

**Trinity Management Council  
Meeting of April 14, 2005  
Weaverville Library 9 am**

**TMC Members Present:** Mike Ryan, *BOR* (Chair); Doug Schleusner, *BOR TRRP*; Dave Hillemeier, *Yurok Tribe*; Irma Lagomarsino, *NOAA Fisheries*; Mike Long, *USFWS*; Mike Orcutt, *HVT*; Jeff Morris (for Tom Stokely), *Trinity County*; Neil Manji, *CAF&G*; Bill Brock, *USFS*

**Others Present:** Joshua Allen, Howard Freeman, *Trinity County*; Abbey Stockwell, *Ameri-Corp WSP*; Rod Whittler, Nina Hemphill, Andreas Kraus, Bob Sullivan, *TRRP*; Tim Hayden, *Yurok*; Arnold Whitridge, *TAMWG*; Ed Duggan, *Willow Creek CSD*; Rick Rogers, *NOAA Fisheries*; Pat Frost, *TCRCD*; Curtis Anderson, *DWR*; Joe Polos, *FWS*; Scott McBain, *McBain & Trush*; Darrel Tate, *TC Resident*; George Kautsky

| <u>Time</u> | <u>Topic, Purpose and/or<br/>Decision to be Made</u> | <u>Discussion Leader</u> |
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9:25 Call to Order by Mike Ryan, Chair

**Regular Business:**

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| 9:00 | <b>Introduction:</b> Validate agenda items; Approve TMC Minutes for 12/10/04, 1/31/05, 2/15/05 | Mike Ryan, Chair |
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Mike Orcutt: I would like to review the past minutes before approving.

Minutes will be approved at the following meeting on 4/15/05.

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| 9:15 | <b>Open Forum:</b> Comments from the public | Mike Ryan |
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Ed Dugan: Member of TAMWG, representing Willow Creek CSD. He passed out a Humboldt BOS letter requesting fall flows from Humboldt's 50K AF allocation. Several BOS members are seriously considering requesting not to use ROD flows for the fall, but the initiative is not in front of them at the moment to make the decision. A letter will be available from them after their next meeting. He is in support of the Hupa letter; the water should not be used from the ROD allocation, water should only be used for ROD flows due to the work that has been done in the past to get these flows. He is concerned about the mixing of fall & spring run salmon, and doesn't want to see that continue. He believes that flows for Klamath water problems should be done with Klamath water.

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| 9:30 | <b>Report from TMC Chair:</b> | Mike Ryan |
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Mike Ryan: In his opinion, this is the most important meeting of the year; when the TMC makes recommendations, it is a big deal. He received a letter from BOR/FWS to ask the TMC to advise if there should be an increase of fall flows, and to consider reserving a portion of ROD flows to achieve fall flows. A new letter send by Thompson/Rodgers clarifies their request; they are just

asking what we think about ROD flows used in the fall, there are other alternatives. He hopes that people will take the opportunity to look over the letters.

Jeff Morris: Is the action for this letter communicated?

Ryan: Mostly numbers based, often conveyed in a letter narratively. Sometimes they will communicate directly as an agency.

Bill Brock: Twice you used ROD flows and increase fall flows in the same sentence; are you suggesting ROD fall flows?

Ryan: No

Orcutt: Are we just skipping to this item?

Ryan: No. We are going to have these items in front of us later in the agenda. I don't think people will be happy about the budget for this year and next. The meeting is a full two days.

9:45                      **Report from TAMWG Chair:** Nomination package                      Arnold Whitridge

Whitridge: New members still haven't been approved, which causes problems. The new charter allows carry-over of members. Some members have attended the flow schedule meetings, and TAMWG meet this last Tuesday with nine members which is quorum. We discussed the flows, and have two recommendations for flows. First we recommend that the flows for this year are Option 4a with a delay of 4 days, with no plan for fall flows this year unanimously. Secondly we recommended that the criteria of inventory of needed floodplain preparation be the criteria by staff with a 11K cfs flow with a 10 year tributary flow; voted with 7 for this recommendation, 2 against.

He discussed the budget, thinks that there is a general feeling that the staff is taking a reasonable approach.

Orcutt: Normally in the past, has there been TAMWG documentation of discussion or actions they've taken? I would like a full review of the events at the meeting.

Whitridge: FWS takes minutes, but it takes time to get them out. We did not prepare a written recommendation.

Orcutt: Were there any discussion about alternatives or approaches to emergency conditions on the Klamath?

Whitridge: We tried discussing it, but there was no consensus. It costs the BOR less to take the fall flows out of the ROD, the TAMWG remained silent on this issue, and we just said that we don't recommend that fall flows should come from the ROD. We did discuss this topic and in the past have about fall flows, but in the past it was not an issue of where they come from. We are on record of supporting Humboldt's request; but just not this year nor did we discuss it.

Irma Lagomarsino: You don't support Humboldt's water this year, what is to become of this water?

Whitridge: Humboldt's best current offer is to use it in the fall. In the past it was reasonable to use these flows for the fall, but beyond that we don't have a position of how to use the water this year. To clarify TAMWG oppose fall flows, period.

Doug Schleusner: Are you going to release a letter to the TMC and are you expecting a written response?

Whitridge: Our position has been communicated. I expect an unambiguous response back. I don't think a written letter is necessary.

10:00                    **Report from Executive Director:** Program updates                    Doug Schleusner

Schleusner: This will be a report of the comings and goings of the program, mostly just highlights. First I would like to acknowledge my staff, publicly state that they are doing a good job with tight constraints, and have kept projects moving. I encourage others to do the same. We also brought preliminary project info here to the meeting.

Mike Long: I have a couple of questions. I would like a short summary about the CEQA lead agency issue.

Schleusner: I will talk about it, and it's an agenda item.

Orcutt: The other issue is a summary of the TMC's subcommittee report with regards to where we are at, actions taken, and other TMC concerns.

Schleusner: I do not have a formal report about that topic. I have given a table out at the last meeting with a status of where we are. I can make it available, but I'm not prepared today.

Ryan: It would help if we did for budget items.

Neill Manji: Are the subcommittee subgroups still meeting? Is there a form that you'll bring back to TMC to increase communication? What is the status of those items?

Schleusner: I believe that there have been good discussions, though they have not been taking formal notes, but there is discussion about formal notes.

Curtis Anderson: We have been developing the agendas on the fly. Not really focusing on actual items of the subcommittee reports, due to a lot of unclarity. Should we be reporting back to the subcommittee and TMC; what does the TMC want?

Manji: We owe it to the subcommittee to report formally to them. The concept is to get the info to the TMC. As you continue to discuss, look for machinations for showing your conclusion.

Schleusner: My understanding is that it would be an informal opportunity to discuss issues. The discussions have been helpful; I didn't think that there would be formal agendas. In my monthly e-mail I can summarize the points of the subgroups.

Manji: That would be helpful. So if you do present something like that, I encourage you to make sure everyone is on the same page. I suggest that the subcommittees should write up their report.

Schleusner: I would like to highlight that the website progress is going well. The website will help with communication and the science framework. It looks really good and useful. I envision that a link will be sent out to everyone, so they can preview it, and approve it. The website is needed for public participation. Under public education and outreach, I have included background in my written report. I have also provided a lake level diagram for water year types and withdrawal. There is a public opinion that the lake will be drained.

Orcutt: I strongly suggest that the outreach should be broader and include people such as those dependant on the fisheries.

Schleusner: We were focusing on marina operators for the meeting in which this was prepared for. At our open house many different interests were represented.

Orcutt: At that meeting, was there any discussion of the legal mandate?

Schleusner: Paul Fujitani made a good presentation. There is a public perception that water contract obligations would come from the TRD allocation. Paul helped to put things in its proper perspective. The accomplishment report has not been able to meet the scheduled deadline due to all of the other projects. The plan is to make it a 2001-2005 accomplishment report, and believes that it will be a useful document. You should have received a letter from Steve Thompson for a principal meeting with field tours. We need to know who will be able to attend, please make some inquiries about who will attend.

Orcutt: How much outreach is surrounding flow volumes going downstream? Does the meeting have any relationship to this meeting?

Schleusner: We would like to have it during peak flows during the middle of May.

Orcutt: How much outreach is there to river communities?

Schleusner: CVP Ops releases a newsletter and contacts agencies so they can inform their focus groups. There is an extensive mailing list of notification.

The CEQA lead status is stated in three letters in your folder. I was told by TMC to send the letter in March. OPR needs letters of contentions from all involved agencies. The process is still ongoing and OPR is still waiting for letters from DWR and ?. There has been further discussion between the agencies, Tom Stokely has asked that the letter be withdrawn, and a MOMU be instituted to get passed this issue. If there are any more questions about my report I will answer

them, but at this time I believe that I have covered most of the issues. Rod will make a presentation of the flow options.

**Action Item 1<sup>1</sup>:**

10:15

**Proposed 2005 Flow Schedule**

*Accept or modify and approve the TMAG recommendation for Water Year 2005 Trinity River flow schedule.*

- Summary of water year determination TMAG Andreas Krause,
- Initial presentation of 2005 objectives, options, trade-offs, and recommendations Rod Wittler, TMAG

Rod Wittler: This year is a normal water year type with an allocation of 647,000AF. We have had a series of meeting dealing with these considerations for developing the flow schedule: a four day delay in the onset of the spring hydrograph; removal of flat cars from bridge sites which may not happen now; a sediment monitoring contract delay (starting May 6); and we are recommending going above the 6K cfs flow to a 4 day peak of 7000cfs to get a high water mark for HEC-RAS modeling calibration, which is needed for reality actions, this information will go a long way for floodplain development and will give us better data. It is also needed for the other models such as SALMOD, PHABSIM, GSTARS, Redd Scour, etc. Ed also needs time to work out his projects, so that also weighted in to our decision. We have also taken in account the 4/11/05 BOR/FWS letter.

There was a discussion of the first four original proposed options.

Long: There must be some loss of objectives with a 7000cfs peak?

Rod: 4 days at 7000 moves the same amount of sediment as 6000 at 5 days.

Orcutt: When you determine your water forecast, will there be any adjustment after the April 1<sup>st</sup> projection and how would it affect the flow schedule?

Wittler: I don't know, and it would depend on when the adjustment is made and with where we are in the flow schedule. It would cause problems for monitoring.

Orcutt: I would like to have a discussion, analysis, and recommendation for the positive or negative ramifications of such an adjustment. Under planning considerations, how is the fly fishing season date a technical issue that the TMAG should be concerned with?

Whittler: The fishing season issue is just a courtesy for the stakeholders of the program.

Orcutt: Did the stakeholders bring this forward?

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<sup>1</sup> Refer to attached briefing papers for more information on each action item.

Schleusner: This topic has been with us for 3 years, not so much last year, but the year before we adjusted it. It's not a scientific experiment, it just seems doable; we have been visited by fishing groups to shift the days for fishing purposes and safety. A 3 day shift does not impact the ROD flows.

Orcutt: Tribal trust property rights and fishing rights are imposed upon; there are some potential impacts to steelhead, out-migration, temperature standards, and monitoring.

Schleusner: I was not aware that was an issue.

Andreas Kraus: Safety was a secondary issue; the shift is more for getting the bridges out. Last year the delay was due to court problems about releases.

Orcutt: Can the bridge pier removal be delayed to the fall?

Wittler: The contract that was written assumed that there would be a dry year which would allow a sooner removal, with some room for higher flows. Ed needs three weeks to get the infrastructure out of the river. The spring bench doesn't allow for the removal.

Orcutt: In the interest of time, I'll reserve my comments to the action items times.

Discussion about the other options for fall flows.

- 4A = 7K cfs peak with a 4 day delay. Two 2 day benches at 4.5K cfs & 6K cfs on both ascending & descending limbs.
- 5 = 20,300 Af reserve for fall
- 5a = 33K AF reserve for fall flows

Nina Hemphill discussed the TMAG recommendations.

Hemphill: The reason for the fish die-off was due to density in the Lower Klamath. There are data that Trinity fish move up stream early when there are fall releases. There is an unintended consequence of fall and spring chinook mixing due to the fall flows. Data is from the DFG and JC weirs.

Orcutt: Are you talking about the Klamath as well? Who were you working with on the Klamath?

Hemphill: We were using data specifically on the Trinity and effects on Trinity River fish.

Irma: Did you look at '03 and '04 data?

Hemphill: Yes, and '01 and earlier also.

Irma: So are you seeing a pattern associated with fall flows, are Klamath fish coming up the Trinity due to these flows?

Hemphill: No, this was a concern but there is no evidence of Klamath fish moving up the Trinity. I am really only deal solely with Trinity River fisheries.

Manji backed up Hemphill's comments that this info has been shown the past few years with DFG data. The data is from Junction City and the hatchery from the past two years and has been compared to 2000/01 data, but they have not looked at it all the way back to say 1980; this data is preliminary and is a risk-assessment. There will be discussions in the future about movement and mortality.

Hemphill: There is also data from JC that Coho also head upstream early as well.

Morris: Basing flows from the weirs and radio tagging almost seems like a justification of fall flows. My understanding of the ROD flows is to mimic the natural flows of the river.

Hemphill: The ROD flows and the focus of the restoration of this river has constraints due to the issues on the Lower Klamath which complicates the issue. The Trinity River is part of a larger river system, anadromous fish need to go through the lower Klamath.

Morris: We should encourage the Klamath managers to be proactive with their management of their river, and we should not be held responsible for actions on the Klamath. We do not have the power to control the Klamath, this is the Trinity River restoration.

Schleusner: We are not drawing conclusions or recommendations, these are just indications of what's going on.

Orcutt: You should be careful how you present these data, and whether or not runs are intermingling. Secondly, there were Trinity River fish that were killed. Thirdly, I recommend that an interbasin group be set up to manage the flows on both sides and how to address these issues.

Serge Berk: I would like to thank the program for their efforts to inform people of the impacts of fall flows.

Gerald Tate: Have you checked out other sources of Klamath waters? Have you searched other possibilities first?

Ryan: BOR is asking for our point of view about fall flows & what options are there?

There was a discussion about density within the river and disease outbreaks.

Dave Hillemeier: Smaller runs are predicted this year, we can only deal with likelihoods, and we should be watching for indicators should we need to react.

Wittler: We have options that reserve water out of the ROD. We would need to reserve now even if we don't use it. However, there is another risk we are seeing with Fall flows to turtles; they are going into hibernation sooner.

We derived these volumes to reserve by looking at the amount reserved and used in the past for fall flows and came up with 20-33,000AF to reserve. We haven't designed what the flows would look like just where the water would come from.

Continued discussion of the other options that reserve water for fall flows.

- Option 5: 4 day delay with a 4 day peak of 7K cfs, 2 day benches of 4.5K & 6K cfs on the descending end of the hydrograph, with a steep decent to 2K cfs. Total volume of 626,700 AF, with a reserve of ~20K AF for fall flows.
- Option 5a: 4 day peak of 7K cfs with a steeper descent to 2K cfs. Total water volume is 614K AF with ~33K AF reserve for fall flows.

There was a discussion about temperature objectives and how the options would meet these.

Andreas Krause: Temperature objectives are missed for steelhead in the beginning of the spring flows because of the 4 day delay, but the descending limb has no temperature impacts because it follows what the ROD normal flow would look like.

Whittler: When the two benches are removed it starts to reduce the amount of sediment moved. I am less concerned with the steelhead bench because of rain event recently. The temperature model being developed in '05 will help in future.

**Action Item 1:**

11:00      **Proposed 2005 Flow Schedule (cont.)**  
*Accept or modify and approve the TMAG recommendation  
for Water Year 2005 Trinity River flow schedule.*

Question and answer period for TMAG      Rod Wittler

Schleusner: We need to consider the longer term issue of genetics. The name over the door is TRRP, but we need to coordinate with Klamath issues. Flow allocations for this program are a precious resource; while the ROD & Flow Study allows flexibility, we need to make sure that flows meet those objectives. We need to distinguish between what we know, don't know, and what are opinions. There has not been any proven data that fall flows help Trinity River fish. The decision before you is risk management. The larger question gets back to fish and short verses long term issues.

Ryan: The issue is that based on the info we have, should there be at this time fall flows? Is it a good idea or not type of approach. We been asked by DOI; if there was fall flows, what do we think of taking it from ROD flows, or should we look at other options?

Orcutt: Before I am ready to make a recommendation on flow scheduling, I need to move off of the issue of where we are at in regards to fall flows. That will govern how I will respond to flow scheduling. I'm a bit perplexed as to why the ROD flows, which have withstood litigation and other problems, are now discussed for sending ROD flows for the fall. I need to know where we are at.

Ryan: I see that this issue should probably come first.

Lagomarsino: Maybe we should start at impacts to the ROD, and if the fall flows are a good idea or not. Then do we think it should come out of the ROD?

Manji: I don't think we'll get very far if we discuss if fall flows will help. There is a lot of data that has been presented that shows that fall flows may not help. I warn everyone that there is a lot of info that needs to be reviewed. Do we risk a coupling of fall/spring runs to protect fish in the lower river? There are a lot of genetic questions. To help us make that determination, what can we do to mitigate for these potential negative impacts.

Hillemeier: Is there a boat dance this year?

Orcutt: It looks like the boat dance will be around August 30.

Berk: What was the AF released?

Orcutt: Around 4-6K AF.

Berk: Has been any observation of fish moving during those releases?

Orcutt: Just antidotal info. Quantifiable info is not available.

Hillemeier: The boat dance flow event is much more reflective of natural events such as a storm.

Long: The TMC should weight in on the possibility of fall flows and if there is consensus. I agree that looking at the data would be good, but due to our time schedule, I'm not sure that we can say what will happen.

Bill Brock: Try to imagine where we will be in September and how we are going to deal with a possible problem.

Ryan: It is conceivable that in August we may think that it is a good idea to send water down in the fall.

Orcutt: Our position is that it's illegal to take flows from the ROD. Our letter speaks to the issue of fall flows. Pacific Fishery Management Council sentiment is grim, and endorses the Hupa's letter.

More discussion about fall flows and its impacts.

Ryan: If fall flows did not come from the ROD, would there be a condition to send fall flows or do negative impacts out-weigh benefits?

Brock: I would like to see real time monitoring, when we see a problem arising and then reacting then.

Manji: This is a complex issue. You don't necessarily need fish to move, you just don't want another fish-kill. There needs to be more analysis on how to avert a fish-kill. I think that is a different approach, and how we would release the water is the issue.

Long: I would say that during certain circumstances, a fall release would be a good thing.

Orcutt: I would ask the TMAG, are fall flows scientifically viable, and if it is where it should come from?

Manji: Does the Interior think this is legally doable?

Ryan: In early March the Hoopa sent a letter to the DOI questioning the legality of using ROD water. DOI hasn't responded, so this is still on the table whether they agree or disagree on the legal aspect, so put this issue aside. The legal stuff will be handled, they are asking if fall flows are a good idea based upon the science.

Whitridge: They only ask is it viable, not whether or not if it's a good idea, which is different.

Orcutt: It's kind of contradictory within the letter. It is the opinion of the TMAG that it is not scientifically justified to set aside water for fall flows.

Wittler: Those are your words.

Orcutt: That's what is in the letter...

**Motion to break for lunch at 12:30, will reconvene at 1:30. Seconded & approved.**

**Called back to order at 1:55pm.**

Ryan: We had a phone call with Rodgers & Thompson to clarify the letter they sent. Mike Long will explain...

Long: What Rodgers & Thompson are asking for is whether or not releasing flows in the fall is a good idea or not to prevent a die-off.

Ryan: The main question is whether or not fall flows are a good idea, and what is the source of the water? How does the management council feel?

Orcutt: What is the scientific evidence to make this decision and what is the TMAG view on this issue?

Wittler: The TMAG's position is that there is a lack of info. My recommendation on the spot for this year, for just 2005, with what I know today, meeting ROD objectives while accomplishing my technical goals, I support Option 4a. It meets the most of all of our objectives, with no recommendation of fall flows. However, if later in the year a fish die-off is imminent, which no

one wants, if monitoring shows that the situation is imminent I would recommend taking the most reasonable action at that time of re-evaluating if a fall flow is needed later on, but it is not my recommendation.

Brock: I'm unclear on how the flows would be used, if there was no need for the fall flow, then can we carry it over the next year, or take it out of the next year?

Ryan: My understanding is that permanent annual volume means exactly that. If someone said that we need to borrow from next year's volume, it gets murky messing with the permanent annual volume.

Orcutt: My understanding is that the 9<sup>th</sup> Circuit said that nothing should stand in the way of implementing ROD flows and does not allow a decrease of flows if needed one year.

Ryan: It is a legal question left up to the lawyers to decide. We need to stay with the permanent annual volume.

Wittler: I believe that the components of Option 4a meet the objectives of the ROD for a normal year. I have question about the ascending limb of the hydrograph and the 4 day delay and our modeling results. It is my belief we will not violate or drop out of the temp range for smolts on the descending limb.

Hillemeier: Didn't we have water left over from last year for pulse flows?

Ryan: My understanding is we used it all.

Hillemeier: Our concern is that the unnatural pulse flows could have ramifications that we don't know of as of yet. Fall flows are becoming more of a habit on a yearly basis. We recommend more of a real time monitoring to see if there is an indication of problems. We recommend what the Flow Study recommends. Steelhead temperatures would be nice to have modeled more, I would go with the TMAG recommendations, without the 4 day delay due to my observations.

Ryan: Is there anybody who feels that we should plan on fall pulse flows?

Long: We should put triggers in place. It's prudent to have that option if the triggers are met.

Ryan: That would be part b to that question. Should we be open to fall flows? Does any one say that we should plan on it.

Brock: My answer is no because we have a 50% probability of a fish-kill happening.

Lagomarsino: I agree. There are other things happening on the Klamath side such as water-banking which may help solve that problem. I'm not ready to say that a fall flow should happen.

Manji: I agree, my answer is no. Should we have it in our pocket just in case? I would say it would be a significant federal action, and it's premature to plan flows. There should be some

environmental documentation to uphold those concerns. In the past, a quick EA was done for fall flows. What are the mitigation measures to alleviate the concerns of fall and spring runs?

Schleusner: The kind of effort you are talking about is costly. If my office is tasked with that, our program will change, and projects planned will not get done.

Orcutt: The answer today for fall flows is no. What we are bouncing along with is a contingency plan, and it needs to look at juveniles as well as adults. If the fall flows are off of the table, I can move beyond this issue to other pressing issues.

Ryan: I don't have the authority to say it's off the table. If TMC said that given our understanding as a management council we don't recommend it, but here's our recommendation, then it's up to the Secretary to decide whether or not to agree with us.

There was more discussion about taking the issue off of the table.

Morris: It seems that if we recommend fall flows, what may happen is that it will be expected from us every year. We need to have a consistent policy coming from this group. It is not part of the ROD to modify flows nor is it the intent. It seems like the ROD is OK when it suits our needs, and when it doesn't, then we throw it out the window.

Orcutt: We've expended a lot of resources the last few years to get the ROD flows and the program implemented. We turn our back, we hear we're OK in court, then now we have to utilize our resources again just to hold the line on flows. We prevailed already in court, now with this group talking about taking water out of the scientific flows, I question if we really have the right people at the table. We can't turn our back for a minute to get to other issues because the flow of the water keeps getting shifted.

Morris: The flow of the river has been held up in court. If there was no dam, we would see more fish kills yearly during dry years. We are just fortunate that we have the cold water storage to mitigate for those problems.

Hillemeier: ROD flows are more than what would be going downstream if the river was natural. I see no point in fixing a problem that is someone else's responsibility.

Lagomarsino: In 2002 after the die-off, BOR came up with a source of water to supplement the flows on the Klamath. If we were looking at an imminent problem, could that water that they have provided in the past still be available? I am not willing to take ROD allocations out for fall flows, and I am willing to take that risk.

Ryan: I would say yes, there would be other sources, but it's not guaranteed. I imagine that if it looks imminent, I and Dave Solbos would be finding as much water as we can. Are we ready for that?

Brock: If we give up water every year, we will end up dry, we need to use discretion.

Manji: Does the TMC agree that we do not recommend fall flows?

Orcutt: I have three motions. First accept TMAG recommendation, there is no scientific evidence that supports a fall flow at this time, and that fall flows should not come from ROD flows . Secondly, a contingency motion on the outcome of the first motion, I can accept conceptually with 4a, but when you when divert from the ROD, it may cause problems, in which case I would support the normal ROD flow. Thirdly, we need a technical team to look at the aspects of fall flows and come up with a contingency plan for the future.

Manji: There should be clarification from this group to the SOI that this group does not support fall flows. I don't want a misunderstanding that we don't want a fall flow, it should be stated up front that ROD flows for the fall is inappropriate.

Long: I think that we can meet the objectives of the ROD if we shave off some water for fall flows.

There was continued discussion of the fall flow topic, same issues being repeated over again for clarification of stances.

- TMC discussion and decision

Mike Ryan

A few draft recommendations were made by Long, Kautsky, & Wittler to be voted on by the TMC. Portions of each recommendation were incorporated into a final recommendation which was voted upon.

Long's: In response to letters from the BOR & FWS, dated 4/11/05 & 4/13/05, the TMC believes it would be advisable to release fall flows in the Trinity River to prevent a die-off of adult salmonids in the lower Klamath River provided certain criteria or "trigger" are met.

The TMC recommends the BOR pursue options for obtaining water from "outside sources" for such fall flow releases in the event the above-mentioned triggers are met.

However, because use of ROD flows for fall releases impair achievement of ROD objectives, the TMC does not support use of ROD water for fall flow releases.

Kautsky's: TMC accepts the recommendation of the TMAG that based on present knowledge, there is no scientific justification for the use of Trinity River increased flows in fall for the purpose of alleviating fish mortality in the Lower Klamath River below Trinity confluence. Further, use of ROD volumes for such a purpose is not supported by the TMC.

Wittler (TMAG): Based upon present knowledge & data available on 4/14/05, the TMAG does not recommend a fall flow, from any source, for the benefit of Trinity River fish. There is scientific evidence that the overlap of the timing of the spring and fall runs increases during fall flows, and the increased overlap may result in increased risk of mixing of the Trinity spring and fall run Chinook. In any particular year, the risk of a die-off of Trinity River fish, as determined by a set of criteria related to conditions in the lower Klamath River, may outweigh the risk of genetic mixing. It is difficult to prove that a fall flow prevents fish die-off in the Lower Klamath

River. Diverting ROD flows from their planned purposes may result in not fully meeting ROD objectives.

**Final TMC Recommendation:** In response to letters from the Bureau of Reclamation and Fish and Wildlife Service, dated April 11 and April 13, 2005, based upon present knowledge and data available on 14 April 2005, the TMC does not recommend a fall, 2005, pulse flow.

Diverting ROD flows from their planned purposes in order to provide water for a fall pulse flow will result in not fully meeting ROD objectives. Therefore, the TMC does not support use of ROD water for fall, 2005, flow releases.

<Flow Schedule – Option 4 (no-delay)> The purpose of increasing the peak flow to 7,000 ft<sup>3</sup>/s in WY2005 is to accelerate implementation of the ROD by facilitating floodway clearing, specifically realty actions.

Due to conditions that may develop over the next several months, or in any given year, the TMC recommends that scientists from the Klamath and Trinity coordinate the establishment, monitoring, and assessment of criteria for determining the onset of die-off conditions in the Klamath River. The TMC will convene and recommend emergency actions should those conditions develop. In the meantime the TMC believes it prudent for Reclamation to explore the potential for acquiring ‘outside sources’ of water, i.e. supplemental to the ROD volume, in the case the need arises.

Moved to adopt the final draft as the TMC response to ROD flows by Manji, seconded by Lagomarsino.

There were 7 votes for the recommendation; 1 against, Trinity County on the grounds that a delay should be implemented for fly-fishing season, though the County agrees with all other portions of the recommendation.

**Meeting Adjourned at 6:15 pm.**