

TRINITY MANAGEMENT COUNCIL

April 14, 2004 Meeting Minutes
USDA Service Center, Redding, CA

SUMMARY OF 4/14/04 TMC MINUTES

Ralph Modine moved that the TMC approve Option 1, Daryl's recommended hydrograph. Neil seconded the motion. Option 1 Passed unanimously. Doug will draft a letter to the Secretary with copies to Kirk Rodgers and Steve Thompson. Mike will let Central Valley Operations know the schedule. Doug will get the letter out to TMC members for review before it is sent.

Mike Orcutt moved that the TMC send one letter to the Regional Directors of USBR and FWS and one letter to the Secretary of Resources and the Director of Fish and Game emphasizing the points discussed regarding funding. Sharon Heywood seconded the motion. Motion passed unanimously.

It was decided that a one day meeting would be held on May 11th, prior to the joint meeting on May 12th to discuss the Subcommittee Report. The meeting will be held in Weaverville. At least one sub-committee member will be there.

The next meetings will be held on May 11 (TMC only), May 12 (with TAMWG and SAB), June 29 and 30, 2004. The focus of the June 29 and 30 meetings will be the 2005 budget. Bill Brock motioned to adjourn, Mary Ellen Mueller seconded. Unanimous.

TMC Members Present: Chairman Mike Ryan, USBR; Vice-Chair Mary Ellen Mueller, USFWS; Executive Director Doug Schleusner; Sharon Heywood, USFS; Irma Lagomarsino, NOAA Fisheries; Mike Orcutt, Hoopa Valley Tribe; Tim Hayden for Troy Fletcher, Yurok Tribe; Neil Manji, Dept. of Fish and Game for the State of California; Ralph Modine, Trinity County.

Others Present: Daryl Peterson, TRRP; George Kautsky and Robert Franklin, HVT; Curtis Anderson, DWR; Jay Glase, TRRP; Bill Brock, USFS; Jeff Phipps, WAPA/CVP Power; Andreas Krause, TRRP; Serge Birk, CVP Water; Scott McBain, McBain and Trush; Clair Stalnaker, USGS (ret); Joe Polos, USFWS; Russ Smith, USBR; Glenn Yoshioka, the Public; Paul Uncapher, North State Resources; Janet Clements, Trinity Co. Natural Resources/note taker.

Mike Ryan called the meeting to order at 9:03 a.m.

INTRODUCTION

Mike Ryan announced that Irma Lagomarsino of NOAA Fisheries would be joining the meeting at approximately 10:30 a.m. He would like to postpone the discussions on the flow schedule and the program review until she arrives if possible.

Mike Orcutt requested that a discussion on the 2005 budget be added to the agenda. That agenda item was added for 9:30 a.m., after the Director's Report.

Troy Fletcher requested that a discussion be added to the agenda regarding Humboldt County's application for 50,000 additional acre-feet. It was stated that the issue would be discussed under the flow schedule agenda item.

Mike Orcutt requested that fish management be integrated into that discussion.

APPROVAL OF MINUTES:

Mary Ellen Mueller moved that the minutes be approved as written. Ralph Modine seconded the motion. The minutes were approved as written. Troy Fletcher abstained.

OPEN FORUM:

There were no comments from the public.

CHAIR REPORT: Mike Ryan

Mike complimented the effort that was put into completing the Program Evaluation Report. He stated that the report seems to hit the mark, however, he does not necessarily agree with everything in it.

The Draft Supplemental EIS/EIR has been completed. The document is 250-300 pages. The appendices are 2000+ pages. The Draft and the Appendices are being filed with the EPA. The public comment period will open on Monday, April 19, 2004. He was unable to release the document for public review the day of the meeting, but the TMC members were given an advance copy. The comment period will be 60 days long. He does not envision an extension of the comment period. The revised Record of Decision is scheduled for release in December 2004.

TAMWG REPORT, Serge Birk

Serge Birk presented the TAMWG report in Arnold Whitridge's absence. He reported on the TAMWG's April meeting. The TAMWG spent a fair amount of time discussing the program evaluation report and the flow schedule. They also elected officers. Arnold and Serge were re-elected as chair and vice-chair, respectively. The following two motions were made:

1). TAMWG recommends to the TMC that in adoption of this year's Trinity River flow schedule it also should be sensitive to the possible need for changes in it to accommodate completion of bridge construction this year as specified in the contract for construction. If changes are required, it also must recognize the needs of the fishery. In the event construction is delayed, we ask that the TMC take action to extend permitting times as appropriate.

Serge relayed that the TAMWG hopes the TMC will provide leadership and oversight to ensure completion of the Bridges.

2). TAMWG endorses the theme of the TMC Subcommittee Report, and requests that TMC be prepared to act and respond at the May 12th joint meeting.

Mike Orcutt asked if any progress had been made on the TAMWG's recommendation in support of Humboldt County's 50,000 AF water right?

Mike Ryan responded that Monday afternoon he received a copy of a letter to Gail Norton from Humboldt County, dated April 8, 2004. The letter firmly stated that Humboldt County is waiting for a response from Interior on that issue. Mike spoke with Interior representatives in Washington D.C. He reminded them that the Draft SEIS/EIR has a paragraph in it that speaks to that issue and that we will need a response in order to address comments. The people he spoke with said they would be bringing it up with the Department. Mike does not believe that OCAP or SEIS have actually built in the 50,000 acre-foot contract. It is discussed as background in the SEIS/EIR. Reclamation's point of view is that the 50,000 AF is included in the fishery releases. Humboldt County's letter asks if that is an appropriate interpretation.

REPORT FROM EXECUTIVE DIRECTOR: Doug Schleusner

Doug believes that the program is developing momentum. The TAMWG has provided greater involvement at the technical level. Momentum is also building locally with residents adjacent to the river. For example, as a result of negotiations at Salt Flat, a formal homeowners association was formed. The landowners at Poker Bar are very supportive of the project. The Program has made progress in watershed coordination. Andreas has been working with various agencies on that issue.

Doug reported that the State recently approved \$1.2 million for the Poker Bar and Bucktail Bridges. State contributions now total over \$2.5 million. The program has also received \$2 million dollars through the CVPIA Restoration Fund.

Contracts have been awarded for the Salt Flat and Biggers Road Bridges. The contractor is interested in starting as soon as possible and working until the flows go up. The office received 6 bids for the Bucktail and Poker Bar Bridges, which are currently being reviewed by the contracting officer in Sacramento. The bids were all well within the USBR engineer's estimate. The bridges will be open for traffic by the end of the calendar year. There will probably be some follow up construction necessary next season.

Doug feels that the SEIS will further raise the visibility of the program. At the policy level, the office has had ongoing discussions regarding the strategic plan and the program evaluation report. Both are tools to move towards the future.

Doug announced that there will be a meeting to lay out the program of work the 2nd or 3rd week of May. He made several staffing announcements. Scott Crawford was recently hired to fill the Grants and Agreements position and a selection has been made for the budget assistant position. Doug introduced Jay Glase who is filling the fisheries biologist

position on a 90-day detail Doug also announced that Daryl Peterson will be leaving the program for a position in Minnesota. His last day is April 30th. Doug will take action to fill that position as soon as possible. He would like to start advertising in science journals, through the Science Advisory Board, and through the TMC.

Doug announced several upcoming meetings/events on the calendar. June 7-10, 2004 there will be a Science Workshop for lower Klamath/Trinity Basin at Humboldt State. The agenda for that meeting is currently being developed. Doug will share that information as soon as it becomes available.

Mike Ryan asked if the CVPIA Restoration Round Table will be expecting a report on the Bridges at their April 21st quarterly meeting. Serge Birk stated that the agenda is out on that meeting and Trinity will not be a part of it this time. However, Bureau and Fish and Wildlife Service representatives are welcome to attend. There will be a meeting in September or October where a report on the bridges would be more appropriate.

Doug stated that it has become clear that the Strategic Plan is far from where it needs to be. He would like to incorporate the findings of the review committee into the Plan. The plan has taken a different form. It will be used as a tool to help facilitate discussion. He is not certain when he will be able to bring it to the TMC for approval.

Mike Orcutt stated that he is concerned with the 2005 budget, that the program is losing \$1.4 million from Reclamation and additional funds from FWS. The Tribe has written a letter to Bennett Raley. They are concerned about the reduction. Since 1992, CVPIA has established the restoration fund through a surcharge on Trinity water deliveries. He has not been able to obtain a firm number on what the Trinity has contributed to the fund. Mike Ryan stated that he has also tried unsuccessfully to get a breakdown of the surcharge from Trinity exports for several years.

Mary Ellen Mueller stated that 2004 budget requests went forward and she does not expect there to be any reductions. In 2005, there is a possibility of a 10% reduction. She has no idea what the budget will look like in 2006. She has been told it will be a tough year and they can expect reductions.

Sharon Heywood stated that she will look into Forest Service funding.

Irma Lagomarsino stated that there are two added items in the President's budget for NOAA Fisheries, one for science and one for restoration. She does not know how that money will be allocated, but perhaps that money is a possibility for the Restoration Program. She stated that otherwise, things look pretty grim. NOAA Fisheries lost money this year.

Neil Manji stated that CDF&G's Coastal Fisheries Recovery Grant Program is not being tapped as much as it could be for Trinity restoration. There may be significant dollars to fund some of the implementation items identified in the ROD. Trinity County and the Tribes would be eligible to apply to the grant program for funding of those projects. He

believes that CDF&G would support that work. The RFP's for the program are out and proposals are due in May.

Troy Fletcher stated that he does not think a letter from the TMC is sufficient. He would like to see a more constructive action. He also sees a backlash from applying to CDF&G's grant program if the TRRP comes in to take the money from the smaller entities that typically apply for those funds.

There was a general discussion about possible action the TMC could take regarding the budget.

It was decided that two letters would be written, one to the Regional Directors of FWS and USBR and one to Secretary Chrisman and the Director of Fish and Game. Both letters will emphasize the need for further funding. The first letter will target the CVPIA Restoration Fund. The letter will thank the agencies for the funds already allocated to the program, identify the need for further funding in 2005, and ask the Directors to use their discretionary authority to help obtain that funding. The letter will also state that the TMC will be seeking different sources of funding. The second letter will help to get the word out to TMC stakeholders and agencies and will focus more on tying into different sources of funding. The second letter will also be sent to Rod McGinnis of NOAA Fisheries. All members generally agreed that it would be good to have specific work items to tie the money to. It was agreed that it would be best to send the letters now, rather than wait until June.

Mike Orcutt moved that the TMC send one letter to the Regional Directors of USBR and FWS and one letter to the Secretary of Resources and the Director of Fish and Game emphasizing the points discussed. Sharon Heywood seconded the motion. Motion passed unanimously.

Doug will discuss tying into the Fish and Game grant program with Neil.

Mike Ryan suggested that the TMC ask Doug to prepare two letters addressing the points previously discussed. Doug will share the letters with the TMC for editing. Mike will sign them and send them out.

Doug stated that he will also get a letter out soon about setting up a budget meeting.

BREAK

TRINITY RIVER RECOMMENDED INSTREAM RELEASE SCHEDULE FOR WATER YEAR 2004: Daryl Peterson

The purpose of Daryl's presentation was to recommend a 2004 spring flow release schedule for TMC approval or modification.

Daryl gave an overview of the release schedule planning process. This year, representative flow alternatives were sent out to the TMC technical representatives in late

February for review. The representatives met on March 11th to discuss the status of the system, priorities, and essentially to provide guidance on what the program should be focusing on. Daryl and his staff then prepared a draft recommendation. He acknowledged that in future years it would be good to give more time for input prior to final action by TMC. Daryl felt that the process worked well and that it was in line with the implementation plan. The TAMWG and the TMC provided input and recommendations and the TRRP office worked out the details.

Daryl summarized selected WY 2003 Monitoring Results. Dave Hillemeier asked if the results of the fall flow will be put together. He has concern with potential spring/fall hybridization. Daryl stated that he did put together a draft report, however, he cannot commit to finishing it. He thinks it is an important thing to follow up on, however, he feels it must be used judiciously and cautiously. The peak release last year was 2,500 cfs.

Neil explained the hatchery process and the overlaps of fall and spring runs. At the hatchery, CDF&G takes care to make sure that spring-run and fall-run fish are not crossed. The two runs do overlap so there is a concern. He stated that CDF&G will probably put a report together since they have been looking at spawning at the hatchery and the potential effects of additional flow. Daryl will provide Neil with contacts. Irma is concerned with wild spring and fall cross breeding. She suggested that maybe the CDF&G analysis can also look at wild fish. Dave Hillemeier stated that crossbreeding can happen naturally. It is a concern that higher flows may exacerbate that problem.

Troy stated that he is not sure that the emergency fall flows last year were effective. There was no fish kill but that might be because of conditions on the Klamath. He feels that we need to have clear objectives and to clearly link with the Klamath side before the TMC can decide whether or not to implement those flows again this year. He would like to have results from what happened in 2003. Troy suggested that part of that discussion should include how water types are determined on the Klamath side and the ability of the Bureau to change water year type. An understanding of that should go into a Real-time study. Troy feels that the TMC needs to be follow up on this topic. He stated that the TMC needs results before it can make a recommendation.

Mike Ryan stated that Bennett Raley's proposal includes a provision for emergency fall flows in order to lessen chances of a Lower Klamath die-off. That provision was founded on information from fall 2003. Mike has been asked to determine if the group wants the emergency flows and how the water can be made available.

Troy asked how to properly assess if the flows are appropriate when there has been no analysis of the fall 2003 flows.

Irma agreed with Troy that a report on the fall flows would be very valuable. She does not see the need for the emergency flows this year.

Neil reported that CDF&G is looking at an analysis of hatchery fish. The technical experts need to put a report together on the effects of increased flows on fisheries in

terms of temperature and water quality. Daryl stated that Troy's ideas of linking it to Real-time data is a good idea and would be valuable.

It was agreed that this discussion might be a good agenda item for the science workshop in June.

Daryl reported that the 2004 water year is classified as a wet year. The potential volume of water available for instream releases ranges from 453,000 (Wanger Injunction) to 672,000 acre feet (Wet Year ROD w/o Bridges). The replacement of the four bridges is scheduled for 2004. The upper river channel rehabilitation projects have not been implemented.

Water Year 2004 priorities are to complete the bridges, enhance production of brood years affected by the 2002 die-off, scour and removal of riparian seedlings at the existing channel restoration sites, transport of tributary delta coarse sediments from Rush and Indian Creeks, calibrate G-star sediment transport model above Rush creek, and reduce mainstem fine sediment storage (recommended release extended duration of >4500 cfs).

Robert Franklin stated that the bridges are not a priority for the flow schedule. He recognizes their high priority but does not want to get them done by adjusting flows. Daryl agreed that this priority is more of an overall program priority.

Daryl summarized the Flow Schedule Planning Guidelines and displayed the hydrograph components for the recommended dam releases for spring/early summer temperature objectives. TRRP staff recommended a 2,000 cfs bench for temperature conditions in spring/early summer. If additional water is made available (up to 672,000 af) they have proposed higher releases for geomorphic processes.

Mary Ellen asked how the bridges impact spawning and migration. Daryl stated that the construction areas are relatively small, and management practices will be used to ensure no impact to fish. NOAA Fisheries, CDF&G, and the Water Quality Control Board are involved in the project.

Daryl explained that with a dry year volume of 453,000 AF, there is the option of choosing the dry year schedule, which peaks at 4,500 and ramps down. That schedule does not meet temperature objectives. It is more for maintenance. The heavy lifting is done in the normal and wetter years, when higher releases and the temperature bench can be implemented. With only 453,000 af to work with, a peak of 6,000 cfs can only be maintained for 4-5 days, and later in the summer, temperatures will go way up. Some tributary sediment can be moved with 4-5 days at 6,000 cfs, but there are no channel restoration projects being implemented so there would be little benefit. TRRP staff determined that implementing the peak flows seemed to have a lower effect than maintaining temperature objectives (the 2,000 cfs bench) through rearing time.

Daryl stated that this flow schedule is what was implemented in 2003. The expected outcome for WY2004 is similar to a comparison of water temps and flow of the trinity at Weitchpec and the spring-time temperature objectives.

Daryl summarized his rationale for the recommended Release Schedule as follows:

1) Temperature objectives for late spring are least likely to be achieved without increased dam releases. 2) Hydraulic effectiveness of high flow release to change channel geometry in the upper river section is limited prior to more extensive implementation of channel rehab projects. 3) The most significant effect of rearing habitat that can be achieved with the available water volume is to provide optimal temperatures and increased habitat area throughout the entire mainstem. 4) The 2,000 cfs release schedule recommended in the Flow Study is currently the best available science for achieving implementation plan objectives. 5) Bridge construction schedules.

DISCUSSION:

Scott McBain presented some of the different approaches that were discussed by the technical representatives but not presented to the TMC. He felt they were important for the TMC to understand. He stated that due to changing conditions, how the high peak is released must change each year in order to achieve objectives on a yearly basis. For this year, Rush creek contributed fairly low amounts of coarse and fine sediment. Indian Creek contributed relatively high amounts. The highest priority is routing fine sediment downstream, and there is a fairly substantial amount of sediment. This is both a geomorphic and biological issue. The technical representatives tried to find ways to meet both geomorphic and biological issues using 453,000 AF. The team came up with two different alternatives. One was to have a short duration peak and ramp down quickly to 1,500 cfs through July 9th. This alternative would move most of the sediment at Rush Creek. The second alternative was to implement the 6,000 cfs peak, but then ramp to 2,000 cfs through June 25th. This alternative would maintain the temperature objective for a shorter time period. However, it seems it would have a fairly small affect on juveniles.

Joe Polos explained that last year 90% had left the Trinity River, by July 9th, not 80%. Carving time off of the temperature bench at the beginning or the end can be modeled. Joe thinks it is a huge issue for sediment input. This year is a weak brood coming into spawn, and if the fines are still there, there will be more degraded habitat. The incoming cohort will have a harder time.

Joe Polos further explained some different alternatives.

LUNCH

The meeting resumed at 1:46 p.m.

Scott stated that the flow schedule process this year was a drastic improvement from last year. He does not want to portray the process as negative.

There was a general discussion among the TMC members and the technical representatives regarding the trade offs of the different hydrographs. Implementing a

6,000 cfs release would impact the ability to maintain temperature objectives and the 2,000 cfs bench through July 9th.

Daryl again summarized his reasons for selecting the recommended hydrograph. The hydrograph sticks to the objectives of the TRFER and fully accomplishes its' temperature objectives. TRFER is the best available science. He knows that implementing the 2,000 cfs bench provides maximum benefit. Also, although he does not want the bridge construction to dictate the release schedule, the RIG does need to know what the schedule will be.

Mike Ryan is concerned with the legal implications of changing the 2,000 cfs bench. He would like to keep it in place.

There was a general discussion about temperature effects to fishery and how to adaptively manage in regards to the flow schedule. Joe Polos stated that the difference between a 1,500 cfs bench and a 2,000 cfs bench would mean a couple of degrees at the end of the season. That is something to be concerned about. He would not go below 2,000 cfs.

BREAK

Mike Orcutt would like the TMC to make a strong statement that they are developing a flow schedule with not enough water in a year where there is ample water in the basin. Mike Ryan agreed that the Trinity River is in a wet year. Whichever alternative he votes for, he does not want anyone to misconstrue that he is happy with the 452,000 AF amount.

There was further discussion on some of the different options before the TMC. The TMC came up with three different options to vote on as follows:

Option 1: Daryl's recommended release schedule

Option 2: Reallocating from the front end of the temperature bench in order to implement a 6,000 cfs peak;

Option 3: Reallocating from the back end of the 2,000 cfs temperature bench in order to implement a 6,000 cfs peak

Ralph Modine stated that Daryl's recommended hydrograph seems like the safer approach.

Troy stated that if there is a temperature concern, temperature should be monitored and the flow schedule changed accordingly.

Daryl requested a fixed flow for this year because of the bridges.

Mike Ryan feels that Option 1 is the right thing to do

Neil stated that he strongly feels that Option 1 is the best option. There is value in repeating flows.

Irma also stated that she would go with Option 1.

Bill Brock prefers option 2, but he is not completely comfortable with it. He does not necessarily agree with the argument that it would be valuable to repeat last year's flows.

Troy prefers both options. He appreciates everyone's discussion. He likes the idea of a Real-time study. He thinks the bridge contractor has less certainty further in the year. He hears good points for both options.

Mike Orcutt stated that he prefers Option 1. The TMC must strongly state that there is not enough water.

Mary Ellen stated that as long as the TMC sends a strong statement, and no water is carved off of the 2,000 cfs bench, she would be willing to go with Option 1.

Ralph moved that the TMC approve Option 1, Daryl's recommended hydrograph. Neil seconded the motion.

Option 1 Passed unanimously.

Troy reemphasized that the TMC needs to state their dissatisfaction with dry year flows in a wet year.

Doug will draft a letter to the Secretary with copies to Kirk Rodgers and Steve Thompson. Mike will let Central Valley Operations know the schedule. Doug will get the letter out to TMC members for review before it is sent.

TRINITY RIVER RESTORATION PROGRAM:

Dr. Clair Stalnaker, USGS Senior Scientist Emeritus

Dr. Stalnaker summarized the basic premise of the Flow Study as a combination of mechanical restoration and flow releases that will increase spawning and rearing habitat for anadromous species and restore the floodplain. The general hypothesis is that recreating dynamic alluvial river channel will create additional salmonid habitat.

The flow study looks at large scale change.

Dr. Stalnaker reviewed the Record of Decision and the framework for the Adaptive Management Program. The Trinity River Program combines assessment and management. Most agency and task force structures have not allowed both to go on simultaneously.

Dr. Stalnaker explained several of the components of implementation. The models behind the Flow Study have not yet been implemented. He recommended that they be brought in-house. Other components include the bridges, channel rehab restoration, refined river sampling design for baseline and annual comparisons, RFP based contract management, peer review process to assure science based assessments and management actions.

PROGRAM REVIEW SUBCOMMITTEE REPORT

Curtis summarized the charge of the committee and the process went through in compiling the report.

Curtis reviewed some of the sub-committee's recommendations as follows: 1) The TMC should develop a consistent vision through the program. 2) The TMC needs to be more engaged and direct the program. 3) Progress on the Implementation plan and Strategic plan should be monitored. 4) The TMC and the AEAM staff need to make a priority of fully implementing the science based adaptively managed program as outlined in the

Implementation Plan and the ROD. 5) The TMAG vacancies should be restaffed and aligned with the scientific qualifications described in the Implementation Plan. 6) The TMC and AEAM staff should develop timelines for channel restoration goals and make adjustments to achieve them. 7) The TMC needs to prioritize and guide the Strategic plan. 8) Improvement of implementation progress will likely require additional staff in the RIG. 9) The TMC needs to provide assistance with environmental permitting hurdles.

Curtis also reviewed recommendations on pages 18 and 19 of the report. The subcommittee has staffing suggestions. He also referred to pages 22 and 23. The subcommittee would like the TMC to think about how they can help alleviate program challenges. Curtis reviewed those areas of the report most relevant to the TMC.

TMC members generally agreed that they would like to go through every recommendation with the review committee in order to fully understand their intent.

Doug stated that since meeting with the subcommittee, the AEAM staff has looked at the channel rehab sites differently. He would like guidance from the TMC. There is an 18 month lead time in preparing for construction of each project. If the office implements one project at a time, there will not be the large scale change we are looking for. He is concerned that if we wait to talk about that until June, there will be problems. He would like to figure it out sooner. That can be done in a conference call if the TMC members would like.

Doug gave an example of the questions he would like to pose to the TMC regarding some of the key faced by his staff. He needs to know several things immediately such as whether they should continue working on the Canyon Creek sites. There is also the issues of payment for access and level of site design. Doug stated that the most important issue is whether to continue focusing on Canyon Creek.

There was a general discussion on having a second meeting in May to further discuss the Program Evaluation Report and to discuss the issues and questions Doug has presented to the TMC. It was decided that a one day meeting would be held on May 11th, prior to the joint meeting on May 12th. The meeting will be held in Weaverville. At least one subcommittee member will be there. Doug will find a place for the meeting.

OPEN FORUM

Troy feels we will need a facilitator for the meeting on the 12th because roles and responsibilities will be discussed. He sees it going smoother with a facilitator.

NEXT MEETING

The next meetings will be held on May 11 (TMC only), May 12 (with TAMWG and SAB), June 29 and 30, 2004. The focus of the June 29 and 30 meeting will be the 2005 budget. Bill Brock motioned to adjourn, Mary Ellen Mueller seconded. Unanimous. Meeting adjourned at 5:45 pm.