

Final Minutes
TRINITY MANAGEMENT COUNCIL
 December 6-7, 2017
 Trinity River Restoration Program Office
 1313 South Main Street, Weaverville, CA

Day 1, December 6, 2017, 9:00 am

Attending Members

Member	Representative Seat
Don Bader	Bureau of Reclamation, Chair
Nick Hetrick	Fish and Wildlife Service, Vice-chair
Justin Ly	National Oceanic and Atmospheric Adm. Fisheries
Mike Orcutt ^{1, 2}	Hoopa Valley Tribe
Dave Hillemeier ²	Yurok Tribe
Terri Simon-Jackson	Forest Service
Teresa Connor	California Natural Resources Agency
Keith Groves ³	Trinity County
Caryn Hunt DeCarlo ⁴	Trinity River Restoration Program, Executive Director

¹ Arrived during Item 4. ² Replaced by their alternates, (Robert Franklin and Kyle De Juilio, respectively) during Item 16. ³ Left after item 16, ⁴ Non-voting member.

Others that attended: Mike Dixon, Jennifer Norris, Dave Gaeuman (TRRP); James Lee, Robert Franklin, Cynthia LeDoux-Bloom (Hoopa Valley Tribe); Bill Brock, Brad Rust (USFS); Kyle De Juilio, (Yurok Tribe); Joe Polos, Steve Gough (Fish and Wildlife Service); Dave Wellock, Jack Nordlund, Jerry Payne, John Letton, Peter Strauss (local residents); Elizabeth Hadley, Linsey Walker (Bureau of Reclamation); Ken Lindke (CDFW); Leslie Bryant (City of Redding); Kelli Gant, Ed Duggan, Tom Stokely, Kristi Bevard, Julie Catanese (former TAMWG representatives/alternates); Hank Seemann (Humboldt County); Amy Gittelsohn (Trinity County Reporter); Seth Naman (NOAA Fisheries).

Attending by phone: Tony LaBanca (CDFW), Mel Hughes (City of Redding).

Notes: Kim Mattson (ENW).

List of Motions

Keith Groves made a motion to approve the September minutes.

Justin Ly seconded the motion.

The motion passed unanimously.

Dave Hillemeier nominated Justin Ly for Vice-chair of the TMC.

Terri Simon-Jackson nominated Nick Hetrick.

Justin Ly was voted in as Vice-chair by paper ballots.

Dave Hillemeier made a motion for the Executive Director to direct TRRP staff to develop prioritized guidelines for the use of SOD or Storage Management releases in 2018 to be shared with CVO.

Justin Ly seconded the motion.

The motion passed unanimously.

Dave Hillemeier made a motion that the TMC take action at the March meeting on managed flows as conceptually outlined in the white paper for the winter-spring of 2019.

Teresa Connor seconded the motion.

The motion passed with 6 yes votes with the Hoopa Valley Tribe and Reclamation abstaining.

Justin Ly made a motion to allocate \$500K from the FY18 budget to purchase or elevate and relocate the JC house, whichever is most economical, if the program staff determine that other sources of funding are not feasible by the time funds need to be obligated. TRRP staff would immediately prioritize pursuing WCB funding for purchase of the JC house/property.

Dave Hillemeier seconded the motion.

The motion passed with 6 yes votes with Reclamation and FWS abstaining.

Mike Orcutt made a motion to fund gravel processing, redd/outmigrant surveys, WC weir, and large wood in priority order as indicated on budget handout. The redd counts, outmigrant surveys, and WC weir would be approved for FY19 at the proposed amounts.

Nick Hetrick seconded the motion.

The motion passed with seven yes votes, NOAA abstained.

List of Action Items made during the Meeting

Action item: Caryn HuntDeCarlo will send out a draft motion to TMC members regarding drone use before the January teleconference call.

Regular Business

1. Introductions

Welcome

Don Bader, Trinity Management Council (TMC) Chair, opened the meeting and asked the attendees to introduce themselves. He next reviewed the agenda and noted they will not be having a vote on the winter variability flow since they did not yet have the environmental clearance. Some expressed a desire to go ahead and take a vote that would be contingent on receiving the clearance.

Bader next asked for a review of the September meeting minutes.

Approval of TMC September Meeting Minutes

Keith Groves made a motion to approve the September minutes.

Justin Ly seconded the motion.

The motion passed unanimously.

2. Public Forum and Comments from the Public

There were many comments about the Department of Interior's decision to deactivate the Trinity River Adaptive Management Working Group (TAMWG). Leslie Bryant and Tom Stokely expressed their concerns. Stokely said he was not that surprised they were put on hold by the Department of Interior (DOI) speculating on the range of reasons from incompetence to a desire to silence critics. He asked that the TMC vote to recommend the Secretary of the Interior to reinstate the TAMWG and cited the value of the TAMWG as providing the perception that the Program has public input. John Letton opined to Stokely to not underestimate the likelihood of incompetence over overt action. Letton also thanked Caryn Hunt DeCarlo for providing the public additional information after the recent public meeting on the variable flows. Ed Duggan also echoed his support for the TAMWG and noted the TAMWG provided the local representation for the Willow Creek area. He recommended the TMC now re-consider adding Humboldt County to the TMC. He noted several other problems with the Program such as the fishing guides displeasure over the failure of Phase II to be implemented, that there has been no official report from the TMC whether or not they are producing more fish, and that the guides are upset over the Deep Gulch project as it makes drift boat passage more difficult (the next day he corrected that Deep Gulch project was not the location he was referring to). Dave Wellock noted he got involved with restoration in the 1980s with one of the first projects on his property. He said they are now experiencing filling up holes in the river with gravel and impacts to his seep well from gravel augmentation. He has been trying to work with the Program, but the efforts are a "slap in the face." He cited failure of the Program to work with the property owners over the problems with the seep wells.

3. Report from TAMWG

Nick Hetrick noted that the last meeting of TAMWG was March 2017. The approval packages for the subsequent meetings were held up at the Department of Interior (DOI). They first were told this was due to the "Federal Pause." The TAMWG has since been deemed by the DOI to be "administratively inactive" with no further explanation offered. Hetrick is still hopeful something may change, but the decision rests with the DOI.

Teresa Connor suggested the TMC send a letter to the DOI explaining the importance of TAMWG and ask them to reconsider. It was pointed out that the DOI employees on the TMC could not sign the letter as it would be going against their Department. Terri Simon-Jackson said she would support this letter, but she would need to elevate her decision first within her agency. Justin Ly said he would support the letter. Tom Stokely noted that it may be important to hold the vote until the Forest Service had clearance. He noted that he had heard that one explanation was that a form had not been filled out completely. Nick Hetrick noted that Congressman Huffman had sent a letter to the DOI requesting an explanation by December 22. Also there is a campaign ongoing to send letters to the Secretary of the DOI.

4. Report from the Executive Director

Caryn Hunt DeCarlo, Executive Director of the Trinity River Restoration Program (TRRP or Program), passed out her written report and touched on the main points. She commented that in preparing this report, she had to remove the TAMWG addressee and that was a disappointment. She continued with her report by noting the main Program activities: white paper on winter flow hydrograph, completion of Deep Gulch Sheridan Creek rehabilitation site, interviews by the TRRP Refinements contractor, and identifying budget priorities for FY18 with Partners. Regarding personnel changes, construction manager Dan Nordstrom and Secretary Maggie James have accepted promotions and will be leaving the Program. Hunt DeCarlo said that they now plan to fill the vacant civil engineer position later in 2018 and an offer has been made for the hydraulic engineer/physical scientist position. Kanta Kano, the Japanese intern has completed his 3-month term. Hunt DeCarlo thanks Program staff who spent much personal time with him.

Jennifer Norris gave an update on Science activities. Much effort has been spent on the variable-flow white paper. Other work has been focused on the budget. She noted the last pages of the Executive Director's Report that contained the Technical Working Group updates and the timeline for synthesis reports. Terri Simon-Jackson asked why a couple of synthesis reports were scheduled for FY2020. Norris said those reports were contingent on other reports in progress but she would check again with the authors.

Mike Dixon gave the Implementation update. He noted they are considering work on completed projects that could be performed as re-visits for low cost and high return. He commented on the Bucktail project and the high flows and issues of John Ivanish. He explained that the high water flooded Ivanish's property longer than expected and that caused problems with access and feeding of horses, but they are working on a solution. The Deep Gulch and Sheridan Creek site was completed in November. It was the largest project to date, but not without hiccups. They had to extend in-channel work due to the Helena Fire and this extended into the steelhead season. They are looking at the lessons learned as they turn their focus to Dutch Creek and Sky Ranch. FEMA adjusted the flood maps and this has created some confusion for public noticing for projects already completed. They are updating the Biological Assessment and this will need a new contract for an environmental contractor. He noted the Watershed Workgroup has identified new priorities such as increasing summer flows in tributaries and new focus on Weaver Creek and Browns Creek.

Hunt DeCarlo resumed her presentation and went over a number of public outreach activities: the website, publications, events, and meetings. She noted the work of Chad Smith and his deliverable on tasks 1-3 recently sent out to TMC Coordination team members. She noted the FY18 budget that is being finalized and the development of a ranked priority list that is ready for TMC approval. She finished her presentation by listing the new publication and reports.

Hunt DeCarlo discussed that the Sediment Monitoring proposal did not get approved in the FY18 Science Workplan, however funding already existed on the GMA contract for the monitoring effort. She's been advised that deobligating the funding likely causes the Program to lose the funding to Region. She stated that having the proposal go through the Workplan helped with identifying adjustments should be made, and that the Physical WG would revisit the sediment monitoring under facilitation by the Science Coordinator. Mike Orcutt asked about the GMA contract and the \$500K that is still available. He asked if this is budget neutral. Hunt DeCarlo said, yes, it will not affect the FY18 budget, that funding on the contract is from previous years. Nick Hetrick emphasized that the Science Workplan Process is to ensure the scientific validity of studies. He requested that peer-review should go into any new contract,

consistent with DOI's scientific integrity policy that requires peer review of studies prior to the information being used to make significant management decisions. Hunt DeCarlo affirmed this.

Information / Decision Items

5. Election of the TMC Vice Chair (Decision Item)

Don Bader noted that the TMC needed to elect a new Vice-chair since Bruce Bingham has retired. Nick Hetrick noted that the Arcata Office Field Supervisor position is currently vacant and that the new person may be the next person sitting on the TMC. However, several TMC members clarified that they elect the person and not necessarily the representative position (e.g., whoever sits in the FWS seat). Terri Simon-Jackson announced that she is now the Acting Forest Supervisor and since the Forest Service is under a hiring freeze and in a state of flux, she may be Acting Supervisor for a while and could not serve as Vice-chair at this time.

After that discussion, the TMC nominated candidates for Vice-chair and took a paper vote.

Dave Hillemeier nominated Justin Ly for Vice-chair of the TMC.

Terri Simon-Jackson nominated Nick Hetrick.

Justin Ly was voted in as Vice-chair by paper ballots.

6. Schedule 2018 Teleconference and Meeting Dates

Caryn Hunt DeCarlo referred the TMC to a handout listing the proposed 2018 TMC quarterly meetings and teleconference dates. After some discussion, the final dates and locations were agreed to:

March 28-29 in Weaverville

June 13-14 on the Coast

September 5-6 in Weitchpec

December 5-6 in Redding at the Forest Service

Conference calls will be the fourth Thursdays on months without a TMC meeting except November when the call would be the second Thursday to avoid Thanksgiving. Caryn Hunt DeCarlo will send out a list of final dates.

7. TRRP Drone Use

Eric Peterson gave a slide presentation and passed out a handout on the use of drones in the TRRP. He noted the value of drones for aerial assessments. He listed the differing requirements for using drones for each Partner within the Program. Some requirements are agency-specific and are specific regarding the ownership of the lands being flown over. Most federal lands require permits or at least some sort of contact for non-recreational use of drones. State lands need land-manager approval. County lands are not regulated. Flying over private lands has no federal regulations, but the State of California has a law protecting from invasion, although this new law is unclear on how that invasion is defined. Many state and federal agencies funding or sponsoring drone use require some sort of notification of or permission be given to private landowners if drones would be flying over private lands. However, a contractor or one of the Tribes could fly a drone over private lands and not be required to obtain permission (except perhaps by the California law). Peterson noted that this lack of consistent approach to private lands could result in an incident that could reflect on drone use by the Program. Peterson

recommended the TMC develop a motion on being a “good neighbor” regarding drone use. He suggested they consider the activities, permission, what triggers contact, and transparency. He suggested the following motion for the TMC.

As a “Good Neighbor” in the Trinity River watershed regarding the use of Unmanned Aerial Systems (UAS) while conducting work toward the Trinity River Restoration Program, staff of TMC member organizations and their contractors will obtain written permission from private individuals with lands within flight plans prior to the flights, and will annually report usage of UAS for listing on the TRRP website.

Dave Wellock asked about liability assumed by the drone users for damages to private landowners and he cited an incident of a helicopter scaring his livestock. It was suggested the requirement for gaining permission, which was assumed not to be granted by Mr. Wellock, would take care of this problem. Dave Hillemeier said he would rather not entertain a motion as he was not prepared to until he talked to his people a bit more. Keith Groves noted that they should consult the current regulations regarding height of flight, to which James Lee said was normally 400-feet maximum. Groves also suggested that contractors be required to meet the FAA certificate part 107. Nick Hetrick noted who may accept management of the permission notices and that may be an acceptance of liability. Peterson agreed and noted the advantage of having the contractor do the work and assume liability. Dave Hillemeier suggested they take this up as a motion at the March meeting.

Action item: Caryn Hunt DeCarlo will send out a draft motion to TMC members regarding drone use before the January teleconference call.

8. Re-initiation of Consultation

Don Bader handed out a one-page update on re-initiation of Endangered Species Act Section 7 consultation on the long-term operation of the Central Valley Project and State Water Project. There is new information on the multi-year drought and on the population levels of the delta smelt and winter-run Chinook salmon. The consultation would allow continued operation of the water projects in a manner consistent with Federal law, State water rights, permits, and licenses. It is anticipated that this re-initiation of consultation would include flow management in the Trinity River. A federal EIS and a state EIR would be prepared. Reclamation and DWR are seeking input on issues to be included.

TMC Support for TAMWG

As there was extra time before lunch, Bader suggested they take up the motion to show support for the TAMWG. He noted again that the DOI representatives would not be able to sign a letter of support, since they are employees of DOI and cannot oppose DOI policy. Terri Simon-Jackson said she would not have an answer as to her ability to sign in the next few days. Dave Hillemeier suggested the Vice-Chair sign the letter and to make it a polite request for reconsideration. Mike Orcutt also suggested a more generic approach that explains how the TAMWG fits in with the ROD and the Program. Tom Stokely thought a motion could pass even if the two DOI representatives and Forest Service had to abstain. Who should write and sign the letter was discussed. Hillemeier and Justin Ly thought it would be best to have the TMC write the letter instead of individual members or their respective agencies because it would take longer to get individual agency letters out. Bader said he and Hetrick have to be very careful regarding any perception that they may be opposing their respective agency’s position, and even abstaining from a TMC protest letter may be viewed as tacit support for that action. Terri Simon-Jackson reiterated that she has delegated authority to represent the Forest Service as a member of the

TMC, but this request needs to be elevated to higher levels of the Agency. Hillemeier argued that the TMC is advisory to the Secretary of Interior and they would simply be pointing out the value of the TAMWG as outlined in the ROD. Teresa Connor said perhaps a draft letter could be prepared and then reviewed by TMC members tomorrow for a vote.

Lunch

9. Safety of Dams Presentation

Don Bader gave a slide presentation on the operations of Trinity Dam and why they do not need an emergency spillway. The dam was constructed in the 1950s and was the highest earth filled dam in the nation up until the Oroville Dam was built. He showed a schematic of the Trinity Dam with the powerhouses and three different outlets from the dam. The “glory hole” is at the highest elevation, 16-foot diameter power outlet is at middle elevations, and a smaller auxiliary outlet is at the lowest elevation. The combined maximum release from these three outlets is about 25,000 to 30,000 cfs. He explained the 1976 Reservoir Restriction was a decision that allows greater releases when the probability of floods begins to increase. An important decision point was lake level at 2347 foot elevation. In 2006 Reclamation reviewed the risk to landslides and found it was relatively low. In 2011 they conducted a Comprehensive Formal Review where they re-confirmed a risk of failure was very low (return period of 60,000 years). There have been requests to reduce the winter restriction and flow releases as this results in lower storage in the reservoir, but the technical reviews have not allowed this. Plant capacity is 3600 cfs.

Tom Stokely said he had heard from Reclamation engineers from Denver that the probable maximum flood for the Trinity was 400,000 cfs and this was about 12 times greater than the maximum out flow works and therefore this flow could potentially over top the dam. Bader said Trinity Dam noted a 15-day storage buffer built into the reservoir storage. There were other suggestions to use the safety of dam releases for restoration releases. Jennifer Norris said the macro-invertebrate project would coordinate well with these releases.

10. Winter Variability Flow (Decision Item)

Don Bader introduced this topic by noting they have had discussions with the Solicitor about environmental compliance of winter variability flows but have not yet received a final decision. Caryn Hunt DeCarlo referred the TMC to a handout summarizing the public comments on the winter variable flows. Hunt DeCarlo state that the Solicitor noted the need for more information in the detailed Supplemental Information Report (SIR) that determines whether or not the environmental issues are covered by the existing environmental analyses done for the Record of Decision (ROD).

Kyle De Juilio gave a slide presentation as an update on the winter variable flows. He reviewed that the ROD does allow for changes in the daily releases in order to meet its objectives. Currently the ROD allows for 300 cfs during the winter. The ideal winter variable flow is that elevated flow events would occur earlier in the year than those currently used done as a result of management. Models run by TRRP staff showed increased smolt and juvenile fish responses with scaled natural flow scenario. Increased flow variability and magnitude will increase food availability in the form of insect drift and will allow increased access to the floodplains where food availability is high. Pre-dam flows were normally higher than the current ROD flows during the spring period February to April. De Juilio explained that 1,800 cfs was chosen for release to test winter variable flows minimize impacts to hydropower and to avoid any risk of redd scour. 34,000 acre feet total release was chosen to limit impacts to other objectives. De Juilio said they

were proposing three releases of 1,800 cfs in early February, early March and early April. They would conduct monitoring along with the flow releases. Three days of wade fishing would be impacted (e.g., too high of flow) for each release and two days for drift boat fishing. De Juilio asked for further guidance for the program staff as to the merits and pursuing future proposals.

Keith Groves asked from where the extra flow would come. De Juilio thought it could be ROD flow and/or safety of dam releases and this would be an additional flow on top of the 300 cfs. There were questions about where they would do the monitoring for fish response. De Juilio said it would be in the Lewiston Reach as the dam releases have the most impact there. Peter Strauss asked how De Juilio would be able to assess the food response if they did not know the base-level food responses. Seth Naman noted that the monitoring would include measuring drift before the release and after the release. Nick Hetrick said the premise of winter variable flow is very good, but had concerns with the approach of utilizing ROD water for testing the macroinvertebrate study. . He also said it was good to parse out where the water comes from.

Caryn Hunt DeCarlo referred the TMC to a summary of comments made at a recent public meeting held on the winter variable flows. Don Bader opened the discussion up for more public comments.

Ed Duggan noted they need to have both the food source and water temperature for fish and he noted the releases may have an impact to water temperature. De Juilio said there may be but it would be late in the season when most of the smolts had left the system. John Letton again noted that he appreciated Caryn Hunt DeCarlo for summarizing these comments. He also noted the value of listening to the science with a “common sense” view. Reading from his list, he questioned what would be learned from studying a flat braided section of the river that could be related to the entire river. He also suggested that if they already know that added water means more food, there is no need to do a study to prove what is already known. He finally asked about where these extra bugs may come. De Juilio said this experiment would not necessarily produce food but would increase the delivery of food. James Lee added that during winter, standing water on floodplains will be producing food; the high flows will access that food and deliver it to fish. Letton continued by opining that any loss of fishing days will have an economic impact on the workers in his lodge as a loss of hours of work. He thought it may be best to use weather events to create the needed high flows for this study. Kelli Gant noted the number one recreational income to Trinity County is steelhead fishing and that environmental analyses do not normally include the economic impacts to the local human population. A business owner of the Fly Shop commented that his job is to keep the guides employed. He thanked the TRRP to provide the proposal. He said if there were 20 guides on the river per day, the loss of 6 fishing days combined with restaurants and motels might add to \$152,000 by his calculations. He added that the guides normally can count on the upper river being fishable and these increased flows would impact the predictability of having a fishable day for potential clients. He still has some questions on what they may be measuring, indirect impacts, how they arrived at 1,800 cfs.

Strauss continued his line of questions and asked if there weren't smaller impact projects that may have a larger improvement to fish production. He noted a “carelessness” in some of the larger projects. Tom Stokely thought it would be less risky to use some other water than ROD water as any extra use of ROD water would imply it was extra and users in the Central Valley would ask about that water. John Letton noted that the 1,800 cfs was chosen for power production and the study proponents would likely rather have 4,000 to 5,000 cfs. He also noted that the 1,800 cfs if added on top of a storm event could induce redd scour. De Juilio responded that 17,000 cfs was shown to not cause redd scour in Junction City and 4,500 cfs in Lewiston is only incipient gravel mobilization and not redd scour. Mike Orcutt asked what authority they may use to get

the water and that safety of dams release as a good candidate. Teresa Connor said the State is supportive of more natural releases and would like to know what remaining issues exist with the white paper. Dave Hillemeier said the Yurok also strongly support a more natural flow and noted that currently the geomorphic flows occur after 60 % of the smolts are out of the system. He opined that the use of this water is within the directions of the ROD and its use would be an example of adaptive management. Don Bader pointed out that last year they maintained 300 cfs through April 6, then released 1600 cfs as a safety release and asked the public attendees how this release affected the conditions for the guides and others. Keith Groves pointed out that the safety of dams release are dictated by “acts of God” and that there are requirements to release the water, whereas this proposal is discretionary and it may impact up to 10 % of some people’s income. He thought they may need more discussion and thought. Ed Duggan said this proposed release better mimics pre-dam conditions and this may help to better recover fish populations.

Dave Hillemeier reiterated that they need to give clear guidance to the technical people about how to proceed. Do they want to wait until next year and have more discussion? Can they use safety of dam release this year? Terri Simon-Jackson asked again how this year’s 1600 cfs release affected the public. John Letton admitted it would have impacted guides individually, but it had a big effect on his survivors of cancer clients this year. Justin Ly said he supports the flows. Nick Hetrick said they had fought for a natural hydrograph on the Klamath and now they mimicked the releases from Iron Gate to the natural flows.

Don Bader said first the Solicitor has to decide if this action is outside of the ROD EIS Flow Evaluation Study. He noted that they do have “a high” reservoir storage right now and that may allow safety of dams releases. Dave Hillemeier said he did not see what is stopping a motion right now that would be contingent on the Solicitor’s decision. If an increased release was an imposition on the guides, perhaps they should wait a year (spring 2019) so the guides could be able to plan around it.

Dave Hillemeier started a motion that the TMC take action on managed flows per the white paper at their next meeting in March. There was discussion about whether the white paper would be ready by March. Keith Groves said the motion does not require a decision but essentially gives the staff direction to keep working on this. Don Bader said he would abstain from the vote since there is a consideration that the water may come from outside of the ROD. Another part of Hillemeier’s motion was to use safety of dams release to the extent possible but it was suggested this be covered in a separate motion. Keith Groves pointed out that it may be better to claim the released water as ROD water, say the TRRP avoided extra release from the reservoir as safety of dam release, and that would leave more water in the reservoir. For a second motion Dave Hillemeier modified it as to direct Flow Workgroup to come up with criteria or priorities about how the safety of dam releases would occur. The TMC decided to put this second motion up before voting on the first. Mike Orcutt commented on the value of asking the Regional Director to be involved with the direction to CVO.

Dave Hillemeier made a motion for the Executive Director to direct TRRP staff to develop prioritized guidelines for the use of SOD or Storage Management releases in 2018 to be shared with CVO.

Justin Ly seconded the motion.

The motion passed unanimously.

Dave Hillemeier made a motion that the TMC take action at the March meeting on managed flows as conceptually outlined in the white paper for the winter-spring of 2019.

Teresa Connor seconded the motion.

The motion passed with 6 yes votes with the Hoopa Valley Tribe and Reclamation abstaining.

Seth Naman thanked Kyle De Juilio for the effort he and others have put in on this proposal. De Juilio thanked the TMC as he did receive guidance he was seeking.

11. Junction City House

Mike Dixon gave a slide presentation on the Junction City house and noted that the ROD gives direction to address infrastructure needs in the floodplain. An 11,000 cfs release during a 100-year flood event would produce 23,400 cfs in Junction City. The house on the floodplain would begin to flood at 18,000 cfs. The original owners would not sell, but have since passed away and the current owners are very interested in selling the house to the TRRP. The TRRP may have to curtail spring fisheries flows with the house there.

Dave Hillemeier said they support the removal of the house but they need to have some assurance they would not have to address other structures that the TRRP would have to take responsibility. Keith Groves thought the purchase price was high for “damaged goods” and it sounded unlikely the flows would impact the house. Mike Dixon said they would have to pay a fair market value as determined by the government but would first have to go through cultural and environmental reviews. Tom Stokely said he supports this idea and it is good to get it out of the floodplain. It was asked whether the house could be raise up on the current lot and get it out of the floodplain. Mike Orcutt expressed concern that they haven’t identified all the structures that may be affected by a meandering river that floods. Tony LaBanca following up on outside funding recommended that someone contact the Wildlife Conservation Board.

12. FY18 Budget—Allocation of Remaining Funds (Decision Item)

This item was delayed until Day 2 as Item 16.

13. Public Forum

Tom Stokely commented that he has been working on the Twin Tunnels. Together with the Yurok the CWIN gave public testimony of the effect of the tunnels on the water availability in the Trinity River. He opined it may be a dead project but unfortunately they need to keep commenting until they drive a stake through its heart.

Mike Dixon made a comment, as a citizen, that contrary to what was said earlier, NEPA does address socio-economic impacts. He also wished to contrast the comments of negative economic impact on the steelhead fisheries of higher flows with the overall positive impacts to the anadromous fisheries.

Caryn Hunt DeCarlo also wanted to echo Seth Naman’s appreciation of Kyle De Juilio’s and many other TRRP staff work on the winter variable flow. She noted that the economic impact is important to minimize while the Program has many other stakeholders impacted by the degraded fisheries, including the Tribes, to balance and consider and that the goal of the variable flow is to improve the fisheries for all stakeholders. Keith Grove countered that no one has been hurt more

by the dams than the people of Trinity County. Dave Hillemeier and Mike Orcutt both noted it is not useful to list who is most hurt by the dams.

Adjourn for Day 1; 4:45 pm

Day 2, December 7, 2017; 9:00 am

Don Bader opened the meeting the second day.

Regular Business

14. Update on the TRRP Refinements Summary Reports

Chad Smith of Headwaters called in to report on their progress on the Refinements contract. He said they have completed the first three of seven tasks. This includes review of the TRRP documents and interviews with stakeholders. Task 4 will be a review of strengths and weaknesses of the Program, Task 5 will develop recommendations. Results of these two tasks will be presented by January of next year. Task 6 will be a facilitated discussion later in the spring. Task 7 is assist with implementation of recommendations.

Mike Orcutt commented that during the implementation, it may be good to have a person from outside the organization to help inform the Regional Director with this large amount of information. Don Bader and Nick Hetrick both agreed and noted that they have begun a stepwise process of progressive meetings to keep both directors informed of progress.

15. Public Forum: Comments from the Public

Ed Duggan made a correction on the difficulty of guides passing the Deep Gulch. He said it was not Deep Gulch but instead just above the Bucktail Bridge. He also noted that at Steiner Flat a side channel plugs up at the top and traps juveniles.

Information / Decision Items

16. FY18 Budget—Allocation of Remaining Funds (Decision Item)

Caryn Hunt DeCarlo referred the TMC to a handout where she had summarized the TMC members' interests as to use of the remaining funds (\$1.19 million) in the FY18 budget. She stated that she, Jenny Norris and Mike Dixon met with each of the Partners to develop the prioritized list. She presented a table prioritizing the seven top projects. The projects were rated highest to lowest based on a ranked scoring system as gravel processing, redd/outmigrants, Junction City house, Willow Creek weir, large wood, watershed, and BLM/County tech assistance.

She described each column of the table including how points were calculated. She noted that there were two funding columns with different options for TMC to choose funding amounts for either one or two fiscal years. She said for the second funding column choices for two fiscal years of funding, she did not recommend the large wood option, only the redd and outmigrant and Willow Creek weir should be considered by TMC.

She noted that the Junction City house was rated number one by five of the TMC members. Eric Peterson commented that it would take a lot of time to estimate the likelihood of flooding the house with restoration flows. Instead he referred TMC members to a handout on flow data from

the gage on the Trinity River just above the North Fork (Pear Tree). This graph showed a rain event in 2005 (a Wet year) where tributaries added about 5,000 cfs in mid May. Flow data from 2006 (an Extremely Wet year) showed tributaries added about 8,000 cfs during an event in mid April. If such a tributary addition occurred at the same time as an 11,000 restoration flow, it would begin to flood the house at Junction City. He showed more results from a DWR study that showed an 11,000 cfs flow with just a 10-year spring tributary event would come very close to flooding the house and a FEMA flood study that suggested winter events up to 30,000 cfs occurring 1 in 10 years at Junction City. Peterson said these data showed that the probability of flooding the house may be closer to about a 1 in 10 year event and not a 1 in 100 year event. And in fact the house did flood in 1997 and 2006. He thought if they move the restoration flows earlier it would make flooding more likely.

Mike Orcutt asked if there may be other houses at risk. Peterson thought there may be some out buildings, but likely no houses. There may be two potential structures, but they may be built higher onto pads that would keep them out of the flood flows. Dave Hillemeier asked about moving that house onto a higher location on their existing property. Mike Dixon said they could move it to out of the fishery restoration flows, but not out of the 100-year flood plain and that would not relieve the owner of having to get flood insurance and may not solve their resale problem. Nick Hetrick said, before they spend half a million dollars, they would want to make sure there are no other houses that also may need to be moved or purchased. He asked if it would be legal to simply raise the house above the restoration flows and that would allow the sellers to sell the house at a higher value (even assuming flood insurance was still needed).

Dave Hillemeier said he would like to make a motion to deal with the house and perhaps have staff examine options such as moving or looking for other funds. Tony LaBanca added that the Wildlife Conservation Board funds may be available, but this has not yet been pursued. Tom Stokely said it may be worthwhile to submit an application to the Wildlife Conservation board. He thought that may be easier than the Fish and Wildlife aquatic restoration grant program. Both Terri Simon-Jackson and Justin Ly said it was important to move on this opportunity and some steps need to be started soon. Simon-Jackson asked if they can pursue first purchasing the house and if that does not work explore moving it.

Before the TMC drafted up their motion on the Junction City house, Hunt DeCarlo went over some of the options for the remaining budget items. Tom Stokely said he was disappointed that the watershed item was rated number 6 and the gravel was rated number 1. He noted the Flow Evaluation Study did not list spawning as limiting. Keith Groves asked if they were talking about all three parcels. Mike Dixon said the \$325,000 that they may ask for the new price does include all three parcels. He noted that there will be at least another \$100,000 for hazmat, cultural and environmental reviews. Nick Hetrick cautioned about rushing into the highest cost option, especially since the house has been on the market since 2015. TMC members noted they do have the funds now and they don't know if they will have it again. Robert Franklin noted that the Flow Evaluation Study said that spawning was linked to fish production also that adding gravel is not only important for spawning, but for channel habitat building.

Justin Ly made a motion to allocate \$500K from the FY18 to purchase or elevate and relocate JC house, whichever is most economical, if the program staff determine that other sources of funding are not feasible by the time funds need to be obligated. TRRP staff would immediately prioritize pursuing WCB funding for purchase of the JC house/property.

Dave Hillemeier seconded the motion.

The motion passed with 6 yes votes with Reclamation and FWS abstaining.

Huntt DeCarlo next suggested a motion might address the other shaded items in the list that ranked high and showed enough Partner support to potentially pass a vote—gravel processing, redd/outmigrants, Willow Creek weir, and large wood with caveats about whether or not the Junction City house project goes forward. These four plus Junction City house would put the costs \$300K over the available funds. Nick Hetrick asked about the prior levels of approved funding. Gravel and large wood both had already been approved at \$150,000 and \$100K respectively. He expressed his concerns over allocating extra funds for large wood if they don't yet have a number on exactly how much wood may be needed. Huntt DeCarlo responded that the funding for the wood would be in a tribal AFA that doesn't get put in place until spring or summer and putting funding for large wood in next year's AFA would be too late to get large wood for implementation in July. She agreed it would be better to know the design needs, and that the efforts to pause on this year's rehab project are meant to get in a better position of not having to do the budget prior to knowing all the details of the next rehab project. The TMC drafted a motion with much discussion. Huntt DeCarlo said if there were a change in the Junction City house, she could come back in March for budget adjustments. Mike Orcutt made a motion to fund the remaining shaded items on the list. During the discussion, Terri Simon-Jackson made a friendly amendment to move large wood above the Willow Creek weir priority at the \$100k amount and fund the remaining to the weir. Orcutt declined the amendment and the TMC voting on his original motion as edited during the discussion.

Mike Orcutt made a motion to fund gravel processing, redd/outmigrant surveys, WC weir, and large wood in priority order as indicated on budget handout. The redd counts, outmigrant surveys, and WC weir would be approved for FY19 at the proposed amounts.

Nick Hetrick seconded the motion.

The motion passed with seven yes votes, NOAA abstained.

17. Redd Surveys

Steve Gough of the US Fish and Wildlife Service gave a slide presentation on redd surveys. He showed a map of 14 reaches covering the Trinity River below Lewiston Dam. In the past week of surveys he showed spawning as occurring in every reach surveyed. He showed a graph of overall cumulative counts of all salmon redds for this year up to about December. The redd count totaled 2,000 and were slightly above the 2016 counts which the lowest on record. By comparison, the highest counts observed since 2002 were 7,000. This data is posted on the TRRP website and the Arcata FWS fisheries webpage. Justin Ly thanked Steve for the redd survey update, and asked Steve if the redd surveys had performance metrics that the Program was striving to achieve. For instance, was there an objective of achieving a certain number of redds in a particular reach or a certain distribution of redds throughout the Trinity River? Joe Polos responded for Steve, and said that there were no such performance metrics.

Ken Lindke of CDFW gave a slide presentation on the Trinity River Fall Chinook run size preliminary estimate. These estimates include returns above the Hoopa Valley Reservation (both natural returns plus returns to the hatchery). The Willow Creek weir had 1892 captures of fall Chinook; jacks accounted for 46 % (<55 cm length). The Hatchery had 5,525 captures with 34 % jacks. Of tags put out at the weir, 14 % of the jacks and 10 % of the adults were recovered; this is used to estimate the total run. For these preliminary counts, spring Chinook have not been taken out, and angler tags not yet analyzed; but the preliminary estimate is 15,598 total

returns. Upper Klamath Tributaries was estimated to be 13,753 with Shasta 9,403, Bogus 2,295, and Scott 2,255. The 2017 KOHM projection for entire Klamath was 18,700.

Escapement floor is 40,700 in natural areas. Lindke noted if escapement is below the floor for three years, (e.g., if it occurs again in 2018) they go into a fisheries review.

Dave Hillemeier provided this clarification below regarding his edits to the previous statement by Lindke in regard to classification of Klamath fall Chinook as “overfished” and the floor (which doesn’t exist anymore) vs MSY:

Escapement maximum sustainable yield value is 40,700 adult spawners in natural areas. If the geometric mean for the most recent three years of natural escapement is below the minimum stock size threshold (30,525 adults), the stock will be considered “overfished” and they will go into a fisheries review.

18. Helena and Buck Fires Burned Area Assessment

Brad Rust of the Forest Service gave a slide presentation on the burned area emergency response. He noted two fires that were analyzed, the Helena Fire (Valdor area) and the Buck Fire (South Fork area) where they used the BAER process that assessed the burns and came up with recommended treatments. He contrasted soil burn with vegetation burn in that soil burn produces higher rates of soil erosion. He noted that Wheel Gulch and Clear Creek had the greatest soil burn. He noted that there has not been much rain lately but they do expect increased flow and increased sediment. They did a debris flow analysis and Valdor and a nearby canyon found probabilities of increased debris flow for the next three years. For example their model showed a 15-minute event with 24 mm of rain would produce a 40-80 % probability of debris flows occurring. Some of these flows could reach the highway. The Helena fire is also expected to cause pool filling and impaired spawning. The Helena fire will also have impacts to road failure, culvert damage, rock fall, or tree fall and the foot trails will have some risks with tree falls and washout. The Buck fire impacts are thought to lower. The Forest Service is planning invasive weed surveys, Didymo testing, and will perform hand seeding and mulching. They will spend \$270K for Helena in emergency treatments and \$91K for Buck. He noted that the Buck fire was a “pretty good” burn as it had less wind and fewer structures.

Ed Duggan asked how many fires have we had since 2000. The answer was at least 8, and there were 5 in 2015 alone between Weaverville and Hayfork. Duggan noted that fires may be driving small business out of the area and the area needs more Federal response “on the ground.” He also asked how to replant the trees to replace the lost timber.

Lunch

19. TRRP New Website

Eric Peterson gave a slide presentation on the new TRRP website. The reason for the new website was the DOI wanted all websites to be run through a new contactor for security reasons. This provided an opportunity for new enhancements. One requirement for all materials was that they be “100 % public ready.” This meant they could no longer post proposals. Kevin Held is now handling much of the text additions and Peterson handles more of the technical parts. He displayed parts of the web site up on the screen. The home page had summaries of flow historically and in real time. The calendar had all events and meetings. He showed where one can find TMC meeting notes, agendas or workgroup meeting information. Ed Duggan asked if

they could post TAMWG notes. The website did have a link to the FWS website with the TAMWG notes. Peterson said he would put a link to the TAMWG under the calendar. The foundational documents item has the major documents up through the Phase I review. Peterson showed the Restoration menu has flow summaries by years, diversion amounts, and release notifications. There was also a page on lake conditions such as a graph of elevations since 1962 to the present. The Dataport item has a searchable tool. Peterson showed the use of the Maps item with maps and aerial photos.

20. Dutch Creek Design Presentation

Trevor of Department of Water Resources gave a slide presentation on Dutch Creek design update. Dutch Creek is a planned restoration site on the Trinity River located between Douglas City and Junction City and it has undergone a series of re-designs. He showed a geologic map that showed active landslides on the river left bank. He showed the first three alternatives for designs. Two designs were chosen for 30 % design and value engineering. They came up with an alternative 4 and finally 4a based on the two designs. This design incorporated side channel construction and bar work. Based on seismic analysis they came up with design 5. They decided to focus on the lower portion and Design 5 phase A turned into what was called Lower Dutch Creek. This design involved a wetland complex. During this time of the design development, an unpermitted structure was built nearby and this triggered FEMA flood issues. That, along with other issues, caused them to scrap the lower Dutch Creek design. Several new designs were considered and the current design that has floodplain lowering on river right, a small side channel on river left, bars, a channel expansion, and a meander emerged.

Ed Duggan thought the side channels eventually fail and asked if the designers do a review of this. He asked if the Program is putting out information as to whether they are producing more fish. Mike Dixon said a synthesis document is being prepared on smolt production. He also noted while they do not have a formal synthesis on the performance of side channels, there is a general understanding that some side channels will fill at low flows but that does not mean it is not functioning for off channel habitat at higher flows. Trevor also noted that during the design of Dutch Creek they have listened to many of the staff and partners about what has worked well and what hasn't. Dixon said that Dutch Creek is more of a "process" design than an "engineering" design to create specific habitat. Tom Stokely asked why not design side channels to fill at 2500 cfs as many that are a hazard to navigation. He noted that, over lunch with a person involved with recreational fishing, this person claimed his sincere belief that everyone involved with the Program were trying to destroy the fisheries in order to get all the flow diverted over the hill. Don Bader mentioned the high costs of multiple design changes. Kyle De Juilio said all projects go through a value engineering that considers costs. Teresa Connor noted that the Hocker Flat was constrained by costs but they may have "migrated" from that and that is now the question. De Juilio said they could be more efficient by allowing work that is not in the river to go on outside of the two-month, in-river work window.

Nick Hetrick asked about the unpermitted house that was built in the floodplain if that would affect the restoration flows. It was pointed out that the house is above the restoration flows.

De Juilio pointed out that, as Mike Orcutt mentioned yesterday, they are building a meandering river that may change the 100-year floodplain and may cause six inches of fill at the mouths of a side channel, and is not a failure.

Ed Duggan again commented the Program has not evaluated past performance. He thought the construction was going to stop in 2015 and they were going to evaluate the river performance.

He said he was sorry that the Program does not get a better input from the guides as they are the “eyes on the river.” He said he would try to engage the guides more.

Issue of the Dissolution of the TAMWG

At this point, Don Bader asked if the TMC wanted to take up the issue of dissolving the TAMWG. Three of the four federal agencies said they checked with upper management and said they would have to recuse themselves. The Forest Service had not heard back from their inquiry. Tom Stokely had a copy of Huffman’s letter and he sent it to the TMC. Ed Duggan asked why they could not write a letter that was not condemning the DOI but only explain the value of the TAMWG. Nick Hetrick pointed out that the benefits and value of the TAMWG is put into every meeting package that is sent to DOI. Duggan thought that the new administration people may not look at the older documents. Hetrick said they had submitted recent meeting packages and the new DOI personnel would have seen it. He thought it would be inappropriate for DOI employees to take a position that could be viewed as going against the administration. Terri Simon-Jackson said the four federal agency representatives sit on the TMC as “delegates of their agencies” and if their agency makes a decision, that is the decision the representatives must follow.

21. Proposed Agenda Items for March TMC Meeting

Don Bader said the agenda still looks the same. Joe Polos said they may have an update on run size and stock projections, and possibly harvest monitoring. He said questions and requests could be put forward through Jennifer Norris. Other items brought up by other TMC members included the budget, drone decision, winter flow variability, water year 2018 flow release hydrograph approval, hydrograph for SOD releases, update on the SIR, update on the Junction City house, performance goals/metrics as related to redds and outmigrants (and possibly other fish metrics), and Science direction for FY19.

This generated a discussion about the arrival of synthesis reports, a Science seminar for the TMC, whether workgroups should present 12-month plans to the TMC. De Juilio suggested it needs to be decided if the Program is top down or bottom up. The TMC agreed that it is not good for the technical staff to promote projects only to have the TMC shoot them down. The TMC needs to give guidance as to what to shoot for.

Bader suggested they put a hold on Tuesday, March 27 as a possible workshop on the Refinements. Bader thanked Hunt DeCarlo for their efforts to get the budget priorities and all the work that goes into TMC meetings.

22. Public Forum: Comments from the Public

Kyle De Juilio noted that in regards to Ed Duggan’s comment about lack of effectiveness monitoring, that there are actually numerous assessments of project results for the Program and perhaps someone like Jennifer Norris might follow up with Ed Duggan to go over these documents and what they have learned.

Adjourn for Day 2, 3:15 pm

TRINITY MANAGEMENT COUNCIL

**Location: Trinity River Restoration Program
1313 South Main Street, Weaverville, CA**

Agenda for December 6 and 7, 2017**Wednesday December 6, 2017**

<u>Time</u>		<u>Discussion Leader</u>
	<i>Regular Business:</i>	
9:00	Introductions:	Don Bader, Chair
	▪ Welcome and Introductions ▪ Approval of Agenda ▪ Approval of September TMC Meeting Minutes	
9:30	Public Forum: Comments from the public	Bader, Chair
9:45	Report from TAMWG	Tom Stokely
10:00	Report from Executive Director	Caryn Hunt DeCarlo
	<i>Information / Decision Items:</i>	
10:30	Election of TMC Vice Chair (Decision Item)	Bader, Chair
10:45	Schedule 2018 teleconference and meeting dates	Hunt DeCarlo
11:00	Break	
11:15	TRRP Drone Use	Eric Peterson
11:45	Reinitiation of Consultation	Bader, Chair
12:00	Lunch	
1:00	Safety of Dams Presentation	Bader, Chair
1:30	Winter Variability Flow (Decision Item)	Jenny Norris (+)
3:00	Break	
3:15	Junction City House	Mike Dixon
3:30	FY18 Budget–Allocation of Remaining Funds (Decision Item)	Caryn Hunt DeCarlo
4:30	Public Forum: Comments from the public	Don Bader, Chair
4:45	Adjourn	
6:00	TMC Dinner at Golf Course Restaurant, 130 Golf Course Drive, Weaverville	

Thursday December 7, 2017

<u>Time</u>		<u>Discussion Leader</u>
	<i>Regular Business:</i>	
9:00	Update on the TRRP Refinements Summary Reports	Chad Smith
9:15	Public Forum: Comments from the public	Don Bader, Chair
	<i>Information / Decision Items:</i>	
9:30	TRRP New Website	Eric Peterson
10:00	Dutch Creek Design Presentation	Dixon (+)
10:30	Redd surveys	Kautsky (+)
10:45	Break	
11:00	FY18 Budget–Allocation of Remaining Funds (Decision Item)	Caryn Hunt DeCarlo
12:00	Lunch	
1:00	FY18 Budget–Allocation of Remaining Funds (Decision Item)	Caryn Hunt DeCarlo
2:00	Proposed Agenda Items for March TMC Meeting	Don Bader, Chair
2:15	Public Forum: Comments from the public	Don Bader, Chair
2:30	Adjourn	

WebEx and Call in Information:

TMC – **Day 1** Wednesday, December 6th

Join by Phone: 1-408-792-6300

Meeting number (access code): 809 740 529

Meeting password: iKV3fJ7B

TMC Meeting

Link: <https://trrp.webex.com/trrp/j.php?MTID=mf5209b75b1d919fd8887880ac645bc6b>

Can't join the meeting? <https://help.webex.com/docs/DOC-5412>

TMC – **Day 2** Thursday, December 7th

Join by Phone: 1-408-792-6300

Meeting number (access code): 804 709 542

Meeting password: zSMM8Qgq

TMC December Meeting Day 2 Meeting Link:

<https://trrp.webex.com/trrp/j.php?MTID=m78d7e9ee2b84c911f390bb3eef3af296>

Can't join the meeting? <https://help.webex.com/docs/DOC-5412>