

**Final Minutes
Trinity Adaptive Management Working Group
Victorian Inn, 1709 Main Street, Weaverville, CA**

Monday June 9, 2008

The meeting was open to the public.

Start of meeting: 1:05 PM.

Attending members:

Member:	Representative Seat:
Arnold Whitridge (Chairman)	Safe Alternatives for Forest Environment
Ed Duggan	Willow Creek Community Service District
Richard Lorenz	Trinity County Resident
Byron Leydecker	Friends of Trinity River
Tom Weseloh	California Trout, Inc
James Feider	City of Redding Electric Utility Department
Tim Viel	Natural Resources Conservation Service
Dana Hord ²	Big Bar Community Development Group
Pat Frost ²	Trinity County Resource Conservation District
David Steinhauser ²	Six Rivers Outfitter and Guide Association

²Left during discussion of Item 10.

Members that did not attend:

Member:	Representative Seat:
Dan Haycox	Miners Alliance
Spreck Rosekrans	Environmental Defense

Designated Federal Officer: Randy Brown, Fish and Wildlife Service, Arcata, CA.

1. Adopt agenda and approval of minutes

Arnold Whitridge, chairman of the Trinity Adaptive Management Working Group (TAMWG), called the meeting to order and reviewed agenda. He proposed to move

several items to tomorrow, as presenters for those items were not able to attend until tomorrow. It was decided that items 3, 5, and 6 be covered first.

Changes to March minutes.

Arnold Whitridge noted that BLM is no longer a member, though they are welcome to rejoin any time. BLM was removed as a member from the minutes.

James Feider made a motion to accept the March minutes as edited.

The motion was seconded by Ed Duggan.

The motion passed unanimously.

2. Open forum, public comment

Douglas Schleusner introduced new employees Jennifer Faler who replaced Ed Solbos as RIG Branch Chief and David Brandrowski who replaced Joe Reiss as a project engineer.

3. Steelhead goals, trends, and hatchery production

Wade Sinnen, fisheries biologist with the California Department of Fish and Game, gave a detailed PowerPoint presentation on steelhead in the Trinity River. He covered hatchery operations and their goals, angling regulations, Trinity River Restoration Program (TRRP) goals, and population trends for steelhead and salmon. His presentation was background for a discussion of whether the successful steelhead production may be negatively affecting the natural steelhead or salmon recovery.

Regarding the hatchery, Sinnen noted that the hatchery was established to mitigate for lost habitat above Lewiston Dam. One of the goals is to produce 800,000 yearling steelhead. Production goals were generally not met in the earlier years due to low steelhead returns to the hatchery. The production goals have been met 2/3rds of the years since 1994. There was no data on whether the egg take goals were met during any of these years.

He provided the following escapement goals (fish returning to the river that escape fisheries harvests) for natural and hatchery fish, respectively: fall chinook: 62,000 natural, 9,000 hatchery; spring chinook: 6,000 natural, 3,000 hatchery; coho: 1,400 natural, 2,100 hatchery; steelhead: 40,000 natural, 10,000 hatchery.

He noted that steelhead return numbers to the hatchery are relatively easy to count, but that natural fish cannot be counted but are estimated. They use mark/recapture techniques and fin clip rates as recorded at the Willow Creek weir (WCW). All hatchery-produced steelhead are fin clipped as juveniles. Harvest estimates are based on return rates of reward tags applied at WCW. Only fall-run steelhead are estimated at WCW as flows become too high to keep the weir in place by late December.

Sinnen presented a series of graphs showing data since about 1980 to 2006. There were not data for every year, but data was collected annually since the 1990's. Run size estimates of steelhead above Willow creek has averaged 13,000 fish. This number

includes all fish, i.e., natural (defined to be fish that spawn in the river that may include some numbers of stray fish that originated from the hatchery stocks), hatchery, and harvested fish. In recent years, the run size has been increasing. In 2006, the run size was 42,000 fish; and it is estimated that the run size in 2007 was 54,000 fish. Of note is the increasing proportions of hatchery fish over natural fish. In the early years, natural fish were dominant, but there has been a constant shift over the years to greater proportions of hatchery fish. Now 80 % of the steelhead run are hatchery fish. This fact has raised concerns that the native steelhead (as measured by natural fish estimates) are disappearing. Estimates of natural fish in 1980 (earliest year with data) were over 15,000. Both natural and hatchery returns were very low during most of the 1990's and were composed of about equal numbers of natural and hatchery fish. Since 2002, natural fish returns have averaged 5,000; 2006 returns were 9,000.

Harvests of fish were higher in the 1980's—about 3,500 fish. Since 1998, only hatchery fish were allowed to be kept by sport angling. Harvests were generally below 1,000 since 1992. Fish that are caught and then released to the river average about 11 % of the run and appear to be the same for either nature or hatchery fish. A smaller number of hatchery fish are caught and kept—almost 1,000 in 2006/07.

Sinnen noted that they have some data on summer steelhead using dive counts in tributaries. The summer steelhead enter river earlier and are a good indicator of habitat. Summer steelhead diver counts have also increased in tributaries since 2000.

Sinnen proposed that increased fish returns in recent years may be due to flow management from Lewiston Dam. He showed that increased mean flows at Lewiston Dam during the period from March through June (period of juvenile emigration) was correlated with increased adult returns. Specifically he showed that graphs of flow versus adult returns (expressed as a percent of juvenile release numbers two years prior) showed a positive relationship. He noted that survival averaged 0.5 % and was as high as 2 %, although 2007/08 may be over 5%.

Sinnen included some data on other fish species. Spring run chinook returns have ranged from 2,000 to 60,000 over the years. Fall chinook returns have ranged from 10,000 to 150,000. Coho ranges from several hundred to 60,000. Coho returns were 20,000 in 2006.

His conclusions were that hatchery steelhead are showing higher survival recently. Returns are increasing for spring chinook, steelhead, and coho. But, fall chinook returns are decreasing.

Sinnen provided a list of reasons for decreasing the juvenile steelhead releases and reasons for not changing the release numbers. His list of reasons for decreasing steelhead releases included less competition or predation on wild stocks, reduced hatchery straying, reduced angler pressure and less pressure on wild fish. His reasons to keep releases unchanged included increases in adult returns could be related to oceans conditions and could disappear at any time, high steelhead returns have beneficial effects on the local economies, the lower Klamath fisheries are dependent on Trinity hatchery fish, and changes in steelhead policy may be problematic.

Byron Leydecker commented that a series of scientific studies show that hatchery fish compete with wild fish and can drive wild fish to extinction. He protested that Sinnen's presentation was biased and not critical enough of the hatchery practice. Sinnen agreed that the hatchery returns were too high relative to the goals of the TRRP. But, Sinnen questioned the rationale for the 10,000 hatchery and 40,000 natural fish policy and said that he could not find a scientific basis for this goal. Tom Weseloh asked if the opinion expressed that the goals were flawed and invalid was an official DFG opinion or a personal opinion. Sinnen responded that it was his personal opinion. Unanswered were questions about how many of the wild counts included straying hatchery fish or how many natural fish may be uncounted.

Leydecker indicated that Sinnen's inclusion about lack of clarity in scientific determination of natural and hatchery fish numbers were irrelevant and obfuscated the central point. Leydecker opined that the central point is that the Record of Decision essentially establishes the numbers for natural and hatchery fish populations and Sinnen unilaterally was attempting to rewrite the Record of Decision.

Larry Hanson noted that the data are not yet solid enough to make changes to hatchery operations. He noted that a recently signed contract or agreement has defined the operation of the hatchery to be under the control of California Department of Fish and Game, but there has to be concurrence with the Fish and Wildlife Service and the Bureau of Reclamation. The exact details of the operation and criteria are somewhat "gray."

Arnold Whitridge asked if the return data presented by Sinnen are not good enough? Hanson suggested no, for example, that they don't know the age structure relationships of the returns.

Tom Weseloh noted that the goals cannot be easily changed. There are trends in the data and there are remaining uncertainties. He said he saw an "alarming" increase in hatchery returns and this is counter to the goals of 10,000 hatchery and 40,000 natural fish. He noted the much higher proportions of natural fish in 1980. He also noted that projected 2007/08 returns of 54,000 with over 44,000 hatchery fish were literally "off the charts" and illustrate a continual increase and cause for additional concern. Weseloh reminded TAMWG members that a presentation at the last meeting documented the problems related to hatchery fish and that there was a multitude of supporting scientific studies that were not part of the DFG presentation.

Rich Lorenz commented that a return of 50,000 fish was good news, and he asked why should we reduce fish releases? Jim Feider noted that he is supportive of small changes sooner than later. He asked about what changes outside the basin would dampen Sinnen's enthusiasm. Sinnen said that steelhead are more influenced by habitat than chinook. Sinnen thought flows are a big part of the hatchery increases and that natural fish may take a bit longer to show effects.

Arnold Whitridge noted that perhaps Sinnen is more driven by hatchery goals of increased returns of total fish, but the TAMWG is more driven by the ROD goals of higher proportions of natural fish.

Leydecker commented that Sinnen's slide presentation and listing of "Pros and Cons" completely omitted the large body of scientific evidence that hatchery fish ultimately drive natural fish to extinction, a very serious science based omission.

No motions were made regarding this issue. However, there was a consensus that this was an important issue and the TAMWG had a sense of urgency about it. They were interested to know what progress the Trinity Management Council (TMC) has made in its promotion of the issue of hatchery management and hatchery effects. A TMC letter has been prepared and it is being finalized. The letter raises the issue of hatchery numbers and the effects of higher hatchery returns. Tom Weseloh expressed interest that the TAMWG be kept abreast of this progress. Jim Feider also indicated that TAMWG put pressure on the process.

4. Reservoir minimum pool and carryover storage policies

Discussion of this item was delayed until the next day, June 10. Peggy Manza, an operations engineer from the Bureau of Reclamation gave a PowerPoint presentation on the Central Valley Project overview and commented on the Trinity project hydrology and water management.

The California Water Projects consist of the Central Valley Project, State Water Project and local projects. Manza showed maps of the water projects. Many watershed and reservoirs contribute water flowing to the Delta where water either goes to the San Francisco Bay or is pumped into either the California Aquaduct or the Delta Mendota Canal, including off-stream storage in the San Luis Reservoir for delivery to the San Joaquin Valley. Water management issues include water supply, flood control, environmental requirements, Delta agricultural and urban water quality, power generation, and recreation. Environmental issues include water quality, flow requirements, outflow requirements, ESA pumping curtailments for Delta smelt. The current biological opinions for fish protection in the Central Valley were ruled insufficient and are being reworked.

Manza presented a table of 2008 data for precipitation, reservoir inflows, and reservoir storages. The data show a dry year for water year (WY) 2008, caused particularly by an especially dry spring. The existing snow pack seems to be producing less water than normal, possibly due to increased sublimation and increased soil water recharge. Soils may have been drier because of last year's dry conditions. Precipitation this water year (since October 1) in the Northern Sierras is about 75 % of the long-term average and is slightly less than last year.

Manza showed a graph of projected monthly inflows, outflows and resultant reservoir storages for the year 2008. Both Trinity and Shasta Reservoirs will reach low volumes in late fall and will be well below full storage. This low volume is called "carryover storage" and will be 929 thousand acre-feet in Trinity Reservoir in November. Carryover storage from Shasta will be 1.5 million acre-feet in November.

Arnold Whitridge asked how the BOR plans for temperature requirements on the Trinity River. Manza spoke about the need to balance all requirements and that difficult trade offs are made. Last year, release decisions were made to try to accomplish all objectives and this was difficult given the low precipitation.

Jim Feider asked Manza to “wind the clock back” to April 2007 when contract commitments were set and there were various other drivers such as in river temperatures. He then asked what happened during the summer of 2007? Manza admitted this is her first year in her position and she wasn’t involved last summer. However, she tried to put herself in the position of the decision-maker. She talked about some of the balancing issues and how decisions are made as conditions develop. Feider also asked about exchange storage in Oroville. Manza admitted that this had not been considered but it was an interesting concept.

Ed Duggan asked if the BOR could use the winter releases that are occasionally needed when reservoirs are full and safety of dam releases are required. Menza thought that this was good idea. She mentioned that they would need to consider their own flood issues.

Tom Weseloh asked if there has been an attempt to review safety of dam releases now that there has been new floodplain restoration that could accommodate greater flows. It was pointed out that safety of dam releases are driven by the avoidance of overtopping the dam and not by downstream flooding. Also, it was pointed out that Whiskeytown Reservoir needs to be drawn down during the winter to have storage capacity for the flashy and floodprone nature of that watershed. This need may be one limitation for diverting excess releases from Trinity. Jim Feider commented on the opportunity to modify Bend Bridge, as this may be a point that restricts operations due to flooding potential in Tehama.

Menza was asked by Weseloh how the BOR would view changes in current policy to one of using carryover storage from one year to the next. She commented that this would be more bookkeeping and she noted that the fish biologists may not like it. She also said this involves revising the ROD and that some in Reclamation would not be in favor of that. Arnold Whitridge wanted Manza to focus only on operational difficulties that using carryover water may create. She cited a situation where flood control would require excess spillage, whose water would be spilled? Jim Feider commented that this is a nice problem to have. She cited that she didn’t like to allocate ownership to water. Feider asked whether this isn’t what is done in other water storage facilities like San Luis. Rich Lorenz noted that agriculture carryovers water but they call it “rescheduled water.” Menza said you should get legal authority first. When asked if then she would agree to it if they got legal authority, she still would not unequivocally state she would.

Tom Stokely asked why the BOR did not reduce the Delta exports given the dry conditions in 2007. Manza cited various requirements such as temperature requirements in the Sacramento River and water quality maintenance. She described the export water as an esoteric calculation and they are “what they are.” As long as they meet in-stream requirements such as Delta outflow requirements, they will attempt to export. They can export more water during dry conditions if the in-stream requirements are lower and allow export.

Ed Duggan returned to Feider’s idea of switching storage of water to Feather River or Oroville. Menza thought the State would object, but she said she would take it back to her management to see if the State has been approached about this.

Manza summarized her comments that not all objectives can be met because often there is simply not enough water to go around.

5. Flow-related monitoring activities

Rod Wittler presented a PowerPoint presentation entitled “2008 High-flow Monitoring” and passed out a hard copy of the presentation (Attachment 1). Coho juvenile survival is being monitored with radio tags on 180 fish. They are also monitoring the effectiveness of the channel rehabilitation sites via snorkel counts. They are mapping winter habitats for rearing and spawning. They are attempting to map during varying flows. They are monitoring sediment transport. They are monitoring whether the added gravel moves or stays in place. They are doing pre-project monitoring and post-project monitoring. They have acquired aerial imaging for Indian Creek. The notches are being monitored and they seem to be adjusting to the river flows. The out-migrant monitoring started in March. They are seeing more amounts of green filamentous algae this year and it is not known why.

George Kautsky gave an update on progress on calibration of out migration rotary screw traps. They compared capture and recapture rates and did not see differences between hatchery and wild juveniles. They were also quantifying capture efficiencies at flows of 4,000 cfs.

Wittler presented some data on Foothill Yellow-legged Frog egg masses from surveys. He noted that no egg masses have been found on the mainstem.

Jim Feider asked about the hypothesis about the notches. Wittler said that very high flows would be needed to dismantle the notches. It wasn't known how long the notches might last.

6. Integrated Assessment Plan update

Rod Wittler gave a PowerPoint update on workshop #2—Habitat to Physical April 1-4. The IAP will include a series of monitoring tasks designed to answer questions about the effectiveness of the restoration program. He noted some changes to the scope being introduced by the IAP steering committee and the Trinity Management Council (TMC). A new chapter was proposed to address sampling design. Also a Request for Proposals (RFP) would be used to assist in definitions of “how, when, where and who.” The new IAP part 1 would include chapters 1-4 may be ready for SAB by late summer. Part II may take 1-3 annual cycles of RFP's to flesh out.

Tom Weseloh noted that, during the IAP Steering Committee call, several “deal killer” issues were raised. He believed that many of the issues were policy questions that required an attentive and functioning TMC. Can the steering committee pull this off without remaining questions answered by the TMC? Weseloh said there are a set of issues that are similar to roles and responsibilities issues. Until the TMC takes action to resolve these issues, the IAP cannot move forward.

7. Designated Federal Officer Topics

Randy Brown, Designated Federal Officer, presented his topics at the end of the day on Monday, June 9. Brown indicated that the package for the TAMWG nominations would be going out this week. He had made a few changes to the charter and this had slowed

the nominations process. There are four nominations for new members. BLM has resigned and Dan Haycox has not responded.

The meeting adjourned for the day.

The meeting was resumed Tuesday, June 10 at 8:40 AM

Arnold Whitridge opened the meeting for the day and allowed Tom Stokely of Trinity County to make a statement about steelhead.

Stokely noted the various projects and participating groups working to restore steelhead. He also noted new flood mapping efforts. He noted reduced funding at the county level leading to reorganizations and layoffs. He announced his retirement would occur on November 1.

8. Trinity River Restoration Program 2008 and 2009 budget update

Douglas Schleusner of the Trinity River Restoration Program (TRRP) gave an update on the 2009 budget. They were notified in December of 2007 that an additional \$3 million from Congress would be available to the Program. The additional funds were proposed to be used largely for construction. TAMWG endorse this new staff proposal but the TMC could not agree on any allocation. Mike Long and Brian Peterson of FWS and BOR, respectively attempted to develop a solution. The FWS also wants to administer their portion of program funds.

9. Executive Director's Report

This item was discussed on Monday, June 09. Douglas Schleusner passed out a hard copy of his report (Attachment 2). He noted two new hires and the new information kiosk recently built at the Lewiston Hatchery. He commented on the budget and that the additional \$3million has been finalized and will be helpful in reducing the budget "bow wake." The directors of BOR and FWS are still working out the decisions about the finalization of the 2009 budget. He commented that this has been the most complicated and frustrating budget cycle yet.

Schleusner noted that the Phase 2 Channel Restoration Master EIS is the most important task in this year's program of work. Construction is expected to begin July 15 on the Lewiston /Dark Gulch rehabilitation site. 3,500 tons of gravel were injected.

Jim Feider asked about the source of the \$3 million augmentation, referencing the May 23 letter from Mike Long and Brian Person, indicating the \$3 million came from within the CVPIA. Byron Leydecker said he thought that the funds came from what was previously designated San Joaquin set-aside funds.

10. CDR Situation Assessment; TRRP decision making

Mike Long of the Fish and Wildlife Service provided initial comments on the Situation Assessment prepared by Dr. Moore, and his firm, CDR. No decisions have been made

about roles and responsibilities and this hurts decisions on the 2009 budget. They want to make sure high priority projects are funded and tribal agreements are met.

Brian Person commented on the Reclamation position. He lamented that progress on the budget is hurt by fundamental disagreements over relative priority of integrated habitat assessments, screw traps, and weirs.

Arnold Whitridge commented that is it mysterious how priorities are set. How do we know what is being funded is the highest priority? Or, is it only one agency's idea? How will we have program-wide priorities instead of agency priorities.

Byron Leydecker noted that the ROD stipulated how the science portion would lead the decisions of the restoration. But, he thinks the restoration has "evolved" into two separate programs as Fish and Wildlife is with holding its funds about science and restoration is continuing to operate separately. One problem is the TMC's requirements of a decision of a super majority and that some members have blatant financial conflicts.

Mike Long thought the ROD is open to interpretation. Long thinks there needs to be structural and procedural changes to make the restoration program work better. Brian Person noted that the changes would require like-minded and resilient people otherwise, they should consider a division of labor.

Ed Duggan appreciated that Long and Person are trying to resolve the budget dispute. But he asked, "If the TAMWG can reach consensus, why can't the TMC?"

Person noted that if the last 10 or 12 votes taken on the TMC were decided instead by a simple majority, this would have changed the dynamic and changed the "coalitions."

Rich Lorenz commented that the TMC is a "policy body not a scientific body." He suggested the TMC go to a simple majority for voting and not allow voting by those with a financial interest. The TMC should stay out of day-to-day issues.

Tom Weseloh asked about whether the TMC is only advisory to the Secretary of Interior or whether the TMC has discretion on policy. He thought the original intention was that the Secretary would only intervene to resolve disputes. Now it seems the Department of Interior (DOI) reps on the TMC are being designated to resolve disputes of which they are a part. Where is the boundary?

Byron Leydecker lamented that personnel changes in the DOI lead to people in leadership positions that no longer have the history of the development of the ROD and this leads to their reinterpretation of the ROD.

Arnold Whitridge summarized the issue as one that the two agencies need to "get on the same page." How long will this take? Does it need to be elevated?

Person cited that the 2009 budget is a "driving force" for resolution and that progress is being made. Whitridge responded that he felt they are no closer than a year ago to solving the systemic problems.

Tom Weseloh asked why a division of labor? He commented that he disliked the term "division" when we are supposed to have one unified restoration program. It was pointed out that Dr. Moore, the conflict resolution facilitator, coined this term. It was introduced to move the program forward and make it more efficient as it should remove conflict.

Leydecker echoed Lorenz's comments that the TMC is a policy-making group, but they spend their time debating scientific issues. Peterson noted the scientists cannot decide among themselves and they bring the issue to their respective TMC representatives.

Tom Weseloh noted his disagreement with the report suggestion that the TAMWG is duplicating some of the advisory roles of the TMC. He also disagrees with the report statement that the TAMWG can make decisions easier as they don't have to make the hard choices about funding. There was general view among the TAMWG members that the TAMWG looks to what's best for the program and not what's best for them as individual members.

Jim Feider commented that he had trouble with what he had heard today. He referenced Mike Long's comment and noted that the gap is widening and questioned whether the message is being received and whether the TAMWG should put more pressure on them. Tom Weseloh thought it was a waste of time and resources until policy issues are worked out. Weseloh said he was losing hope that these issues will be resolved without direction from above. The situation assessment report already agrees with what the TAMWG has already suggested.

Byron Leydecker made a motion that TAMWG write a letter expressing continued dissatisfaction that the TMC is not fulfilling its intended responsibilities. In part, this lack of performance is reflected in:

- 1) its inability, seven years into the program, to define its roles and responsibilities,**
- 2) its inability to adopt a budget,**
- 3) its inaction in implementing all of the \$25,000 CDR report that included, among other things, some of the recommendations of the TAMWG in its June 2007 letter to the TMC, and**
- 4) the developing division of TRRP into two programs—one operated by the TRRP office as reflected by the Record of Decision, and another being pursued by the Fish and Wildlife Service.**

The motion was seconded by Tom Weseloh.

Rich Lorenz proposed an amended to the above motion to add a set of six recommendations:

- 1) no division of labor be adopted,**
- 2) TMC decisions be decided by vote of simple majority,**

- 3) TMC members abstain from voting if a financial conflict exists,**
- 4) the TMC listen to TRRP staff not their own staff,**
- 5) TMC add a representative from each of the following: TAMWG, BLM, and Humboldt County, and**
- 6) a decision on this motion be made by September 2008.**

The amendment was seconded by Jim Feider.

Byron Leydecker asked that a copy of TAMWG's June 2007 letter spelling out needed TMC changes be incorporated by reference in the cover letter to TMC with the motion

The main motion, as amended, was passed unanimously.

11. Tentative date and agenda topics for next meeting

Next meeting was tentatively set for September 15 and 16. Items 3 and 6-10 might be covered again. There was interest in hearing progress on the CDR roles and responsibilities progress.

The meeting was adjourned.

LIST OF MOTIONS

James Feider made a motion to accept the March minutes as edited.

The motion was seconded by Ed Duggan.

The motion passed unanimously.

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- 1) its inability, seven years into the program, to define its roles and responsibilities,**
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The motion, as amended, was passed unanimously.

LIST OF ATTACHMENTS

Attachment 1: 2008 High-Flow Monitoring. Printout of Powerpoint presentation gave by Rod Wittler.

Attachment 2: Memo to TMC and TAMWG from Douglas Schluesner. Subject: TRRP Director's report for March 19 to June 16, 2008.

