by the independent scientific reviewers that provides them with adequate time to review and to evaluate existing projects and to provide any needed guidance for construction of future projects. That, in fact, would be employing the "Adaptive Management" process reflected in the ROD. We ask that your Office oversee the process of pausing construction and obtaining the independent science input as reflected above.

One of the principal objectives of the Program was a return of about 60 percent of pre-dam populations of wild anadromous fish. Between this Program and its predecessor Program, now about a quarter of a billion dollars has been spent to achieve this result, this objective. Roughly, one can count on a couple of hands figuratively the increase in wild fish.

One of the several reasons for this is the over-production of hatchery fish. With increases in river flows, hatchery fish numbers have increased significantly. It's clear that hatchery practices must be changed. An Ad-Hoc group within the Program, consisting of knowledgeable people led by the California Department of Fish and Game provided suggestions for changes in Coho Salmon hatchery production as a first step. The group's recommendations were not adopted by the TMC because of objections by two members.

A TMC request for guidance on Hatchery related issues from the Interior Department has not received a written response after three years, though a response is periodically described as "forthcoming," and the issue of hatchery management authority has disappeared into Government-to-Government discussions that apparently cannot be brought to a conclusion without higher-level DOI participation.

The ROD made watershed rehabilitation a central component of the Trinity Program, and it estimated that \$2 million a year for at least 30 years would need to be allocated to rehabilitation of watersheds and tributaries – the latter the principal spawning grounds of Coho and Steelhead. Watershed degradation is the cause of virtually all mainstem sediment. These sediment contributors need to be stopped/controlled in order for the Program to succeed.

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The Program never has allocated more than \$500,000 for watershed and tributary rehabilitation even when "full program funding" has been available, and it never has spent more than half that amount. Other programs and sources have not filled the need.

Now, 10 years after the signing of the ROD, the TMC still has not been able to develop (let alone implement) effective policies and strategies for watershed and tributary rehabilitation. Here, as elsewhere, leadership and guidance from the Office of the Secretary is needed, as set forth in the ROD.

Personnel turnover in the Program's staff has been significant. Currently, nine years into the Program, a third Executive Director is being sought, although the Acting Executive Director is performing in an exemplary manner.

Some of the reasons for this turnover are the competing objectives and blatant financial conflicts of some of the TMC member entities. Unlike most government and non-government organizations, never does a TMC member recuse himself or herself from a vote in which it has a financial interest. This puts the Executive Director along with other staff members in a nearly untenable position to act in the interests of the Program given the various sources with differing objectives exerting pressures on them. This is a major detriment to the Program. A solution to this would be to have the Executive Director accountable to the Office of the Secretary as provided in the ROD. This best would be achieved by having the Executive Director appointed by and thereby accountable to the Secretary, not to one of the department's agencies, in this case the BOR.

The Integrated Assessment Plan, intended to provide a basis for evaluation and review of Program achievements against objectives, still has not been adopted nine years after it was to be completed and adopted. It has been completed and some of its provisions are being implemented, but it remains unapproved and not adopted by the TMC because of the objections of one member. It is intended to provide the basis for "Adaptive Management," based upon independent scientific review of Program actions.

We believe and recommend strongly that the Program operate as originally intended – specifically, that the Executive Director and TMC report to the Office of the Secretary. As the Executive Director position now exists within the organization, it basically is intractable.

We ask that you respond personally to this letter, and that you take action to have the Program report to someone in your office, as specified in the ROD, and that person be given ultimate authority to make decisions when conflicts or personal interests preclude the TMC from doing so. Again, this is as intended by the ROD. The TRRP was and is a unique Program and clearly was not and should not be a joint low level BOR and

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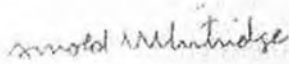
USFWS program. It was and should be as intended: a Program reporting to the Office of the Secretary.

Yours very truly,

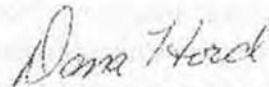


Carolee Krieger, President
California Water Impact Network

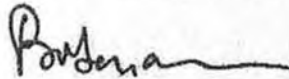
Richard Lorenz, TAMWG Member



Arnold Whitridge, TAMWG Member



Dana Hord, TAMWG Member



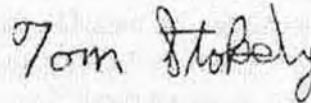
Byron Leydecker, Chair
Friends of Trinity River



Joseph McCarthy, TAMWG Member



David Steinhauser, TAMWG Member



Thomas Stokely, California Advisory
Committee on Salmon and Steelhead

Emelia Berol, TAMWG Member

cc: The Honorable Dianne Feinstein
The Honorable Barbara Boxer
The Honorable George Miller
The Honorable Mike Thompson



History and Status at Fall 2010

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www.trinityriverguidesassociation.com

3/14/2011

Arnold Whitridge, Chairman
Trinity Adaptive Management Work Group
P.O. Box 128
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Mr. Whitridge:

The Trinity River Guide Association (TRGA) respectfully requests that the Trinity Management Council impose a moratorium on mainstem Trinity River projects until a Phase 1 Adaptive Management evaluation is completed and presented to the public, as stated in the Implementation Plan for the Trinity River Record of Decision: **"an interim period without construction activities...to fully evaluate the effectiveness of project designs and the effect of the new flow regime before beginning construction on the remaining sites."** (Appendix C to the Final EIS/EIR for Trinity River Mainstem Fishery Restoration). The potential adverse environmental impacts of TRRP could not and cannot be properly evaluated without the interim period devoid of construction activities, as contemplated by the EIS/EIR.

The TRGA represents the recreational sportfishing guides on the 110+ river miles of the Trinity River. We collectively average approximately 10,000 client days each year. The recreational sportfishing value of the Trinity River and its anadromous fishes spans almost a 10 month season – one of the longest recreational seasons of any West Coast river systems – and contributes approximately 4 million dollars annually to the economies of Trinity, Humboldt, and Shasta Counties.

We support the overall goals of Trinity River Restoration Program (TRRP) to restore salmon and steelhead populations in the Trinity River through effective flow and habitat improvements. Success for the TRRP should directly translate into success for a healthy and sustainable Trinity fishery, and thus benefit the local economy through Trinity River guides, outfitters, anglers, local businesses, and other river stakeholders with higher numbers of returning anadromous fish each year.

However, based on tens of thousands of hours of personal observations on the river we believe that the aggressive mainstem channel projects over the past few seasons may have adversely impacted adult fish holding habitat upstream of the North Fork and have resulted in excessive fine sediment deposition in the river. It is apparent that excessive – and often ill-timed – amounts of earth moving, combined with the placement of large amounts of spawning gravel and a lack of high flow releases has filled in many of the pools where adult spring Chinook, summer steelhead, and other species hold over during summer months, ultimately harming the river ecosystem as well as the health and viability of the fishery. Current restoration efforts seem to focus exclusively on spawning and juvenile rearing habitat, with little to no attention paid to maintaining necessary adult holding water. While we absolutely agree that spawning and rearing habitat is vital, adult fish habitat is equally relevant but has not been considered in the planning phases of Phase 1 (or Phase 2) restoration projects.

The Trinity River Record of Decision (ROD) describes only three side channels. However, many more side channels have already been constructed during Phase 1 and more are being slated for construction in Phase 2, far exceeding the three originally considered in the ROD. The Trinity ROD envisioned just enough channel modification to allow flows – both through dam releases and natural accretion from tributaries – to do the rest of the work, but we fear that the mainstem projects have gone too far. The excessive widening of the channel dilutes the power of the river to change the shape of the river to create the necessary holding waters for anadromous fish.

Specifically, an Adaptive Management evaluation of mainstem projects should address the reduction in the number and size of pools in the Trinity River upstream of the North Fork, and especially in the stretches of river between Lewiston Dam and Douglas City. Have pools been filled in, and if so why and by how much? We also think it is imperative to see how existing sites are altered by high flows before constructing any additional projects. TRRP has consistently stated that the projects are designed to be beneficial only after high flow events impact the river. Any evaluation of the projects should specifically catalog the before-and-after effects of a seasonal high-flow event. If it is determined that existing project designs combined with higher flows are inadequate to maintain a restored river channel, it would be unwise to invest additional funding on the same failed design criteria for Phase 2. Additionally, those sites that have been damaged by failed restoration projects should be repaired to pre-project status.

We understand some may be concerned that not utilizing funding in 2011 could jeopardize funding in future years – the “spend it or lose it” approach. However, given the fact that watershed restoration projects have been significantly underfunded since the Trinity ROD was signed, it is clear that a substantial amount of money can be put into watershed and tributary restoration while the mainstem program undergoes a period of evaluation and/or reparation. The ROD itself contemplated \$2 million per year in tributary watershed work. Given the large amount of fine sediment in the mainstem and tributaries, as well as the reduced flows due to construction and operation of the Trinity River dams, it is clear that significant progress has yet to be made in reducing fine sediment inputs as required in the Trinity ROD. Greater attention to the tributaries during an evaluation moratorium in the mainstem would address the fine sediment problem.

The TRGA not only supports funding from the TRRP for tributary projects, we offer to play an active role in those projects by assisting in obtaining property owner approvals as well as volunteer physical work. Moreover, we offer our assistance, experience, and expertise on the Trinity River, in whatever forms we are able to help.

Thank you for your consideration of our request. We would greatly appreciate a written response.

Respectfully submitted,

Trinity River Guide Association

Liam Gogan, President

Board of Directors:

Travis Michel

Bill Dickens

Michael Caranci

Steve Townzen

E.B. Duggan

Paul Catanese

Bob Norman

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Eureka, CA 95501-1100



Trinity River Restoration Program

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Telephone: 530-623-1800, Fax: 530-623-5944

NC-150

MEMORANDUM

TO: TAMWG Chair and Members

FROM: Jennifer Faler, Acting Executive Director
Trinity River Restoration Program

SUBJECT: Director's Report

DATE: April 12, 2011

This report discusses the major activities that have occurred in the Program since the December 2011 meeting. The bulk of the activity since December includes re-charting the course to adjust for several continuing resolutions, implementing 2011 projects, and developing the 2012 plan of work. The Program is poised to release this year's wet year flow volume, inject high flow gravel at Diversion Pool and Lowden Ranch, construct the Wheel Gulch project, and to support watershed activities. In addition to these implementation activities the science and monitoring group is working hard to finalize reports on prior year projects, conduct this year's field work, and develop 2012 projects. I commend all Program office and partner staff for their hard work over the last several months.

Organizational Refinement

- The organization is refined.
- See attached output from the February 24-25 Facilitation / Consensus Building workshop.

Budget Update and Process

- *This bullet remains unchanged from December report - The 2011 budget implementation has hit a snag. There is a possibility for a full-year continuing resolution which could result in a significant budget cut for the Program. If Congress does not pass a budget, the Program would have to revert back to our 2010 spending level (without ARRA funding), unless additional funding can be identified within Reclamation.*
- Development of the 2012 budget has become the sole responsibility of Program managers with input from the technical staff via the work groups. This transition away from significant input from technical staff is

the result of input from the TAMWG. A preliminary 2012 budget will be unveiled at the TMC meeting in Weitchpec.

Science and Monitoring Update

- The Fiscal Year 2012 science work plan is under development. The preliminary prioritization of information needs, shared in February 2011, will be reconsidered based on funding capacity and investigation plan reviews. All investigation plans are being reviewed by external experts.
- The Interdisciplinary Team is focused on making adaptive management central to future work planning efforts.
- The Flow workgroup has forwarded three release alternatives for consideration: ROD wet, Wet 8.5, and Wet 11-B. The consensus workgroup recommendation is Wet 11-B. The workgroup has also developed a draft report documenting this year's flow scheduling process and the assessments planned to evaluate the recommended release. This topic is on today's agenda.
- A performance report is under development. The intent is to articulate how the Trinity River is responding to Program actions. This topic is on today's agenda.
- Guidelines for reports / review are under development. Upcoming external draft report reviews:
 - 2009 Interdisciplinary Habitat Assessment report
 - 2010 Bed-material Sediment Budget Update
 - Multi-year carcass / redd report

Implementation Update

- Construction is complete at the Lowden Ranch, Trinity House Gulch and Reading Creek site.
- Re-vegetation activities on Lowden Ranch, Trinity House Gulch, Reading Creek, and select past sites to occur in 2011/2012.
- Environmental review, engineering design, and contract document preparation complete for Wheel Gulch Rehabilitation Site and 2011 high flow gravel additions.
- Letters received from Trinity River Guides Association and California Water Information Network/selected TAMWG members express concerns about phase 1 channel rehabilitation work.
- Environmental review for potential 2012 sites (Limekiln, Douglas City, Lower Steiner, and Lorenz Gulch) may be placed on hold pending direction from TMC on entering a pause phase.
- The DOI design team will proceed with design of the Upper Junction City site (immediately upstream of Dutch Creek Road bridge) with close coordination with concerned stakeholders.
- Contract submitted for 2011 watershed projects.

Recent Reports

- Approximately 100 older documents have been added to the document library at <http://www.iims.trrp.net/Library/>
- Erick Ammon, Inc. 2010: Sawmill Rehabilitation Site; Post Implementation Report
- TRRP (2011) Wheel Gulch Rehabilitation Project Phase II - 2011 Project Site [MAP]
- TRRP (2011) Lower Steiner Flat Rehabilitation Project Phase II - 2011 Project Site [MAP]
- Hoopa Valley Tribe et al. 2011 Channel Rehabilitation Design Guidelines for the Mainstem Trinity River
- USBR (2011) Geologic Explorations Report for Upper Junction City, Sky Ranch, Oregon Gulch, Sheridan Creek, Deep Gulch and Chapman Ranch Sites, Trinity County, CA

- Sinnen et al. (2010) Final Annual Report, Trinity River Salmon and Steelhead Monitoring Project, 2008-2009 Season
- Sinnen et al. (2010) Final Annual Report, Trinity River Salmon and Steelhead Monitoring Project, 2007-2008 Season
- TRRP (2011) 2009 Annual Report
- North Coast Regional Water Quality Control Board, USBR, and North Wind Services (2011) Wheel Gulch rehabilitation site: Trinity River mile 75.8 to 76.4, Final Environmental Assessment/Initial Study
- GMA (2011) Trinity River WY2010 Sediment Transport Monitoring Final Report. Report to the U.S. Bureau of Reclamation, Trinity River Restoration Program
- Gaeuman, D (2011) Water Year 2010 Implementation Monitoring Report, Trinity River Restoration Program Technical Report TR-TRRP-2011-1, Weaverville, CA

Recent Events and Meetings

- Jan 12-13: Design Team Meeting
- Jan 14: Interdisciplinary Team Meeting
- Feb 9: Fish Work Group Meeting
- Feb 10: Flow Work Group Meeting
- Feb 11: Interdisciplinary Team Meeting
- Feb 14: Data Team Meeting
- Feb 17: TMC Conference Call
- Feb 17: CVPIA Annual Work Plan Public Meeting
- Feb 24-25: Facilitation Training
- March 3: Wildlife/Riparian Work Group Meeting
- March 5: Tree Planting
- March 17: Flow Work Group Meeting
- March 17: TMC Monthly Conference Call
- March 17: End of comment period for Wheel Gulch Final EA / Initial Study
- April 4: Wildlife/Riparian Work Group Meeting
- April 6: Temperature Work Group Meeting

Upcoming Events

- April 13-14: TMC Meeting, Weitchpec
- April 15: Flow Work Group Meeting
- April 19: Data Team Meeting
- April 20: Physical Work Group Meeting

ATTACHMENT

Output from the February 24-25 Facilitation / Consensus Building Workshop

CONSENSUS – Is a process through which a group makes a decision (w/o voting) that all members can support.

It is a group decision, supported by all group members, which is based on:

- A thorough understanding of all relevant information;
- Active participation by all group members;
- An understanding of different perspectives, concerns, and needs;
- A creative effort to accommodate the different needs; and
- A willingness to raise and understand disagreements and address the underlying needs manifested in disagreements.

MEETING GROUND RULES/GUIDELINES

(use best efforts to)

- Be present/focused/be prepared
- Avoid interruptions
- Listen before responding
- Be future orientated
- Stay on agenda – avoid policy debates
- Keep an open mind
 - Willing Suspension of Disbelief!!
- Raise disagreements openly and constructively
- Arrive on time/stay till end
- Avoid assumptions – Ask!
- Be clear about goal (“products”)

2011 Performance Measure Report

Trinity River Restoration Program staff is developing a performance measure report for the TMC.

Report Purpose: Provide an assessment of how the Trinity River ecosystem is responding to Program management actions.

Today's Goals: (1) Provide situation awareness; and (2) gather input on the proposed measures.

Report Schedule:

April 2011	Development / coordination of a performance measures list.
June 2011	Performance measure documentation / evaluation provided.
Sept. 2011	Draft performance measure report.

Roles:

Coordinator: Nina Hemphill; Nina's is responsible for: (1) project management; (2) integration of input from performance measure contributors; and (3) writing the main body of the report (target length: 10 pages or less).

Contributor: Various; each responsible for (1) evaluating their performance measure; and (2) providing a brief documentation sheet including performance measure's importance, trend analysis, methods, and references (target length: 2 pages or less).

Definitions from the Integrated Assessment Plan

Assessment – A group of Adaptive Environmental Assessment and Management (AEAM) actions including hypotheses, modeling, monitoring, analyses, and reconnaissance-level observations. Prerequisite to the 'Adaptive' part of AEAM.

Hypothesis Testing – An AEAM and science term that describes a major component of the scientific (Science) process. A hypothesis is a tentative theory about the natural world; a concept that is not yet verified but that if true would explain certain facts or phenomena; a scientific hypothesis that survives experimental testing becomes a scientific theory.

Performance Measures – A method of assessing the attainment of a Program Goal or Objective, in either quantitative or descriptive terms. More technically, the dependent variable of an assessment, measured during monitoring, calculated during analysis, and reported to the Program, either as an estimate of the performance of one or more relevant management actions against one or more Program Objectives, or the performance of the overall Program relative to Program Goals. There should be one or more performance measures which are relevant to each Program Objective, though some of these may be proxy measures for something that cannot be directly measured (e.g., while flows are measurable precisely, there is no single measure of smolt health).

WY 2011 Flow Release Alternatives Lewiston Dam to the Trinity River

