Attachment 3

Transcripts

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US DEPARTMENT OF THE INTERIOR
US FISH AND WILDLIFE SERVICE
---ooo---
PUBLIC HEARING
regarding
ENVIRONMENTAL IMPACT STATEMENT/
ENVIRONMENTAL IMPACT REPORT
FOR THE TRINITY RIVER MAINSTREAM FISHERY RESTORATION
---ooo---
Holiday Inn
Appaloosa Room
1900 Hilltop Drive
Redding, CA 96001
1:00 p.m. and 6:00 p.m. Sessions
Tuesday, November 16, 1999

CLIFFORD M. FISHER CSR NO. 2727

0002

PRESIDING:
ROBERT RUESINK, Supervisor
US Fish and Wildlife Service
Snake River Basin Office
Boise, Idaho

APPEARING:

MARY ELLEN MUELLER
Fisheries Supervisor
US Fish and Wildlife Service
California/Nevada Operations Office
2800 Cottage Way, Room W-2606
Sacramento, CA 95825

MIKE RYAN, Manager
Northern California Area Office
Bureau of Reclamation
Shasta Lake, CA

MIKE ORCUTT, Director
Natural Resources Program
Hoopa Valley Tribe
Hoopa Valley, CA

CHRIS ERICKSON, Supervisor
County of Trinity
Hayfork, CA

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TRANSCRIPT OF PROCEEDINGS
PRESIDING OFFICER RUESINK: Good afternoon. On behalf of the United States Fish and Wildlife Service, I would like to welcome you to this public hearing. The US Fish and Wildlife Service, US Bureau of Reclamation, Hoopa Valley Tribe and Trinity County are conducting a joint process for taking comments on the draft Environmental Impact Statement/Environmental Impact Report for the Trinity River mainstem fishery restoration. My name is Robert Ruesink. The last name is spelled R-u-e-s, as in Sierra, i-n-k. I'm the supervisor for the Fish and Wildlife Service Snake River Basin Office in Boise, Idaho. And I will be serving as the presiding official for this hearing. At the front table with me this afternoon are representatives from some of the other agencies, Marianne Mueller --
DR. MUELLER: Ellen.
PRESIDING OFFICER RUESINK: I beg your pardon.
-- from the US Fish and Wildlife Service, Chris Erickson with the county Board of Supervisors, Mike Orcutt with the Hoopa Valley Tribe, and Mike Ryan with the Bureau

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of Reclamation. Other representatives of the US Fish and Wildlife Service are at the registration table. And they will be happy to answer questions and give you some additional information. I saw there were copies of the Environmental Impact Statement on that table. So please feel free to visit that information table and ask them questions or get additional information from them. At this point I'd like to introduce Mary Ellen who will make an additional comment.
DR. MUELLER: Good afternoon. Thank you for coming out on this rainy day. As he said, my name is Mary Ellen Mueller. I'm the Fishery Supervisor for the California/Nevada Operations Office of the Fish and Wildlife Service. Release of the draft Trinity River mainstem fishery restoration Environmental Impact Statement/Environmental Impact Report is the latest step in a process that Congress initiated several years ago to address long-standing concerns about the effects of water diversion, in-stream habitat, sedimentation and water management issues on the Trinity River system's health, including its once abundant salmon runs. Congress directed the Secretary of the Interior to

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evaluate the impacts of these issues and to take steps to restore the health of the Trinity River system. In response to this congressional mandate, the Department of Interior has been actively participating in a study for more than 15 years. This has been a collaborative effort led by the US Fish and Wildlife, the US Bureau of Reclamation, the Hoopa Valley Tribe and Trinity County. The EIS/EIR summarizes the research that has been undertaken over the past several years and identifies for public comment several potential alternatives for restoring the Trinity River system. Impacts considered under NEPA and CEQA are not limited to impacts to the fishery resources of the Trinity River, but include all impacts of the action affecting the human environment. The department encourages public comment on all aspects of the draft EIS/EIR. This public hearing is part of the comment process on that draft. It will be closed to public comment December 20th, 1999. A Record of Decision is expected in the early spring of the year 2000. On behalf of the Fish and Wildlife Service, the Bureau of Reclamation, the Hoopa Valley Tribe and Trinity County I thank you for the effort you have made to attend

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this meeting and also thank you in advance for your comments. Now I'll pass it on to Chris Erickson. And he can introduce himself.
MR. ERICKSON: Hi. I'm Chris Erickson. I'm a Trinity county Supervisor and the designated representative of Trinity County to listen to the comments that are made here. Trinity County will be holding a public hearing before the entire board on December 7th over in Weaverville.
Mike?
MR. ORCUTT: Good afternoon. My name's Mike Orcutt, here representing the Hoopa Valley Tribe. And I just had a couple of kind of kind of brief I guess comments. The Hoopa Valley Indian reservation is located on the lower Trinity River. It's about 90,000 acres of land that's managed for the sole benefit of the membership of the Hoopa Valley Tribe. We have about 2200 members. The tribe owns federally reserved -- or not owns, but they have federally reserved fishing rights and access to the anadromous fishery resources of the Trinity and Klamath rivers. The Hoopa Tribe has been in existence or it's

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documented well over 10,000 years. The fish and wildlife and related resources of the Trinity River Basin have been essential to the survival of the people, both historically and contemporarily. And I believe one of the I guess real issues here is the status of the resource is one in which Coho salmon are listed in the Klamath and Trinity rivers as a threatened species under the Endangered Species Act. It's likely that steelhead trout will be listed as a threatened species under ESA. And as has been stated already, as well as in the information that's before the public, Congress has responded by saying something needs to be done. The Congress has enacted the Trinity River Restoration Program in 1984, CVPIA, which mandated the Secretary to do something in terms of extreme flows, are all responses by Congress. In addition, there's a federal trust responsibility to protect those reserve rights, fishing rights of Hoopa Valley and Yurok tribes. So today, as already stated, we're here to gather public information. I would add one last comment in saying that in terms of development of the document, it was a unique partnership in which an Indian tribe participated in the

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development of a federal document. And I believe that's unique within the country. And again we're just here to -- and also thank you in advance for your comments. MR. RYAN: Good afternoon. My name is Mike Ryan. I work with the US Bureau of Reclamation. I'm the Northern California Area Manager. And the Trinity River division is one of the group of features and facilities that I help manage. I also welcome you here this afternoon. PRESIDING OFFICER RUESINK: Thank you for your comments. Public comments, as you've already heard, on the draft EIS/EIR will be accepted until December 20th, 1999. After review and consideration of these comments, the four lead agencies that you've seen represented here, along with the cooperating agencies, will compile the information necessary for preparing a final Environmental Impact Statement/Environmental Impact Report. The purpose of this hearing is to receive your comments on the draft EIS/EIR. Comments on all aspects of those documents are very important and will be carefully considered. Because of the importance of the comments, it is necessary that we follow certain procedures here this

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afternoon. If you wish to present comments at the hearing, please register at the table where you entered this building. You will need to fill out an appearance slip that looks like this (indicating). And when you register, indicate if you're representing an organization or an agency. When you are called to present your comments, please come forward to the microphone in the front, begin your presentation by stating your full name, spell it for the record, and at that time indicate if you represent an organization. This is an informal hearing and therefore you will not be questioned or cross-examined in connection with your comments. Your comments or questions are being recorded by the reporter to preserve a complete administrative record of the statements and comments given here this afternoon. Please keep in mind that the reporter will not record any statements from the audience or which are made to the audience. Comments must be addressed to the microphone and to the people at the front table. If you have a copy of your written statement, please leave it with the court reporter to ensure accuracy in getting that into the record.

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If you are reading your testimony, it will be helpful to read it slowly so that the reporter is able to record verbatim a copy of your comments. If you would prefer to give us written comments on these draft documents, that is acceptable. Written comments may be submitted today to the staff at the registration table. Or I'll give you an address. They may be mailed to Mr. Joe Polos, P-o-l-o-s, at the US Fish and Wildlife Service, 1655 Heindon, that's H-e-i-n-d-o-n, Road, Arcata, California 95521. And that address is also at the registration table. Written comments will be accepted through December 20th, 1999. They will be given the same consideration as any oral comments that are given here this afternoon. At this time we are ready for our first speaker. Mr. Sid Mickelson, would you please come to the microphone, state your name, spell it for the record, identify if you represent anyone and begin your comments. MR. MICKELSON: All right. Thank you very much. I wasn't sure really what the meeting entailed, so I came in just to basically find out. My name is Sid Mickelson, S-i-d-n-e-y, Mickelson, M-i-c-k-e-l-s-o-n.

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Do you want the address? P.O. Box 429, Douglas City, California, Zip Code is 96024. Phone number is (530) 623-4985. One of the problems I have, we've been studying the Trinity River for quite awhile. And I know there are many other rivers in the nation and so on that you people cover, so it -- but to me, it's very important. I live along the Trinity River, about a mile east of the Douglas City bridge. And our main problem is the Indian Creek outlet of Indian Creek which is dumping, oh, tons of sediment, up to ten/12 inches in diameter. And it's like concrete. But it has built a large like a dam in front just west of Indian Creek itself, which in turn holds a bunch of decomposed granite above it which could be relieved. That would all wash out, with the exception of the dam. It wouldn't let it. And when they cut some of the trees, et cetera, all it does is broaden the flow. But it reduces the amount of water that can be -- flow out through the Trinity or the channel itself to flush the sediment out of there. So the excess sediment that does come out of Indian Creek, I live a mile south of -- or west of Indian Creek. And it -- it just fills it up. Our -- the water table now from the ground up has come up roughly four feet.

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We used to have a nice fishing area, water was like six feet deep. So now all we have is an island with water going through it. It's a nice -- still good for salmon. The only problem is if they increase the flow of the Trinity River up to the 32,000 cubic feet a second -- and I can't -- I can't find out yet how much flow is going to come through there -- flowing the water through isn't going to work. When I first got the property in '76, we could handle the 32,000 cubic feet a second. Now I don't think we can handle 20,000 cubic feet a second without possibly being flooded. Proposals have been -- come up to elevate our houses, move the houses closer to the highway, et cetera. That -- that doesn't seem reasonable when the river itself could be fixed and we could have the salmon. It used to be one of the best salmon areas in the state. So -- however, in regard to your shortness of time and all, I will write some comments and direct them to you, just in courtesy to others. And I appreciate having some review to the Trinity itself. So far the -- we have an agency of the TCC -- or it was formally known as the TCC committee to the task force. And -- However, I think it falls on deaf ears. I don't

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see that -- the task force either doesn't acknowledge the TCC for the comments that are made or submitted -- I have had a problem with Lester Snow in the past, coming to Redding here on a meeting where he wasn't interested in the water of the Trinity. He said that's in another watershed. However, the one million acre feet a year, he was interested in that okay. In essence, he had recognized Whiskeytown. And I don't know where he thought that water came from. It just sort of -- I've become very frustrated because I don't see anything done. Millions of dollars being spent, but I don't see any work. So any work that's tied into -- or any monies that are in for studies, eventually some work should come out of them. People retire after years of studies, including the Indian Creek Basin. And I'll get into that in the letter. But that was formulated to have a catch basin at Indian Creek roughly 25 years ago. However, all the studies have been made in the past and nothing has been accomplished. I feel sorry for the government employees that work hard doing what they're doing to find nothing being done. That's shameful. I thank you.

PRESIDING OFFICER RUESINK: Thank you for

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your comments. Our next presenter is Steve Fitch. Would you please come to the microphone.

MR. FITCH: I'm Steve Fitch. And I'm representing Assemblyman Dickerson, Dick Dickerson. I also was a member of the Trinity River Task Force or several years. First of all, I want to thank you for bringing this hearing to Redding where people will be greatly affected by these decisions. Our comments are going to be short, because of -- we received the EIS five days -- five working days ago. We really haven't had a chance to do an in-depth review of the report. In fact, we were in disbelief when we heard that you were only going to allow 47 days for the public to review and comment on a study that took about 17 years and affects a wide area of northern California. I've managed over three -- three million acres of national forest land across the country: Florida, North Carolina, California. And I can tell you that 45 days is what we consider the minimal review period for the most minimal, non-controversial projects. So you can imagine the surprise. We -- Assemblymen have previously requested that

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you give the public at least 90 days for review, and hopes you'll extend to us this courtesy. Next we hope that you will fully develop the array of alternatives between now and the final draft to include more innovative uses of, first, mechanical methods, and then peak flows and/or flood events to restore the Trinity River. You need to look at increasing water yield by reducing vegetation to natural stocking levels. I would venture a guess that if you looked right now at the change in water yield in the 120,000 acres that burned recently, you would – you could anticipate a great increase in water yields in that lower watershed. We have stocking levels of vegetation that are not anywhere near natural throughout – throughout the drainage. That needs to be addressed in your final report. We suggest that you address the impact of these flow changes and drawdowns to the recreation and economic benefits of all three reservoirs in the national recreation area. Finally, we suggest that you fully integrate ways to mitigate the losses of power – water and power in the Central Valley by improving existing or adding new off-stream storage facilities.

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Thank you.

PRESIDING OFFICER RUESINK: Thank you for your comments. Our next speaker is Patrick Mintum.

MR. MINTURN: Yes. Thank you. That's Patrick Minturn, M-i-n-t-u-r-n. And I'm the Assistant Director of Public Works for Shasta County. Our concerns with the subject document are that basically it's been optimized for the needs of the Trinity River Basin, including the socioeconomics of the basin, with very little concern for the Central Valley. The benefits of the Trinity Project are, in rough order of priority: Power, water, recreation and flood control. With power and water both being massive benefits, according to the document. The proposed alternative would significantly impact power, power yield, also water supply, including all the environmental benefits of that water within the Central Valley, but with very little concern within the document for those impacts. It seems that there's been far more concern for maintaining the benefits of the project within Trinity County, particularly flood control issues. We feel that there is the potential to optimize both systems through an alternative that provides for

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sharp peaks, more flushing flows of short duration, and more mechanical work to reshape the channel, and optimizing the amount of water to show that it's being efficiently used within the channel. We're afraid that as proposed, this project may very well drastically impact power and water supplies while not accomplishing its goals within the Trinity River Basin. If the Trinity benefits of flood control continue to be optimized for the Trinity Basin, we're afraid that the flood control function is largely incompatible with the other goals of the study.

Thank you.

PRESIDING OFFICER RUESINK: Thank you.

Our next speaker is Bob Madgic.

MR. MADGIC: Yeah, that's Bob Madgic, M-a-d-g-i-c. I didn't put down Shasta Fly Fishers, but I am a representative of that organization. And I realize that your decisions are probably going to be based on some legal issues, the Endangered Species Act being very controlling here. In the original legislation mandating that the Central Valley Project, which lead to damage to the Trinity River, and the subsequent relocation of 90 percent of that water to the Central Valley, not be detrimental to

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the Trinity River fish and wildlife. I'd like to say I'm fully supportive of this document. And I'd like to just speak just in global terms. I have a hard time understanding how anyone can argue that it was right and responsible to have 90 percent of the water from the Trinity Basin and the Trinity watershed shipped somewhere else. I just don't think that is a tenable position legally, ecologically or any other reason, environmentally, socially and so forth. I think the only thing that would compare as far as that particular action would be when Los Angeles Department of Waterworks went to the eastern Sierra and shipped at least that much water south in order to build Los Angeles, meanwhile rendering the eastern Sierra rife of any kind of water. And legal action redressed that. It's time to redress this issue.

PRESIDING OFFICER RUESINK: Thank you.

Our next speaker is Julie Rodgers.

MS. RODGERS: Good afternoon. I'm here representing State Senator Maurice Johannessen, J-o-h-a-n-n-e-s-s-e-n. My name Julie Rodgers, R-o-d-g-e-r-s. I'm his field representatives here in Redding.

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A couple of things. First, the comment period review and getting back to give thoughtful and intelligent comment really is not lengthy enough. You have had the resources and budget behind you to draft these proposals without the public having same. And we would like a greater consideration for that fact, as well as the notification process. Our office again, though promised, was not notified until this morning of this hearing this afternoon. And so we would like to see that more consideration is given to the public officials, those that are concerned with these issues, prior to a hearing such as this. This is a very important issue. We're talking about people's lives, livelihood, the environment in our communities. And so we would like to see more consideration there. Senator Johannessen has also requested in the form of actual questions, if these could be in the next review addressed. One is the exact amount of water that you now expect to be diverted from the Trinity River, and for what specific purposes and under what specific conditions the water would be diverted. Secondly, is the Department of Interior planning on making an assessment of damages to the specific areas of

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power generation, water users and impact on the fisheries which we all realize is delicate. And we've been, I mean, fighting constantly back and forth as far as the health and good habitat for the fisheries. So we could ask consideration for those. Thank you.

PRESIDING OFFICER RUESINK: Thank you for those comments. Our next speaker is Tom Weselow.

MR. WESELOW: Hi. I'm Tom Weselow with California Trout --

PRESIDING OFFICER RUESINK: Before you start, Miss Rodgers, did you have a copy of your presentation that you could leave with the reporter?

MS. RODGERS: I have a copy of these questions, not on the comment period and review. But yes, I do.

PRESIDING OFFICER RUESINK: Okay. That would be helpful, if you could leave those with us, please.

MS. RODGERS: Sure.

PRESIDING OFFICER RUESINK: I'm sorry. Go ahead.

MR. WESELOW: Hi. I'm Tom Weselow, the North Coast Manager for California Trout. California Trout represents over 5,000 individual

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members and an additional 5,000 affiliate club members. My office is in Humboldt County, where I also reside. And therefore, not only do we have a large statewide interest, but I also have a local interest, in being a resident of Humboldt County and somebody that spends lot of time on the Trinity River. The Trinity River Act of 1955 specifically mandated that fish and wildlife not be harmed. I don't think anybody's going to be able to get up here in front of you and say that that is, in fact, what has taken place. We know that fish and wildlife have been harmed and we have lots of evidence through the declines of -- of especially our fishery populations and subsequent listings under the federal Endangered Species Act. And we know we need to do something about this. The water has been diverted, water that is rightfully belonging to the Trinity River, to the Central Valley at an excessive rate since the dams were put in, even though the act specifically stated that we would not do harm to these fish and wildlife populations. What we've really seen is evidence of a transfer of wealth from our local economics, from our salmon in the river, from our healthy fish and wildlife populations, to the Central Valley. And there was no legal right to do so. And the

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legal right to keep the water in the river has not been fairly addressed. And we are very glad that you are finally getting to the point of doing this. We are very disturbed that the cons -- over the constant delays and inability to meet time lines on this issue. This decision was to be made by the Secretary in 1996. It's now 1999, and the Secretary will not make the decision this year. Although I don't hold any of you up there personally responsible, and I know a lot of you have come on board after a lot of the problems, and deadlines weren't met, I do appreciate the fact that you have finally gotten the flow evaluation study out and the EIS/EIR out. And I encourage you to do whatever you can to expedite this process while still staying within the legal guidelines of NEPA and CEQA. And I do not believe we need any more time extensions, any more delays. We need a decision. Those fish have been suffering for 40 years, and we need to have that decision now for the health of our fish, our river and our economies. So I would really encourage you not to make any more delays or any more additional comment periods, more

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studies. Let's get this wrapped up and finalized. You've done a good job with your EIS/EIR and flow evaluation. Cal Trout supports the maximum flow alternative. And in our opinion, if there is anything less than the bare minimum of the preferred alternative, you're leaving yourselves open to litigation and breaking the law and mandates that Congress has set forth for the Trinity River.

So we really encourage you to keep this process going and allow the Secretary to make a timely decision. And I want to thank you for allowing the people to get up and give their two cents on what needs to be done. So thank you and please keep this going in an expeditious fashion.

PRESIDING OFFICER RUESINK: Thank you for those comments. Our next speaker is Jim Feider.

MR. FEIDER: Thank you and good afternoon. My name is Jim Feider. And I'm the electric utility director for the City of Redding. And I'm speaking on behalf of the City of Redding in its entirety today. The City of Redding is a CVP customer both for water and power.

And the proposed action that you're considering and taking comments on here today will have a significant

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impact on the City of Redding and its citizens. Redding will be providing written – formal, written comments submitted for the record, but I would like to highlight our concerns here today.

First of all, along with the others, a few of the former speakers, we are requesting an extension of time. We're looking for an extension of at least 90 days. As has been stated, this process has been in the work for a number of years. I believe Department of Interior's press release announcing this meeting indicates that it's been 15 years of study and several years of developing the EIS.

And it is unfortunate it's taken this long to get to this stage. But now that we are here, to have adequate public comment, we need more time.

I would point out for the audience and also for the panel that the – we have brought the draft EIS with us, including the appendices. They're sitting over here on this box to my left (indicating). The Trinity River document itself with its appendices is about a foot deep with about six or eight appendices. Located next to it on the left is the CVP Improvement Act EIS. And it's similar in scope.

And we think the complication of these issues

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suggest more time for review. And, in fact, the mayor of the City of Redding has sent a letter to Secretary Babbitt requesting this. And I want to enter this in the formal record today. I have a copy for the reporter and for the chairman.

PRESIDING OFFICER RUESINK: Thank you. That will be entered into the record.

MR. FEIDER: Congressman Wally Herger has also submitted a similar request. And I have copies with me if people would like to see his request.

Excuse me. I want to emphasize that the City of Redding wants to be constructive in this process in restoring the fishery in the Trinity River, but we think we need to take into consideration a number of items when assessing all of the impacts and moving forward in the most constructive way possibly.

I alluded earlier that the Trinity River EIS needs to be integrated with what's going on in the CVP Improvement Act and the PEIS, that it's – I believe that it's tiered off of – from a NEPA standpoint, but we're still investigating that.

The CVP PEIS, as it evaluates the operation of the CVP in its entirety over the course of dry years shows Shasta Lake, for example, being drawn down to a level of

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five hundred – excuse me, 540,000 acre feet during dry years.

When you compound that with the Trinity EIS, it looks like it would lower that level of Shasta Lake another 80,000 acre feet.

Just as a point of reference, in the nineteen ninety si – excuse me, the 1977 drought, the lake was drawn down to about 560,000 acre feet. And this issue is covered in Chapter 5 of the PEIS.

A lot of folks in Redding and the surrounding area that recreate on Shasta Lake can relate better to how many feet down from the top that is.

As point of reference, in the Trinity EIS evaluation of the Shasta operation in dry year criteria, Shasta Lake would be drawn down 245 feet below the top. We think that is significant.

And we're not suggesting that that is a Trinity impact alone, but we're suggesting that all of these water resources are an integrated system and it needs to have serious consideration.

Moving on to the next point I wanted to highlight today, it has to do with harvest management. On page 2-38, the Trinity EIS states that the historical overharvest – excuse me, historical overharvest is believed to be partly responsible for the

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decline of some West Coast anadromous fish population was
cited as a causation – or causative factor in the decline
of the southern Oregon/northern California evolution
significant unit of the salmon.
And we have a cite here from National Marine
Fisheries in nineteen seven -- 1997.
We believe that enhanced harvest management can
play a critical role in the fishery restoration and should
be implemented on a coordinated basis with habitat
restoration and not left for some future possible
consideration.
We are looking at some of the statistics on the
Smith River, for example, that does not have any dams or
diversions where the fishery has declined, and trying to
make a correlation between what's going on in the Smith
River and the Trinity River. And that's part of why we
need more time to investigate.
The program costs of the preferred alternative are
significant.
For implementation, the preferred alternative is
shown in the executive summary to cost in the range of 72
to 116 million dollars through the year 2020, not
including mitigation and ongoing other restoration
projects?
The sources of funding for this amount of money

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are not spelled out in the document. If Redding is to pay
these costs in addition – in addition to the ongoing
restoration efforts, these new activities would appear to
add about $350,000 cost to the City of Redding its
citizens alone.
That does not include the power impact costs. And
I wanted to go into those.
The preferred alternative would, as you know,
reduce the amount of water going through the Central
Valley Project power plants at Carr, just on the end of
Whiskeytown Lake, as well as Spring Creek and Keswick
power plants.
CVP costs, being mostly fixed, will not be reduced.
Therefore, our customer costs will rise as a customer of
the CVP.
The power costs shown in Appendix F reveal impacts
for Shasta County of increased power costs on the order of
a half a million dollars per year.
Based on our current and expected costs for
northern California power market, Redding estimates that
the increase in the -- in power costs to be double that,
or about a million dollars a year.
So we think the document is -- understates the
impacts significantly.
The price of power purchased in the California

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market is much higher than the estimated regional market
cost delivered to the northern California loads. And for
reference in the document, that's Table 7, Attachment F-1.
The price paid for power is market determined.
And the Trinity EIS approach only focused on a
natural gas, state-of-the-art gas-fired generation.
It is not reasonable in this document to assume
that individual customers of the CVP, of which there are
80, give or take, could replace the lost generation with
new state-of-the-art gas-fired generation.
Additionally, a key assumption in the Trinity EIS
is the cost of natural gas used in those replacement power
plants.
The Trinity EIS relies on a delivered gas price of
about $2.24 a thousand cubic foot. Gas prices even today
are three dollars and more. And certainly, they won't go
down over time.
And with the evolution of the indust -- the
electric industry in the state of California, we would
expect those gas prices to go up, not down.
Moving on to the last general topic, on fishery
resources.
The Trinity EIS does not demonstrate any linkage
between levels of flows below Lewiston Dam and fish
populations directly. To get around this problem, it

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appears -- and again we're still reviewing the document --
it appears that a matrix style methodology of
evaluation -- excuse me -- that a matrix methodology
of evaluating various Trinity River attributes was
employed.
Here also, it does not appear that there is any
true linkage between the evaluation method mentioned above
and the fish population goals shown in the Trinity River
restoration program.
Embedded in the questionable methodology are
certainly assumptions as to how things will work.
The following assumption drives home the point. If
actions are made that move closer to meeting or meet the
desirable system attributes, fishing production will
increase.
And they may well increase, but we -- we are taking
a look at the depth of the science. It appeared to us
where the attempt was made in the document to maximize the
habitat opportunities in the river without optimizing the
whole system operation, including the Central Valley
Project.
The Trinity River flow evaluation study tends to
give one the impression that the Trinity River downstream
of Lewiston has been in a managed drought situation. And
we don't agree with that perception that's created in the

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document. If you look at the flows downstream of Lewiston just in the last four or five years where there have been plentiful water in the northern California area, you would see that flows exceeded over a million acre feet in a couple of those years. And we think that the document inappropriately characterizes much less than that. In conclusion, it is readily apparent to Redding, that due to the number and severity of problems mentioned above, there exists a strong case for a 90-day extension of the comment period. This would provide a more realistic amount of time to work through these issues. Again, Redding is supportive of restoring efforts on the Trinity River. However, they must be accomplished in a way that minimizes significant adverse impacts. Two of the former speakers mentioned optimizing the river system by perhaps putting more emphasis on mechanical restoration and optimizing flood flows to restore the river. And we're taking a hard look at supporting those type of approaches. Thank you for the opportunity to comment here this afternoon.

PRESIDING OFFICER RUESINK: Thank for your

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comments, Mr. Feider.

MR. FEIDER: And I do have a written statement to leave for the reporter that --

PRESIDING OFFICER RUESINK: Thank you.

MR. FEIDER -- parallels my remarks.

PRESIDING OFFICER RUESINK: Our next speaker is Robert Knight?

MR. KNIGHT: My name is Robert Knight, K-n-i-g-h-t. I'll keep my comments very brief. I do not represent any groups. Number one, my understanding of the original CVP legislation and the follow-on Trinity River authorization legislation was that one of the guiding principles was that there was to be no impact to the fisheries or wildlife. The preferred alternative in the draft EIR/EIS, at least based on my understanding of it, targets a 66 percent fishery restoration, and it relies on rather extensive mechanical restoration. I have some concerns there. Number one, mechanical restoration is expensive and funding for that is fairly iffy, whether it be federal, state or local. I mean, it's very difficult to get any kind of funding these days. Number two, when you plan for failure, which is essentially what 66 percent of the target is, you're

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planning to fail, you most assuredly will fail. You will not reach your goal of -- or the mandated goal of full restoration. I would request that in the final EIR, that the recommended alternative actually more closely matches the legislative mandates, i.e., full fishery restoration. And lastly, due to the length of the projects that have been involved in the 15 plus years that I'm aware of, I don't believe that any more time for review than what you people have already stated is necessary. People that are interested have been keeping up all along. And so I would request that no time extensions for review be given. Thank you.

PRESIDING OFFICER RUESINK: Thank you for those comments. Our next speaker is Roger Sherwood.

MR. SHERWOOD: Thank you. I just walked in. I heard about your meeting about ten after 1:00. I was dredging the Trinity River yesterday --

PRESIDING OFFICER RUESINK: Excuse me. Could you state your name --

MR. SHERWOOD: Okay.

PRESIDING OFFICER RUESINK: -- and spell it?

MR. SHERWOOD: I'm Roger Sherwood.

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And I was dredging in the Trinity River yester -- Saturday and Sunday. I can also tell you where your salmon -- they're trapped at Burnt Ranch, the entrance at Burnt Ranch Canyon. Those are my mining claims. I can clean up the Trinity River. I've got a company that we have portable equipment that's self-cleaning. And I've got a background -- I'm originally from Phoenix, Arizona where I was an aerospace engineer for 20 years, worked on Star Wars technology, killer satellites, nuclear torpedoes, side-looking radar. I left engineering Jan -- in July of '88 because I knew that on the Trinity -- I had gone to the Trinity River in May of '88, fell in love with it. And I wanted to get away from Phoenix, and I did. But in the 11 years -- the 13 years since I've been on the Trinity -- I'm a graduate of the North American School of Conservation. I was going to be a game warden when I got out high school, except I became an engineer instead. So my big thing is conservation, water pollution and stuff like that. I've been working and dredging on the Trinity River for -- since May of '88 -- March of '88. And when we had the floods in January -- in July -- or check that, January

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of '98 and January of '97, the whole personality of the Trinity River changed. We had, what we -- you know, an 80- or a hundred-year flood. But when I'm down dredging in the Trinity -- I've got a couple of eight-inch dredges, but the salmon and the small fingerlings will come into the dredge hole where I'm working. And the fish are pulling on the hair of my hand. They're not afraid of me when I'm underwater working. And I'm just sucking material out there. But they're after that clean gravel. And we had a bull salmon actual -- this actually happened about eight years ago -- ram one of my drivers in his face mask, chasing him out of the hole we dredged. That's how bad those salmon want those holes we dredged. I'm just telling you what we need -- what I see from my own perspective -- and I'm interested right now in the fishery aspect of the Trinity River, is get the silt out of it and half-inch-minus material or whatever, get that stuff classified, put on the bank and have trains or trucks haul it out. Get it out of the river. About you built the dam in the 60's, there used to be holes in the Trinity River in excess of 60 feet deep. I know some people who used -- when they built the Highway 299, they used to sit and have lunch on the river banks and look down and see the fish in the clean gravels.

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Now, we can't do anything about the dam, the dam's there to protect the river. But what it has done -- and I'm not going to, you know, re-educate anybody -- is the river is so loaded with silt that needs to be taken out. And I'm -- I've incorporated with a -- I've got equipment and I've got a company. I can get the mercury out of the river, I can get the lead out of the river, any heavy metals I can get out of the river. What people are probably not aware of -- and I'm originally from Waukegan, Illinois. The mercury poisoning in Lake Michigan was so bad that the -- that they passed an ordinance and they were warning the public not to eat the Coho salmon that were introduced into Lake Michigan in the late 50's, because there was so -- the mercury poisoning was so bad that the fish were actually poisonous to eat. Between Big Bar, California and Burnt Ranch or Del Loma, in the 40's a bucket line dredge sunk in the Trinity River. This is at least one that we know about. In that -- on that dredge -- it was as big as a floating four-unit apartment building, there was over 500 pounds of mercury that they admit to. That mercury's in the middle of the river. When I pulled gold out of the river, it's coated with mercury. When the hunters do their shooting and have lead

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shot in there, that's in the river. That's contaminating the river, it's hurting the fish population. But the reason I came over here is that -- again, I was dredging Saturday and Sunday in the river. And the water is real cold. If you don't think, so come out with me tomorrow and I'll go back in the river. But I was wearing a wet suit. But we have te -- I have the technology and I have got equipment that I'd have to contract out. In fact, I'm -- that's what I'm doing the next couple of months, is -- we have trommels, we have screens. And what I -- what I think that the Trinity River could really use to help it out -- and again we're talking, you know -- we just have to take sections of the Trinity River at a time, put a lot of people to work, but we need to clean out that one-inch or half-inch-minus material and put it on the bank and have trucks haul it out. One of the byproducts, we get rid of the mercury. Two, get rid of the lead. I don't want to get involved with toxic substances like acids or whatever they've got for fertilizers. I'm kind of afraid, because I'm actually working underwater with a wet suit. But if we cleaned out areas and got the river so it

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would start cleaning itself out, it's -- it's -- it'd be expensive. But one of the byproducts is topsoil. The farmers down there in the -- that are farming the land, their topsoil's gone. Ninety percent of their topsoil is on the watersheds, and it's back in the ocean. And we -- we need to get that topsoil out of there, again haul it away with dump trucks. I'm talking, you know, huge operations. But that's a byproduct of cleaning up the river. Give it back to the farmers. Either that or subsidize it, get it back there so they can go ahead and grow their crops. Somebody thinks I'm out of line, talk to me now. I've been dred -- I've -- I've -- I've looked at this area, I've looked -- I've seen the Trinity River, I've seen other rivers. And if you're going -- and I don't know the full scope of how far you guys want to go with this, but I have portable, self-cleaning plants, processing plants, that -- Now, mine are on a small scale, but we can go larger. I'm talking five tons an hour or bigger to clean that river up. And in the process of doing it, get all that mercury, all the -- all the contaminated metals out of there. You will find that if you can clean sections of the

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river out, that your fish population will get real heavy in that area. Anytime I'm dredging the Trinity, in the summertime or whatever -- And incidentally, I didn't see any big salmon when I was over there. I dredged by Del Loma, just below the Del Loma RV Park. That's where I was this last weekend. In fact, my equipment is still on my trailer. I had -- I had to take a different vehicle in here to the meeting. But I know that if you can get the silt and the half-inch or one-inch-minus material out of the river -- maybe the first couple of years you can only get two percent, depending how many people you want to put to work. But that thing could be a profit -- it could be an on operation that could be run at a reduced cost. I can take -- a centrifuge is the best recovery system on the market that's sold to the public. And a good centrifuge with a 24-inch opening, by the time you get it set up with all its equipment and stuff like that, it weighs 5,000 to 10,000 pounds. I've got a unit that can get behind a centrifuge and clean up the tailings of a centrifuge and pull the mercury and the lead out of it that the centrifuge misses. And it weighs less than 200 pounds. And it floats. It's

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portable; I can take it anywhere. A couple weeks ago -- I've kind of been a little hectic. I had a helicopter take some of my equipment out of Burnt Ranch Canyon. And the fires over there, the Onion -- the Onion Mountain fire, I had to get out of there. The smoke was so bad, I thought I was going to burn to death, because the wind blowing through that Burnt Ranch, it's like a blow torch going through there. The smoke was so strong, I just couldn't -- you know, I had to get out of there. It was bad. But the salmon -- I was down diving in Burnt Ranch Canyon three weeks ago, and there's plenty of salmon that are 15 pounds and bigger in that area. They're right next to me when I'm working underwater. But in Del Loma where I was this past weekend, there are no big salmon. I didn't see any. Usually, I see a lot of them. I saw a salmon -- I saw a salmon and fish this big around me, but nothing bigger than that. And when I was down in Burnt Ranch Canyon eight days ago, there was salmon surfacing in -- just above Burnt Ranch Falls, which is where my camp was, there was salmon surfacing that weighed 15 to 18, 20 pounds. So they're down in the canyon, but they can't get out of the canyon because where the transfer station is at

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in Burnt Ranch, the river does a real sharp S-turn and it comes in. And it's all hardrock, bedrock here (indicating). Well, there's -- you've got a stretch of rocks that are the size of Volkswagens or television sets or whatever, and it's a stretch about 300 yards. And the fish can't get across those rocks. They could walk on them. And your fish are trapped down in the canyon. I showed -- I talked to Phil Warner about that ten years ago. And he went down there with a team. But with the big flooding we've had, it's dumped a bunch of rocks in that gorge at Burnt Ranch Canyon. And the salmon can't get past it. Right now they're trapped. If you guys go down and take a look, you'll find out that's where the salmon are. But to clean -- to get back to cleaning the river up, I need to talk with somebody and find out who that I can work with that I can go in and take a stretch of the river and start cleaning it up. I'm going to dive in -- dredge in the river anyhow. I've been going it for 11 years, 12 years. But what happens is with the equipment that I've got, and we've spent months and years developing, it's portable. And I can go behind any processing plant, a trommel or anything, and I can work their stuff. And I can get the mer -- I can work their tailing piles and I

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can get all the mercury out of it and all of the lead. See, what these people are doing -- and I -- a percentage of the stuff that comes out of the river, if you put it in a dump truck, it's still contaminated. And you need to clean it is up. And when I'm -- when my system's done behind it, it cleans it all up. You've got fresh stuff. In fact, if you took the silt and the stuff that was in the -- in the river and put it in dump trucks and put it on a farmer's field, he'd have lead and mercury and God knows what else in his vegetable garden. And then he'd start wondering if it's safe to eat the vegetables. But the equipment I've got, again it's portable and also it's self-cleaning. People overlook this fact. I'm a dredger. I was an engineer before being a dredger. I'm still an engineer in my mind. A dredge works fine for the first five minutes, not even five. Ninety percent of the heavy metals that go through a dredger are back in the river. That's why the river's not clean. A dredge cannot hang on to mercury. Never. But if you -- if you -- if you -- if I can talk to somebody, I'll show them my equipment in the yard. But I'm getting ready -- When I heard -- somebody called my house at 1:05

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and said, "Hey, there's a meeting of the Fish & Game, trying to figure out how to restore the Trinity River." I said, "Well, I gotta get there." I hopped in a car and came over here. That's why I was late walking in the meeting. But with the background that I've observed and search -- I don't have all the answers, but I'll tell you what, I don't think there's anybody in this room can do what I can do. And I was in whatever the water is, 50-degree water, 40-degree water. I was in that water yesterday. And I was in that water Saturday. And the guys standing on the bank wouldn't even put their ankles in the water. That's how cold that Trinity River is right now. And like I say, when you guys go down there and you check down by the transfer station at Burnt Ranch, walk over to where the white water is, you'll see your salmon trapped right there where I told you the big rocks are There are -- Phil Warner,will -- talk to Phil. But I can clean that river up. I need grant money. I probably put 100, 500 people to work, particularly in Trinity County where the people need the jobs anyhow. But I can get the contamination out and I can

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restore that river to a pristine situation that we had before. People are wondering, you know, when they were doing the La Grange mining operation back around the turn of the century, in the 1900, 1930's, 1940's, they dump all kinds of garbage in the river. And yet the river came back. I'm not saying it came back in -- and was pristine the way it was before they started working the river. But in my own mind I think the reason you guys are having this meeting is in your own hearts you'd like to see the river the way it was maybe 200 years ago. We cannot blow up the dam. The dam has to stay. But what we can do is get that silt -- and actually have a money-making, profitable -- I'm not -- maybe it won't be profitable the first couple of years, but you could use a byproduct of the silt, of the sand, of the pea gravel, of the half-inch gravel, you could -- Look at that guy who's got that black sand operation that paved Highway 299 this past summer. The guy's got all kinds of equipment. It wasn't there three years ago. But he knew he had a big contract coming, so he bought all those cement mixers and those big loaders, and he was ready for 299 to be repaved. And what I'm saying, I've got the technology and

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I've got a man I'll bring here tomorrow -- tonight to the meeting. His name's Lamar Meekham. And what he did -- I met him in Salt Lake City April 2nd of this year. But what Lamar and his uncle used to do is go around to the old mining dumps. And they got tired of cleaning up their equipment, because their equipment -- if anybody has done any -- How many dredgers in here? Have we got any dredgers in here? I'm the only one dumb enough to go in the water. But anyhow, Lamar would take his equipment and go to these old mine dumps and pick up the mercury, by the pound, pick up the copper, the lead and the gold. And he -- I met him on April 2nd. And he -- of this year. He says, "I've got the best recovery system in the world." He says, "I can process anything." And he -- what Lamar has is people who want to have him process 100 tons a day. He can do it. He's got the knowledge and the experience. Lamar is 65 years old, but he's one of these old timers that knows how to work the old mine tailings and stuff like that successfully. Well, what I did, I said, "Lamar," I says, "geez, your stuff is great." He came over to see me the first of June of this

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year. And we were on one of my mining claims in Del Loma, on the Trinity River. Well, he pulls up in this real nice green trailer, mounted on -- you know, on tires and stuff. The unit probably weighed 3,000, 4,000 pounds. I said, "Lamar, I need to float it." "Well, Roger, how come you want to float it?" I says, "Because I want the thing to go around with my dredge so when I pick up the material, you can process behind me," because he'd already told he could get all the mercury. I was going -- I going to talk to somebody this year anyhow. That's my game plan, because I can get the mercury and the lead out. I already know I can do it. But I know also that I don't -- unless somebody wants to call me on the carpet now -- I don't think there's anybody in this room that knows what I know. And I can get that contamination out of the Trinity. But the other thing I say -- and I'm not using big words, I'm not going to use any big words, I used to ten, 12 years ago, but I don't do that anymore. I can get -- I can get the contaminants out. But with that I want -- I don't know what you guys would do. If we got, say, half-inch-minus material and put it on the bank -- and you're talking, you know, a hundred yard

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stretch of the Trinity River or 660 feet, you know, an eighth of a mile, you're talking -- to clean the Trinity River up, you're talking trying to move out, you know -- I'm -- on a one forty acre claim of mine there's enough overburden dumped in the January 1997 flood that you could have filled a football stadium, including the bleachers, with just one flood. And that's on the Trinity River. And what's been the part that I wanted to get ahold of with Forest Service, Fish & Game or the Department of Interior is hey, I can put the stuff on the bank. I'll classify it for you. There won't be anything toxic in it. There won't be any mercury. So it's clean. There wouldn't be any lead. We'll have that lead contained. We'll show it to you. We will show it to you. It will not go back in the water. But where are you going to get the dump trucks or the train cars or whatever, conveyors, to take that stuff and get it away from the river? And I'm talking about a hundred miles away from the river. Get it back to Redding. Get it back -- give it to the farmers, because they're losing the topsoil that went in there. And if you look at the long-term scope of everything, I'm talking about the next 20, 40, 50 years, if you could get the silt, which is topsoil, it's got

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nutrients in it -- I'm talking about while it's still in the river, not the ocean -- once it goes to the ocean, it's not fit for farming anymore. Do you say what I'm saying? Does it make any sense to you. But if you can get that silt and topsoil and get it back on top, have the government subsidize it, give it back to the farmers. It's come off of their land anyhow. And I don't know if you guys are thinking that far beyond it. That's what I've been thinking about for years. But I've got equipment that can put it all on the bank. I can classify it. And like I said, I can clean it. And if you want to clean and restore that river, you've got to try to go back 200 years, not 50 years, 200 years. You've got to go back before they started hydraulicking and using the mercury and the toxic. When -- when -- like I say, just -- I know of just one instance where the -- where the bucket line dredge sunk below Big Bar. And there was 500 pounds that they would admit to of mercury on that dredge alone. And when you get around the Big Bar area, Big Bar/Del Loma, you pick gold out of the river, it's coated with mercury.

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Down in the bottom of that river, there's pools of mercury probably 50 feet wide, 20 feet long. It might have -- one pool might have a hundred pounds or 200 pounds of mercury. It's still in there. People say, "Well, the mercury not bothering anything. It's at the bottom." Do you want to bet? Because that merc -- that sand and gravel out -- that mercury is getting coated on everything. And it's getting all pulverized. And the rocks are pounding down on it and splashing on it, just like water. And it's going back into your system. And it's not good for the fish. Okay. I've said too much. But I can answer anybody's questions. If they think that I don't know what I'm talking about, I'll have somebody ask me now. But I can clean that river. And I'm going to need a lot of help to do it. And you might start with a target area of river of a quarter mile or something. But the -- if you want to clean that river up, think 200 years. Don't think 50 years, think 200 years, before the dam was built and before they ever did the hydraulic mining operations on the Trinity River.

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On the Trinity River in 1946 was when the first dredge was put on the river. And they used mercury. I'm talking about floating dredge. And all of my equipment is portable. That's another big factor. You know, if they want to lower it by helicopter, that's their business. But it's portable, I can float it. I can take it to anywhere in the river, you know, given enough whatever. Do you know what I'm saying? But you're talking about a big project. And if somebody says, "Well, how do you eat an elephant?" You take it one bite at a time. That's the only way you can eat an elephant, is one bite a time. If you want to clean up that river, you have to start with a little stretch of it. And you'll find out that in that target area -- And I've got -- and I can stand here and tell you the salmon chased me out of their dredge holes. I did something they want. I clean -- I expose clean gravel. And in July when I'm down there dredging, I can be working the middle of the river and I'm in shade. I'm in shade totally. That's how many fish are around me. Now, they might only be this long (indicating), but there's hundreds of them. Like I say, they're all over my gloves, my hands.

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And when my -- when I'm down there at the bottom, I'll have a dredge nozzle down here working, the fish are all around me picking, picking, picking, picking, because the river's coated with silt and algae. And I -- I -- I don't -- I -- I mean, I could talk to you guys till midnight, and you don't want to hear what I'm saying. But I know what I'm saying is true. I know what I'm saying is true. And I know I can clean up the Trinity River. And I need a lot of help to do it. We can put a lot of people to work. But again, think of the river 200 years from now, not -- 200 years ago, not 50 years ago.

PRESIDING OFFICER RUESINK: Mr. Sherwood, thank you for your comments. There are representatives from Fish and Wildlife Service and some of the other agencies here, and you may wish to talk to them.

MR. FEIDER: I would like talk with them.

PRESIDING OFFICER RUESINK: Thank you again for your comments.

MR. FEIDER: See, I've been on the river. I've got about 70 miles of mining claims.

PRESIDING OFFICER RUESINK: I have no other slips for people wishing to make a statement. We have more time, but unless there's someone else that wishes to

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speak right now, I'll recess the hearing. We'll go off the record.

If you have decided that you would like to make a statement, please go to the registration table, fill out a yellow card, and we'll go back on the record and take your statement in a little while.

So we're officially off the record right now.

(Recess taken, 2:02 p.m. - 2:51 p.m.)

PRESIDING OFFICER RUESINK: I'll reconvene the hearing now. We're back on the record. I neglected to mention earlier that the hearing this afternoon is scheduled from 1:00 till 3:00 p.m. And then we'll be back here this evening from 6:00 to 8:00 p.m.

So that administrative record will be the total of the presentations that we get this afternoon and then again this evening.

We do have one more speaker: Debra Speer. And you weren't here earlier, and so I'll give you just a very brief description of the way we're conducting the hearing.

If you'll step to the microphone, please, and spell your last name for the court reporter. We are taking a verbatim transcript of all of the presentations. If you have a copy of a written statement

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that you could leave with us, that would be fine. If not, that's okay, too.

And it's an informal hearing, not subject to any question-and-answer or cross-examination, anything like that.

So if you'd step up to the microphone, please, and give us your comments.

MS. SPEER: I've never done this before. It --

PRESIDING OFFICER RUESINK: Would you speak louder and more toward the mike, please.

MS. SPEER: Having never done this before, I'm kind of nervous, but I'll get over that. I'm here out of concern for the --

PRESIDING OFFICER RUESINK: Would your state your name and spell it for the record?

MS. SPEER: Debra Speer, D-e-b-r-a, Speer, S-p-e-e-r.

PRESIDING OFFICER RUESINK: Thank you.

MS. SPEER: And specifically my understanding of what is going into your consideration of the EIR impacts to the Trinity River is that you're debating the amount of water flow that you're going to restore to the river. And based on some information that I have, my

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understanding is that the Trinity River Act of 1955 was supposed to mean the water flow to the Trinity River did not impact the fish in that river. And my understanding is that 90 percent of the flow has been diverted since that time, since the dam has gone into place. And because of that, it has had a serious impact on the fish in the river, to the point that they're now an endangered species, the Coho. My understanding is most of the flow is diverted to the San Joaquin water flow for agriculture. And not that I'm against agriculture, but knowing that they are a gigantic lobby interest in this state, I would just like you to consider other alternatives for the water use. And I'm not sure even if it's the correct time to address that, but I believe the most -- the vast part of our agriculture and water use goes to feeding cows and things like that -- and that most of the water use goes into grain, I should say, that feeds cows. And so even though that is probably something rather circuitous, the impacts, I'm still saying I don't want the Trinity River water going to that use. That's my one vote. Envious. I also understand that you have some obligations to the Native American tribes that for the past 36 years also

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have supposedly -- you're not supposed to have as much diversion of the water based under that law as well. So I guess what I'm trying to say is that this is not -- shouldn't even really be an issue for Cal-Fed as such, because of the past legislation that is already -- but this is -- that this is already covered by, which is the Trinity River Act and the trust obligations to Native American tribes. I think there was another point. So I think at the last -- for a summary, I would just like to encourage you, both for recreational users and for the fisheries, to consider up to re -- restoring up to -- beyond the 48 percent I think you're considering, up to at least what I believe studies have indicated the minimum is 70 percent restoration of flow to restore our fish and the natural habitat to the Trinity. It's beautiful. If you haven't been there, go. It's wonderful. Kayaking, rafting, fishing, it's beautiful. Thank you. PRESIDING OFFICER RUESINK: Thank you for your comments. I have about three minutes until the scheduled close of this hearing. Again, if anyone wishes to make a statement, please fill out one of the yellow cards at the

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desk. And this is your last chance for the afternoon session. MR. SHERWOOD: Could I make one more comment? PRESIDING OFFICER RUESINK: Come up to the microphone, Mr. Sherwood. I may limit you on time here. MS. SPEER: One minute. PRESIDING OFFICER RUESINK: And this -- MR. SHERWOOD: Okay. PRESIDING OFFICER RUESINK: I get -- I should tell you also: Again, please address your comments to the folks at the table here. MR. SHERWOOD: Okay. PRESIDING OFFICER RUESINK: Because we're not having question-and-answer between speakers and the audience. MR. SHERWOOD: Okay. Roger Sherwood. I live in Anderson. The Trinity River 50, 60 years ago, I've talked to old timers on the Trinity, had holes in it or pits in it 80 and 90 feet deep. Now that area is all covered with sediment and silt. If some way, somehow you could get or reduce the amount even by ten percent, if you could get that sediment out, say three-eighths-minus material, and get it out of

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the river, you could operate on one-fourth or less of the water flow and it would still have their recreation as enjoyment, rafting and fishing, because that water all has to travel through 20, 30, 40, 50, 60 feet of silt. There's still water in that silt. So what happens, it's like a V. When that river -- when the river channel opens up and it's loaded with 40 feet of silt, it takes more water to have five feet of water through 40 feet of overburden than it would if you cleaned the river up and got that silt and three-eighths-minus material on the bank and hauled it away. So you could still have the recreation with one-fourth less water, and they could enjoy it the way it should have been enjoyed. That's all I'm trying to say. This silt is the problem. PRESIDING OFFICER RUESINK: Thank you for that additional comment, Mr. Sherwood. According to my watch, it's 3:00 p.m. Again, if there are no further slips and people wishing to make a statement, I will close the hearing. We will reconvene this evening at 6:00 p.m. and be here from 6:00 until 8:00 p.m. The hearing is closed and we're off the record. (Recess taken, 3:00 p.m.) —o0o—

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EVENING SESSION - 6:00 P.M. PRESIDING OFFICER RUESINK: We're on the record. Good evening. On behalf of the United States Fish and Wildlife Service, I welcome you to this public hearing. The US Fish and Wildlife Service, US Bureau of Reclamation, Hoopa Valley Tribe and Trinity County are conducting a joint process for taking comments on the draft Environmental Impact Statement/Environmental Impact Record for the Trinity River mainstem fishery restoration. My name is Robert Ruesink. The last name is spelled R-u-e-s, as in Sierra, i-n-k. I'm the supervisor of the Fish and Wildlife Services, Snake River Basin Office in Boise, Idaho. Tonight I will be serving as the presiding official for this hearing. The scheduled time for the hearing is from 6:00 p.m. until 8:00 p.m. And at 8:00 p.m, we will adjourn or close the hearing and go off the record. At the table to my left are representatives from the US Fish & Wildlife Service, Bureau of Reclamation, Hoopa Valley Tribe and Trinity County. In a minute they will introduce themselves and have some opening comments. Other representatives of the US Fish and Wildlife Service are also here this evening at the registration

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table. And we have information at that table where you came into the building. I would encourage you to ask questions and to look at some of that material related to the issues that we'll be speaking to. At this point I'd like to introduce Mary Ellen Mueller. She is the Fishery Supervisor for the California/Nevada Operations Office. DR. MUELLER: Good evening. Thank you for coming. The release of the draft Trinity River mainstem fishery restoration Environmental Impact Statement/Environmental Impact Report is the latest step in a process that Congress initiated several years ago to address long-standing concerns about the effects of water diversion, in-stream habitat, sedimentation, watershed management issues on the Trinity River system's health, including its once abundant salmon runs. Congress directed the Secretary of the Interior to evaluate the impacts of these issues and to take steps to restore the health of the Trinity River system. In response to this congressional mandate, the Department of the Interior has been actively participating in a study for more than 15 years. This has been a collaborative effort led by the US

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Fish and Wildlife, the US Bureau of Reclamation, the Hoopa Valley Tribe and Trinity County. The EIS/EIR summarizes the research that has been undertaken over the past several years and identifies for public comment several potential alternatives for restoring the Trinity River system. Impacts considered under NEPA And CEQA are not limited to impacts to the fishery resources of the Trinity River, but include all impacts of the action affecting the human environment. The department encourages public comment on all aspects of the draft EIS/EIR. This public hearing is part of the comment process of the draft EIS/EIR. The public comment period will be closed December 20th, 1999. A Record of Decision is expected in the early spring of the year 2000. On behalf of the Fish and Wildlife Service, the Bureau of Reclamation, the Hoopa Valley Tribe and Trinity County, I thank you for the effort you have made to attend this meeting and also thank you in advance for your comments. Now I'll pass it on to Chris Erickson, representative of Trinity County. MR. ERICKSON: I'm Chris Erickson, Supervisor in Trinity County. And Trinity County is the lead agency

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under the CEQA process. And so that's why we're involved in this hearing tonight. MR. ORCUTT: Good evening. My name's Mike Orcutt. I'm here representing the Hoopa Valley Tribe. And I just have a couple of brief opening comments. The main reason the tribe has been involved is the -- our tribe has 2200 members. We have lands on the lower Trinity River, about 90,000 acres of land. And we have documented existence of over -- at least 7500 years in that area of the Trinity River Basin. And historically and contemporarily, the tribe's existence really depended upon the status and the health of that resource. And as you'll hear later in the information, the status of that resource is one in which Coho salmon are listed, steelhead probably will be listed, and Chinook salmon just underwent a status review by the National Fishery Service. And their recommendation was not to list those stocks. And again, there's -- as Mary Ellen had stated, Congress has intervened in response to those declines in fish populations with the Trinity River Restoration Program, CVPIA and that specific provision in terms of stream flows. One additional obligation that the federal

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government has is the federal trust responsibility to both Hoopa Valley and Yurok Tribes who possess federally reserved fishing rights in the basin. So we've been involved from the beginning. I think it's a unique relationship where an Indian tribe has participated with federal agencies in meeting the NEPA requirements. So I guess I'd thank you in advance for your comments and look forward to hearing everyone tonight. Thank you. MR. RYAN: Thanks, Mike. My name is Mike Ryan. I work with the US Bureau of Reclamation. My title is Northern California Area Manager. And a portion of my job includes the operation and maintenance of some of the features within the Central Valley Project over on the Trinity River division. And I thank you for being here tonight also. PRESIDING OFFICER RUESINK: Thank you all for those comments. Again, public comments on the draft EIS/EIR will be accepted until December 20th, 1999. After review and consideration of your comments, the four agencies who are co-leaders in this effort, along with other cooperating agencies, will compile information necessary to prepare a

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final Environmental Impact Statement/Environmental Impact Report. The purpose of this hearing is to receive your comments on the draft EIS/EIR. Comments on all aspects of the alternatives described in those documents are very important and will be carefully considered. Because of the importance of your comments, it is necessary that we follow certain procedures here this evening. If you want to present comments at this hearing, please register at the table where you came into the building. And the way you register and indicate that you wish to present comments is by filling out one of these yellow comment cards (indicating). When you register, indicate if you're representing an organization. And when you are called to present your comments, please come forward to the microphone in the front, begin your presentation by stating your full name, spell it for the record, and indicate if you are representing some agency or organization. This is an informal hearing, and therefore you will not be cross-examined or questioned in connection with your comments. Your comments or questions are being recorded by the reporter to preserve them for the record. Please keep

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in mind that the reporter will not record any statements from the audience or which are made to the audience. Comments must be made into the microphone in order to ensure that they will become a part of the record. Please leave a copy of any written material to which you refer with the reporter or the registration staff. If you are reading your testimony, please read slowly enough for the reporter to be able to record your comments. We do want to get all of your comments down in a verbatim transcript. You do have the option to submit comments in writing if you do not wish to present a statement here at this hearing this evening. Written comments may be submitted to the staff at the registration table or they may be mailed to Mr. Joe Polos, P-o-l-o-s, US Fish and Wildlife Service, 1655 Heindon Road -- that's H-e-i-n-d-o-n Road -- in Arcata, California, 95521. That address I believe is also posted at the registration table. Written comments again will be accepted through December 20th, 1999. Written comments are given the same weight or consideration as oral comments that are presented here. At this point we are ready for the first speaker.

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Rick Coleman, would you come forward to the microphone, please?

MR. COLEMAN: Good evening. My name is Rick Coleman, C-o-l-e-m-a-n. I'm the general manager for the Trinity Public Utilities District. We're a nonprofit electric utility in Trinity County. We're governed by a five-member, elected board that's separate and apart from Trinity County. So we're a different entity in Trinity County. So people get us confused. The first thing I want to talk about is the PUD in itself. We actually have our genus in the 1955 act that created the dam. When that 1955 act was enacted, many of the people in Trinity County realized that flooding 25,000 acres of private property, plus 50 some odd thousand acres of timber land, was going to have a devastating effect on the county. And they wanted that mitigated. What they asked for was to allow PG&E to build hydro facilities because they were expecting to get the tax revenue from the PG&E hydro facilities. Congress, in their infinite wisdom, decided to allow Trinity County to get 25 percent of the energy from that project, in lieu of the tax benefit, to mitigate the flooding to that county.

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Consequently -- and I don't want to belabor the history, we weren't really formed in '82 -- a lot of those promises were foregone, the county lost over a million dollars to its economy. And this doesn't have anything to do with the fish issue, just taking of land. But today we are serving about 95 percent of the county. And they do enjoy low rates. We're very unique as a Western customer. We're the only Western customer who has a first preference right to the power. We're the only Western customer -- we're not the only Western customer who has the first rights, but one of only one other has a first right to the power. In other words, we're not subject to an allocation process. But we're the only customer whose rights to power is five times higher than what we currently use, meaning that if there's less Western generation or less generation from the TRD dam, we don't have to go out and replace it. It just means someone else is going to have to forego even more generation from this project in order to meet our congressional rights. With that as a foresight of what we do here, I'd like to start off with saying that I think it's kind of insulting to be here tonight. I've had 14 working days since I reviewed -- or received the document, and I have yet to receive all of the appendices. But yet today we're

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holding public hearings. Obviously, I know you've been hearing it before, and I'm going to repeat it, I think an extension of time to this comment period is drastically needed so that you can get all thoughts out. I also think that you should hold workshops. You should already have received a list of 33 questions that we've -- that the PUD's generated that points to the ambiguity, the conflicts, the internal inconsistencies to the documents, and basically asking for some of the reasons behind the documents, because we need those answers in order to formulate what I would call constructive comments. We may be making a comment on something you've considered, but it isn't disclosed in the document. So with that said, we are going to prepare written comments. I hope you'll give us more time to present written comments. I would like to touch on some of the key points tonight just so it may help you to think about the need to extend the comment period and to hold workshops. First of all, I'd like to discuss the only time -- or the thing called environmental justice. As I understand it, the executive order for environmental justice basically says minorities and

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low-income people, disenfranchised people, can't respond to three feet of documents and five years of writing a document and millions and millions of dollars going into the document. Their interests are buried or hidden in this avalanche of material and studies, and that the agencies must consider the -- these people's distinct needs. In fact, the executive order says that you must consider what this will do to minority populations and low-income populations. But the EIS conveniently drops the first population and says we have to look at minority and low-income populations. Then concludes the only minorities with low incomes that are affected are the Indians and the migrant farm workers, and it does some discussion about that. I submit if you look at the economy of Trinity County and you look at the executive order, it was clearly intended to look at the low population, meaning Trinity County, and what would that mean to Trinity County. We have one of the lowest economies in the state. And, in fact, if you read the few sections or parts of the EIS I've read about the Indians where it talks about a malaise, about a stagnant economy, about the children having to leave to find good jobs, et cetera, it sounds like, if you take away the common religion aspect

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of it, it sound like Trinity County. It sounds like Weaverville. It sounds like Hayfork. It doesn't sound any different than what we're experiencing. The only place in the EIS that I can tell that there's any disclosure of what this will do to Trinity County is when it comes to the power costs. Everywhere else Trinity County is lumped with Humboldt or Trinity County is lumped with Shasta or Trinity County is lumped with some other region. So you don't know what it's going to do. Both benefits and impacts are not listed for Trinity County, except for power. And that number says well, this is going to cost in the year 2020, in 1997 dollars, $69,000 a year. That's laughable. It doesn't even pass the smells test. Today, I received a letter from both R.W. Beck and Western -- and the reason I got it today points to again how ludicrously short this comment period is -- that says the 69,000 wasn't intended to tell you what it's going to cost Trinity County; it was intended to be used in some kind of model for comparative purposes. Our work scope was very narrow and we didn't look at first preference costs. This gets back to where I said we're the only first preference customer that Western serves that has an

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allocation much larger than our load. The true number for Trinity PUD is something in the neighborhood of four or $500,000, not $69,000. And I was told that this $69,000 number was used for some kind of regional comparison to go into some socio-economic analysis, socio-economic model. From what I can read in the report, the socio-economic model doesn't disclose that it's using power costs. I can only assume it's using the $69,000 number. And by the way, I also think in Redding the number's very much understated for other reasons. Then concludes in the year 2020, the flow decision is going to create 66 new jobs in Shasta and Trinity County, with the low number. I was discussing this issue with the owner of the local lumber mill, which is the last remaining large mill in Trinity County due to the spotted owl fiasco. And asked him, you know, what would a ten percent rate increase mean to him. "It's equivalent to two full-time jobs." I said, "Well, this economic model says it's going the create 66 new jobs." And he said, "Well, yeah, that's probably a hundred more jobs in Shasta County and 34 less jobs in Trinity

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County." The fact of the matter is is we don't know. Getting back to environmental justice, we should know what this is going to mean to Trinity County. In my opinion, the document doesn't – and maybe you touched on this when you provided your opening comments, maybe we're not looking at just trying to help fish. Maybe we're trying to rearrange rocks and gravel, but I thought the thrust of this whole program was to help fish. And much of the document seems to rationalize more water, not to justify how to do more fish. And sometimes I begin to wonder if some of the proponents of this doesn't care if more fish happen, as long as they get something to – back to predevelopment days before people moved into California and started needing this water. Which brings me to another point, is I – that I don't understand in reading the document. It seems like without quoting specific numbers of what we're trying to get with fish, we're going to try to get something pre-Trinity Dam Act numbers. It sounds like maybe, or maybe it's pre-1500 numbers. I don't know. But all of this is going to be paid for by the people who benefit from the dam ultimately. One of the things that isn't mentioned in the EIS

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is the 115 million dollars in implement costs. It never says who's doing to pay for that. Well, traditionally, water and power pays for it. And that essentially doubles the impact to power customers that you have disclosed as the cost to the other power customers. It doesn't even affect the PUD. But there's other rivers that don't have dams. And their fisheries are declined by 20, to 25, 30, 40 percent of what they used to be. I think the best example is the Smith River which has virtually no dams on it, no diversion, doesn't have something like the Klamath coming into it that dilutes most of the Trinity River water, and its fisheries is way, way, way down. Why should the dam and the beneficiaries from the dam be required to pay to improve the fishery beyond the point that other fisheries that don't have dams are? That seems to me that should be the limit of the exposure. The other thing I want to talk about is cumulative impacts. And I'm not meaning the issue that we have all these things going on in the Central Valley, the Cal-Fed and the CVPIA and a bunch of other programs intended to deprive people of water. What I'm talking about is the cumulative impacts from now, or from the flow decision, to the year 2020.

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Everything in this study is looking at the year 2020. The only reason I can figure out for doing that is because it takes that many years for enough generation of fish to create enough fish to be able to justify all this cost. But in the meantime, as near as I can tell, Trinity PUD will have paid, if our growth is the same as it was since 1993, which is modest by California standards, will have paid over 11 million dollars cumulatively in the hopes that this might bring more fish. It's a lot less than the 69,000 per year number that comes up in the study. Of course, all of this study – all this report is models talking to models. We've got numbers coming out of this report that are good to the fifth decimal point. The truth of the matter is is none of this is probably accurate plus or minus 30 or 40 or 50 percent. We're literally projecting what we think might happen in the year 2020. We have a hard time figuring out what happened last year. So how do we know any of this modeling is going to make sense? What we do know is if this flow study is implemented, it's going to cost people real money right now, today, the very first day this is implemented. We

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don't know how much, but we know it's going to cost. We think maybe it will create more fish three years, five years, 20 years down the road. We don't know. To me, that's the more common sense approach. Why not go by this slowly instead of just making one massive step? In closure, I think it's very important to go back to what this means to the people of Trinity County. This means that over the next 20 years a family – every man, woman and child in Trinity County will have paid over a thousand dollars if this flow decision is implemented. That means a family of four in Hayfork that's not much affected by this river, that has a median income of around $22,000, is going to be paying one-fourth of their annual budget on nothing more than a gamble that this is going to improve the fisheries, with no provisions in there to go back to where it was if it doesn't improve the fisheries. In fact, what I suspect is going to happen is we're going to ask the family to pay more if there's no more fisheries. I would like to ask why is it that decades ago we figured out that we cannot commercially harvest game? We don't let commercial interests hunt ducks, geese, other game birds, buffalo, deer. We realized decades ago that

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man and his technology is so efficient we can wipe out the game. Why didn't we figure out that we can also wipe out the fishery? Why has it taken us decades later to realize that we cannot commercially harvest the fishery. If what we're really wanting to do is get more fish in the river, rather than spend the 200, 300, 400 million dollars that we're talking about over the next 20 years -- and it's not disclosed in the report in total, so who knows what it is, it's several hundred millions -- wouldn't it make more sense to tell the commercial fishermen to be fish farmers, to let the existing fish come up the river.

Now, some people will claim well, there's only so much habitat for the existing fish. Well, fine. Whatever there's not enough habitat for, let them catch that with a rod and reel.

One of my favorite expressions about this is it's not an issue of whether the fish live or die, it's who has a right to kill them.

I think it's way past the time of realizing that fish are no different than the deer, the buffalo, the ducks. They cannot be continued to be commercially harvested.

In closing, I would like to say that we need more

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time to digest this. This is very important. I think you should have more workshops on this to explain your rationale and your reasoning for it.

And I think there should be sufficient -- I've heard rumors that there's going to be a workshop, but then we're still only going to have four days after the workshop to comment.

I think if you go the extra step to have a workshop, you should provide enough time after the workshop to get our thoughts to get and provide comments.

Thank you.

PRESIDING OFFICER RUESINK: Thank you for your comments, Mr. Coleman.

Our next speaker is State Senator Maurice Johannessen.

SENATOR JOHANNESSEN: Thank you and welcome to God's country. I drove up the valley and I can tell you that aside from the rain following me up the valley, I'm glad to be back in Redding.

PRESIDING OFFICER RUESINK: Senator, could I ask you to state your name and spell it for the record?

SENATOR JOHANNESSEN: Sure. Senator Maurice Johannessen, J-o-h-a-n-n-e-s-s-e-n, Senator for the Fourth District which includes 11 counties, 38 cities, almost 900,000 people and most of northern California.

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PRESIDING OFFICER RUESINK: Thank you.

MR. COLEMAN: Including Trinity.

One of the things that concerns me, and it's something perhaps that we need some closure on. To be honest with you, until I saw it in the newspaper this morning and I alerted my staff in Redding that they would take the time to go over and listen to what was happening, I had no idea that this hearing was being put in place. In realizing the complexity of this kind of a situation, I think it is beholden to anyone like yourself who is going to have these hearings, to make sure that we have the time to study it and the time to analyze what is being proposed.

I'll give you just a -- perhaps my interest in it. And this is not a political issue, because I'm the Chairman of the Cal-Fed -- legislative Cal-Fed committee that oversees the water issues for the State of California. So I have more than just a cursory interest in what's happened.

It is not the north/south kind of a thing or whatever. That has nothing do with it.

But I just tell you that because of the importance that we have a chance to look into and see what exactly has to be proposed.

Just glancing at this as I walked through the

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door -- it was left on my doorstep -- as I drove, and it looks like it is a lot of voodoo science involved in this as far as the fisheries and what happened.

The 2020, the 60 percent to 65 percent seem to be a rather interesting figure. I don't know quite frankly how they -- they come up with that. I've lived there 40 years, so I'm well aware of this countryside here.

The -- I suspect that there is a project that is being decided on, and we now merrily go through the effort of trying to legitimize what the process should be in order to achieve what we have already decided it should be.

Is this too far off? Maybe not.

I had a chance to talk to Babbitt, Interior Secretary Babbitt, who, as you know all know, was the governor of Arizona, and -- back I think about three or four or five months ago.

And the idea then was that, number one, Trinity was not in the Cal-Fed mix at all. The Cal-Fed being a consortium of about 14 or 15 federal and state agencies, all who have their own agendas, none that cooperate with each other. Now, if that isn't a kettle of fish, I don't know.

And we have found myself in a position where we may have to end up, in order to get to the bottom of a lot of

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this, to use either committee hearings, which we will be doing more of, we have done some, but also that we will get back into the area -- maybe forced to using subpoenas to get the information that we're trying to get. With that as the background, at that particular time Interior Secretary Babbitt said well, I think that Trinity, really we don't have to worry too much about it in Cal-Fed process. And in any event, we are talking maybe 250,000 acre feet of water that would have to be transferred through the Trinity system to the Klamath River Basin, of Klamath River, in order to solve the problems that it -- that was supposedly involved with the Indians. Since then I understand that we are talking about a possibility of transfer somewhere in the area of 340 to 800,000 acre feet of water through the Trinity system. I also point out to you that there is about a million acre feet of water that now goes through this system to the Carr powerhouse at Whiskeytown and a few other things. And we're already about a million acre feet short of the deliveries to the Central Valley projects, to the contract holders of the two projects. So if you take that out of the mix again, we're already a million acres feet short -- a million acre feet

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short, we now take the additional -- maybe let's say three-quarter of a million acre feet, we are talking about putting more water through the, quote, "preferred alternative," through the Delta, pushing water through the Delta, northern California water, into the bay and then obviously down to the pumps down in Tracy. So the question now is where is the water going to come from to do this little voodoo science that I called it? Where is it going to come from? There is no doubt in my mind that transfer of water will take place. We in northern California are blessed with about 80 percent of the water and 20 percent of people. And as a good friend of mine in the old days, Senator Seymore, used to say, "Well, think about it. Either you give us the water or we give you the people." I have a problem with that. I can't quite figure out what the answer should be on that one. But the point is we know what's going to happen. So the question is if we can get above the trees and look behind and say well, we're going to need anywhere from six to nine million acre feet more in the next 25 to 35 years. Where do we get it and how do we do it? Obviously, we -- additional storage have to be in

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that mix. It can't be done otherwise. It can't be done. And if we are continuing on the process that we're doing now by taking the water away from this side, if you will, from the eastern side, and put it through Trinity -- And by the way, the Trinity should be cured. They have a lot of problems and they need to be solved. But the problem can be solved only with additional water, not only for their part, but for all our parts. The question that has to be answered when you deal with this, it has to be -- Trinity River has to be in the mix of what we're trying to do in the state of California. My job is not just thinking about northern California, but obviously I have a bias. And I admit to that. But it has to do with how do we solve the problem in the total -- in totality in California? We got pretty well on the road to doing that in southern California. We have worked and given them the lining, the American canal, and the transfer of water from Imperial Valley and San Diego. I think we have that just about worked out. Northern California has the water. Quite frankly, we don't have the problem. We're just trying to keep some of what we have. The problem lies in the central California. And there's where some of the biggest problems that we're

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going to really deal with. So when you're thinking in terms of Trinity River and the Trinity watershed, you have to think in terms of what the effect is going to be and the third party impacts in northern California itself. You have to do it. At this particular point they are talking about laying fallow anywhere up to a million acres of good farmland in order, quote, "to save the water for all the restoration projects." We have spent a couple of billion dollars -- or going to spend a couple of billion dollars merely to do restoration work, to do wetlands, meanderers, take-a-way levees, all of these things. But not one dime at this point has been spent for the study and the action needed to build reservoirs to take the -- to control the water. In fact, already the good peripheral canal which -- we call it the "P word" -- is already being followed. And some of the land is already been bought down in Hood and so forth to do the canal. So anyone that thinks that the decision hasn't already been made to do what's going to be done in the future, think again, because it's going to be. Our fight is let's provide as much water as we can through the Trinity system. But bear in mind that whatever is taken away, we've got to replace it from

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somewhere. And the only way we can do that is through reservoirs that is necessary to be built. And that is about a seven- to ten-year lag time. So I'm asking you in doing this, I'm glad this is finally coming to a head, but I would appreciate in the future if at least through my capitol office and through my committee, that we get a copy of these things prior to any kind of a hearing. Thank you. Glad to be here. Appreciate your all being here.

PRESIDING OFFICER RUESINK: Thank you.

SENATOR JOHANNESSEN: Maybe you don't sometime, but it's interesting.

PRESIDING OFFICER RUESINK: Thank you, Senator Johannessen. Our next speaker is Tina Andolina.

MS. ANDOLINA: Thank you very much. I'm Tina Andolina with Friends of the Trinity River. That's A-n-d-o-l-i-n-a. The first thing I want to address is I want to thank you very much for coming up here and for completing the flow study and the EIS and the EIR. I've been following this for some time, as have most of people that have commented or are in this room. And I think, you know, the six-day public comment period

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is great, that's given us ample time to review everything. You guys have met your NEPA and CEQA requirements. This process has been delayed and delayed and delayed and delayed. And I would appreciate no further delays. The fish have waited 36 years while their habitat has been destroyed. It's time to move forward, move forward a Record of Decision, not have this process drawn out and drawn out. Secondly, I'd like to say that the legislation surrounding the Trinity River and the Trinity River Authorization Act clearly give it a unique position among all water projects in California. The law clearly says the fisheries should not be harmed. And in the CVPIA -- clearly says the Trinity River is unique. Its position is unique in California and it is not to be tangled into the mix of other California issues. And that includes Cal-Fed. Trinity River is separate from Cal-Fed, it should remain separate from Cal-Fed. And if it is allowed to be combined, not only will this process be delayed, but Cal-Fed will be delayed. And that's not good for the environment, it's not good for the farmers, it's not good for California or California's future. Now, to get back to the point I really wanted to

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make coming up here, we support the science and the scientific study and investigation that have gone into producing the flow study and the Environmental Impact Statement. We think the science is very sound. However, we still feel that more water is needed to truly restore the fisheries. We think that the preferred alternative, giving the river roughly 48 percent of the water, combined with mechanical restoration, is far too reliant on the mechanical restoration to truly get done what needs to be done, what giving the river more water could get done. We would like to see flows at about 70 percent because, first, you know, other scientific studies have indicated that rivers left to themselves need at least 70 percent of their flow to maintain a healthy fishery. Second, as we've seen this year and in years past, funding for restoring the Trinity River isn't very reliable. So if we focus too much on the mechanical restoration and that part, needing to get congressional funding every year, restoring the Trinity River might not actually occur on a timely schedule. Second, I want to address the -- you know, some people were up here saying that, you know, if we're going to give water back to the Trinity River, we need to do some mitigation. And some people have suggested surface

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storage. Well, I say no surface storage. There are -- most of the water that is taken out of the Trinity River is diverted to the San Joaquin Valley, and principally to Westlands Water District. Now Westlands Water District, as many of you know, was responsible for the Kesterton disaster. And there are lands in Westlands that have been identified as being toxic and polluting and lands that should be retired. If those lands are retired and the water is returned to the Trinity River, not only will the Trinity fisheries be restored, but the problems associated with Westlands, meaning the pollution of the San Joaquin River, pollution of the San Francisco Bay, which offers drinking water for two-thirds of California, all those problems could be solved. We don't need more surface storage. Building these dams in California is what caused -- was what's caused all the problems currently. We're sitting here talking about a fishery that's declined by 90 percent. Why? Principally, because a dam was built and 90 percent of the water was diverted. So the answer to California's water problems is not build more dams. The answer is conservation. And the Trinity River can be used as a shining

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example of habitat that has been restored, as an example of us being brought back to sanity by saying fish need water. You can dredge a river, you can put bulldozers in the river, but fish aren't going to walk. Fish need water. I appreciate all the consideration, all the time and the effort that all the agencies have put into the Trinity River. It's been studied for two decades. It is time now to move towards restoration, to move towards giving the river more water. And we would encourage you to look at implementing a flow regime that allows the Trinity River to have 70 percent of its flows. Then we know that 70, along with mechanical restoration, can truly restore the fishery. It's no longer a guessing game. This is our one chance to fix this river, to fix it as it was promised in the 1955 legislation. We've waited long enough. There should be no further delays. Let's move forward a Record of Decision. Let's move towards restoring this river. Thank you.

PRESIDING OFFICER RUESINK: Thank you for your comments. Our next speaker is Bernard Bryson.

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MR. BRYSON: I'll be quite short here. The nineteen fifty --

PRESIDING OFFICER RUESINK: And --

MR. BRYSON: I'm Bernard, B-e-r-n-a-r-d, Bryson, B-r-y-s-o-n, Redding, California. The 1955 Trinity River Act, PL84-386, stated that the river diversions were not to be detrimental to the river. The 1984 Trinity River Basin Fish and Wildlife Management Restoration Project Act, PL98-541, stated that natural fish and wildlife populations should be restored to levels approximating those which existed immediately prior to the construction of the Trinity diversion. The proposed and recommended flow evaluation alternative is projected through the selected models to reach approximately 66 percent of those levels. I have three questions. First, is this projected two-thirds attainment of those levels sufficient to meet the intent of the above legislation? Two, what criteria are proposed to measure attainment of the desired goals? And third, what additional measures are proposed should the proposed measures fail to restore the river to the desired levels?

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Thank you.

PRESIDING OFFICER RUESINK: Thank you for your comments, Mr. Bryson. Our next speaker is Oliver, S. Oliver.

MR. OLIVER: I might be just off the wall with my --

PRESIDING OFFICER RUESINK: Would you please state your name --

MR. OLIVER: Stuart Oliver.

PRESIDING OFFICER RUESINK: -- for the record and spell it, please?

MR. OLIVER: Stuart Oliver, S-t-u-a-r-t O-l-i-v-e-r, Oliver.

Pardon?

PRESIDING OFFICER RUESINK: Go ahead.

MR. OLIVER: As we know, this Whiskeytown and Trinity Dam diversion tunnels work very well. I know it's a gravity-fed tunnel. And it's a beautiful project that worked. And it's a beautiful engineering marvel. I'm suggesting something similar to that, only it would be a combination of tunnel and pumps. And I live near the river myself. And I've seen it year after year where we had fifty to 80,000 cubic feet a second going down that river. And it's scary. But it's all wasted, going to that ocean. And I'd

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like to see something done about it. And I wrote to the Bureau of Reclamation, oh, five or ten years ago, asking if they wouldn't make a study. And I think there should be a study of diverting this tremendous amount of water that's coming down the Sacramento, Pit and the McCloud rivers during these very wet winters when the water is no good to anybody. It's just going down that river. Shasta Dam can't use it, the Pit powerhouses can't use it. And I'm suggesting that the Bureau make a study of diverting that water through pumps and tunnels over to the Trinity Dam, even if you have to raise the Trinity Dam level and make it a larger reservoir. But I think those two months out of -- of many years, that water should be saved. And we need the work and -- we need the work in these counties. And we need the jobs. But this is not some fly-by-night thing. PG&E does this already down there by Fresno. And the Grand Coulee Dam, if you've ever visited that, you can see the tremendous pumps facilities they have. Pumps up to pretty good heights. And even if we had to have other reservoirs in between -- I know that the river is actually below somewhat of the Trinity reservoir. And so it needs to be pumped up

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somewhat to get it up into that level. But I would like to see a study made of that. Well, that's pretty much it. But they have proven, the PG&E has proven that this 95 – it's 95 percent efficient to do this. And if you pump the water over there to the Trinity Dam, you've got excess – that excess water to flow down the Trinity, and you've got excess water to go down to Tracy. That's through the – through the Trinity powerhouse, the Carr powerhouse, the Spring Creek and the Keswick Dam. You're not wasting any electricity by using these pumps. And the PG&E has proven this is 95 percent efficient to do that. Thank you very much. BY PRESIDING OFFICER RUESINK: Thank you for your comments, Mr. Oliver. Our next speaker is Dave Steinhauser. MR. STEINHAUSER: Hi. My name is David Steinhauser, S-t-e-i-n-h-a-u-s-e-r. And I'm involved in the communities along the Trinity River wearing different hats such as Board of Directors of Trinity County Chamber of Commerce, Board of Directors of Big Bar Community Development Group, a member of the Six Rivers Outfitter and Guide Association, and a member of the Trinity River Frontier Business Network.

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Tonight, however, I speak on behalf of my wife and myself as owners of a white water recreation business along the Trinity River since 1988 called Trinity River Rafting. Thank you for the opportunity to comment on the draft EIS/EIR, a document that we have been awaiting a long time. When I first received my copy of the DEIS/EIR, it appeared large, but after browsing through it I realized that it is mostly material that we have been hashing through for many years. I have heard that some folks would like a 90-day extension on the comment period of this document, referring to the report's size. But in my opinion, most anyone who has had an interest in the DEIS/EIR will find the material to be quite familiar and there is a very adequate summary. I believe the comment period which extends to December 20th is long enough. White water rafting has at least two levels of appeal. The adventure of white water and access to a relatively natural environment. On the Trinity River, the importance of these two components are fairly well balanced because the most popular run, the Class 3 Pigeon Point Run, which starts at

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the confluence with the North Fork, is widely accessible and can be enjoyed by a broad spectrum of people. For white water adventure, our company provides safety, competent river guides and quality equipment. And to run white water, we need to have adequate river flows. For enjoying the river corridor, our company provides access and interpretation. And we need a quality environment to showcase. Adequate river flows for river running on the Trinity River are defined in the DEIS/EIR as being above 300 cubic feet per second and below 8,000 cfs. I would strongly qualify the 300 cfs minimum figure as being runable by kayaks as ten-foot rafts. Commercial rafts on the Trinity River are mostly 12-, 13- and 14-foot rafts, with occasional 16-footers. These larger rafts don't fit down the river at 300 cubic feet per second when tributary inflow is small. When I was first involved in commercial recreation on the Trinity, the dam releases in the summer was 300 cubic feet per second. And we were able to do this commercial activity by having the guide in a kayak and describing routes to people in ten-foot rafts. Around 1990, the release in July and August and September was increased for the purpose of temperature controls to 450 cubic feet per second, which resulted in

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an explosion of rafting activity. It became reliably possible to run a full-sized raft with a guide down the river throughout the entire summer. We now provide services to more people on a busy July or August weekend than we did during the entire season before the 450 cfs release. So as part of my comment I would like to present this minimum flow for rafting distinction to you. However, I do not believe that it strongly affects the implications of the options presented. The only option that it affects is the 40 percent in-flow option, which, if changed to a 450 cfs minimum, would make recreational rafting even less viable, and if chosen, would probably put most raft companies out of business. In terms of overall flow, either the flow evaluation alternative or the maximum flow alternative would provide more flows at optimum water levels while not dipping below 450 cubic feet per second during the busiest months for rafting, which are July and August. I concur with the DEIS/EIR on its finding that these two alternatives would provide the most benefit to in-river recreational rafting. Without lengthy elaboration, I believe that either the flow evaluation or maximum flow alternative would be

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the only options that could effectively and comprehensively promote a healthy river corridor. Although our business does not include a fish and guide service, watching a full-sized salmon or steelhead speed by inspires a similar amount of awe as viewing a bald eagle soaring overhead. Momentum from working in a community on a healthy river and the enthusiasm of presenting interpretation about such an environment is substantial. Other alternatives are not only scary, but impractical as the probable result would be the listing of all anadromous fishes as endangered, with subsequent shutting down of river activities and cascading detrimental effects on businesses and communities along the Trinity River. No party interested in Trinity River water can afford further degradation of the fisheries. Thank you for your time.

PRESIDING OFFICER RUESINK: Thank you, Mr. Steinhauser. Our next speaker is Darren Andolina. Would you coming forward, please.

MR. ANDOLINA: Hello. I'm Darren Andolina, A-n-d-o-l-i-n-a. And I just love the Trinity River. And I think

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it's very special place. And according to Mr. Johannessen's comments earlier that this is God's country, personally, I've never been anywhere that wasn't God's country. And I think we ought to start listening to God. And God created the river, the Trinity, that flowed. And I think human intervention is what's messed everything up. I don't think you can deny that the activities involved with building a dam have been -- have not been responsible for the declining in fisheries. It might also be harvesting fish off the coast as well, but that's still another, you know, human intervention that's affected the Trinity. I also -- I like EIS/EIR, but I think it is too reliant upon mechanical restoration. On principle, I don't think that bulldozers should be allowed to try to fix the river. I mean, after all, they were what created the problem, building a dam. I think that water is what's needed to clear out the spawning habitat for the fish and just let nature do its work. And that's all that's needed. Thank you.

PRESIDING OFFICER RUESINK: Thank you. Randi Anderson.

MS. ANDERSON: Hi. My name is Randi

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Anderson, R-a-n-d-i A-n-d-e-r-s-o-n. I've lived in Trinity County for 21 years. And during that time I worked for several years with the Resource Conservation District repairing the Grass Valley Creek watershed where there was much damage due to improper logging practices. And during that time I learned a great deal about the processes that occurred in the river and came to understand, you know, what had gone wrong over time since the dam had been put in place. And I've interviewed a lot of different people. I work as a wilderness guide and am a writer and work with the schools and put on story-telling events. And during all of those different kinds of things that I've been involved in I've interviewed lots of different people, old people, young people, people who have lived on the river and have heard over and over again the stories that people really sadly reminisce about the river and the salmon runs. And it really has struck me. One man in particular was a member of the Yurok Tribe -- and is a member of Yurok Tribe. Excuse me. He lives on the mouth of the Klamath. And he remembers when there were no roads and when they had to canoe back and forth up to the ocean and back to get their fish. And he told amazing stories about the salmon.

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And, you know, what has struck me about all this is the profound change that has occurred in -- not only in the river, but in people's lives and their livelihoods and in their memories and their spirituality and how they interact with the river. Children nowadays don't interact with the river like they used to. You know, the seasons used to draw people to the river. And it was kind of a whole poetic experience of humanity in that part of the land and all over the Pacific Northwest. And it doesn't really occur any more in these rivers. And it's really very sad. I mean, when you see the look in people's eyes when they talk about the salmon, how it used to be, it's just -- it really -- it's real sad. So I would really like to strongly urge you to support the preferred flow study option in light of that, in light of the science that supports it, in light of the people who live there and all of the animals and fish and everything that depends on that kind of system. Thank you.

PRESIDING OFFICER RUESINK: Thank you. Roger Sherwood.

Mr. Sherwood, before you begin, you did provide substantial comments this afternoon which are already part

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of our administrative record. I certainly want to give you the opportunity to speak again this evening, but I would urge you to maybe try to be as brief as you can --

MR. SHERWOOD: Okay.

PRESIDING OFFICER RUESINK: -- and to summarize some of those points.

MR. SHERWOOD: Okay.

PRESIDING OFFICER RUESINK: And, if necessary, I will limit your comments this evening.

MR. SHERWOOD: I understand. Thank you. Okay. My name is Roger Sherwood, S-h-e-r-w-o-o-d. My address is Box 683, Big Bar, California. That's six months out of the year. The other six months is Redding, California. I make a living by dredging the Trinity River, and I've done it for 12 years. I was an aerospace engineer out of Phoenix and I left that job because I wanted to come to God's country. I fell in love with the Trinity River. Before coming on the Trinity River I spent four summers in Alaska in the Arctic Circle on the tundra. There's no pollution up there. The tundra is covered with blueberries. And there's a lot of salmon. There's so many salmon you can't

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believe it. I have an associate with me today. I had told you when I first came in, I got no notice of this meeting other than after 1:00 o'clock this afternoon, five after 1:00. That's why I was late for your first meeting. Okay?

PRESIDING OFFICER RUESINK: (Nods head.)

MR. SHERWOOD: I don't have much use for the newspapers because they're too biased. So I have to disallow the newspapers. I can't believe what I read in the newspapers anymore. I no longer believe in what they publish. That's just the way I feel. I was looking at some old records. And the Altoona quick silver mine was one of the largest quick silver or mercury mine -- producing mines in California and in North America. In one month they produced 10,000 flasks of mercury. And I asked a friend of mine over here, I said, "Well, Lamar," I said, "what does a flask of mercury weigh?" He said, "Seventy-four pounds." Well, that quick silver mine working for -- I know it went down to 5,000 foot deep. But then the thought occurred to me, where did all that mercury go to? Well, it was used for mining operations on the

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Trinity River, Klamath, northern California. I'll just say that far, because -- Five pounds of mercury is a real small container. You can imagine a hundred years ago trying to transport a thousand pounds of mercury. You couldn't do it. Anyhow, my belief is -- I've got a background in conservation, as I mentioned earlier in the meeting this afternoon. I left Phoenix as an aerospace engineer and moved up to the Trinity River in July of '88 because I liked getting away from the pollution of Phoenix and the pristine environment. Dredging the Trinity River, which is what I did yesterday afternoon, that's why I -- that's why I'm here -- I have watched in the last 13 years the personality of the Trinity River change. I have only seen it for 13 years, but I do know -- I've heard -- I've talked to old timers and they said when Highway 299 was built -- and I'm talking prior to the construction of the Trinity Dam -- they could look across the Trinity River and see fresh gravel. They even saw nuggets of gold in the gravel. They saw fish all over the place. Now, when the Trinity Dam was built, they said it wouldn't hurt the environment. Well, it's different.

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You guys don't have all the answers. I think I've got some. But Mount St. Helens blew up back in the early 80's, the Department of Interior, Forest Service, BLM, whoever, got over there and they well, we can do -- we can restore the devastation that Mount St. Helens created. I walked on Mount St. Helens in July 5th of 1983. I stood as far as the ribbons would allow me to walk and I saw that devastation. I personally walked it. Anyhow, they tried to reclaim the area. They brought in plants from Asia and whatever for ground cover. What they found out ten years later -- or six years later is if they had just left it alone, that the area, Mother Nature, would have healed itself, because volcanos have actually erupted in North America before man got involved with them. I'm just saying it would have done it on its own. Okay? And it did better than what the engineers tried to do and what their -- the plants they introduced to the Mount St. Helens area actually messed up and interfered with the environment. It slowed down Mother Nature's own reforestation and restoration program that man interfered with and stopped. And that's on record. The -- I'm going to get back to the Trinity River

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now.
Okay. Watching the Trinity River when I came in
July of '88, I saw -- I got some mining claims on the
Trinity River. I do dredging. But I saw old wrecked
cars, I saw junk all over the river. And I thought to
myself, here's a beautiful place, and the men are trashing
it.
Charlie Fitch, up until January of this year, was
the Chief Ranger in Big Bar. I've talked to Charlie many
times.
Well, when I picked up a bunch of mining claims on
the Trinity River, six, eight miles of the river, whatever
it was, I said to Charlie, I said, "Charlie, don't worry
about cleaning the trash up on my mining claims. I will
personally pick up the trash."
And nobody pays me a salary. I do it on my own as
an independent entity, and I do not get a paycheck.
So this saved -- Charlie -- Charlie thought "Well,
doggone, this is nice. Here Roger is, going over there
picking up" --
And I did. For many weeks and months every season,
I'd walk around with five-gallon buckets in my hand,
picked up the cigarette butts, picked up the trash the
fisherman discarded, and the kayakers and the rafters.
And I don't mean to pick on them, but I tell you

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what, when they left, the trash was on my claims. And I
picked it up. Nobody asked me to do it. I did it because
it was the right thing to do for the environment.
That's the attitude I have and that's the attitude
I have today.
I would pick up trash on my claims as long as I own
those claims, and nobody has to pay me a penny to do it.
Now, the thing I see coming is -- I've got friends
that are geologists. And for -- one's a certified
geologist with the State of California. And his business
is environmental cleanup. He gets paid a couple thousand
a week to be a consultant to go over and do environmental
cleanups for disasters all over to western United States,
California and Arizona and Nevada.
I've talked with -- his name -- his first name is
Dave. I don't want to get him in any more trouble already
than he -- than I can do. But I talked to Dave. And he
walked my mining claims with me.
Dave knows how environmentally conscious I am.
Dave is also a dredger, which I am. I'm a dredger.
When I left aerospace engineering 12 years ago, I
quit a weekly paycheck. And my income was just like
falling off a cliff. Bingo.
You try working five years with no paycheck. I
mean, even the jobs you people hold today -- and I don't

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mean to pick on you -- how long you would stay with your
job if you didn't get paid? How long would you stay?
PRESIDING OFFICER RUESINK: Mr.
Sherwood, could I --
MR. SHERWOOD: Okay.
PRESIDING OFFICER RUESINK: -- have you
focus --
MR. SHERWOOD: Okay.
PRESIDING OFFICER RUESINK: -- on the Trinity
River --
MR. SHERWOOD: Okay. I'm sorry. I don't
mean to attack anybody.
PRESIDING OFFICER RUESINK: -- and the
document that --
MR. SHERWOOD: Okay.
Now, ten years later the Trinity -- the shores of
the Trinity River are cleaned up. Charlie Fitch when he
retired, I talked to Charlie before he retired. I said,
"Charlie," I said, "look how clean the river is."
And then we started joking around. I said,
"Charlie," I said, "I don't mean what the flood did in
'97." I said, "Look how clean the land is."
Because what happened, the people who were living
and using the river and dredging on the river started
waking up. And between Fish & Game and the Forest Service

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trying to educate them to say, "Hey, look, you don't trash
the river."
Well, 200 years of using the river -- and we'll go
back to that 10,000 flasks that the quick silver mine
dumped into the river, let's say maybe not the Trinity,
the rivers, because it was used for mining.
I am guessing there's between a hundred and 1,000
pounds of mercury per mile on the Trinity River. And the
only way you can tell me that it is not there is to dredge
every cubic yard of that river.
And at the bottom of the river you will find --
I've done it. I'll find puddles of mercury on the
bedrock.
The gold recovery in the river, 80 percent of it or
more, that is mercury on it. So that mercury is breaking
up into little microscopic nodules or whatever. It's
polluting the fish, it's polluting the water.
Lake Michigan was closed in the '60's and '70's
because of mercury poisoning to the fish.
What I say is this, I can create jobs, we can
create jobs. I've got a pilot operation going where I can
go and dredge the river.
And the neat thing about the river is if you want
to take a quarter mile of river and clean it up, just a
water mile, one quarter mile of the river -- say there's a

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road that does down to the river, and you clean that up. You take all the bedrock out. Now, I'm talking go -- I mean all the overburden out. And it could be 20 feet deep. So in a quarter mile you might have ten million cubic yards of overburden. The silt gets cleaned up of mercury and lead, you get it out. I can do it. You haul it away in dump trucks, give it back to the farmers. It took 200 years or a thousand years for Mother Nature to make it, but get it before it goes into the ocean and gets really contaminated. But the neat thing is if you clean up a quarter mile stretch of the river, I'm saying to bedrock, let's say the Big Bar area or Del Loma, what -- the neat things that happen -- say you spend a summer doing it, you have eight or ten dredges in there -- I'm talking about getting up all the lead and the mercury too. The hunters are shooting the ducks. All that lead's laying in the water. I find it all the time. But what happens is, the winter the flood comes, well, it turns around and washing in the hole that you dredged the year before. Happens to me every year. I had a hole dredged in the Trinity River two years ago 25 deep and 60 feet across. You could have put a four-unit apartment building inside the hole I dredged.

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Do you know what? I went back the next year, it was totally filled in. We call it fluff. But what I'm saying is that, realistically -- I wrote a letter to President Clinton. He did never -- he never replied. There's a way to clean up the Trinity River by stages. You clean it to bedrock, get rid of the small stuff. Get the lead and the mercury out. The mercury and the lead would be a byproduct that could be sold. We could use local people. I'm forming a company to do just this on a -- on a -- on my own basis, independent of you people. But the thing I see -- you're concerned about cleaning up the Trinity River. Let's get everything out there. Don't just pick up the overburden that's ten feet deep, because you didn't get the contaminated materials out of it. Let's get the old dredges out of it, let's get the mercury out, get the lead out of it, and then start cleaning it up by stages. And then -- it will take a couple -- it will take 20 years to do it, but you can start doing it now. Say there's ten spots on the Trinity River where you have road access and pickup trucks can haul the overburden out. I wash it and clean it, get the mercury

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out, I get the lead out. I got the contaminants out, the old iron, roust whatever. Do a quarter mile stretch of the river. The winter floods come in. You go right back to that same spot and work it again, only you -- what took three months to do you can now do in three weeks, because it's just fluff, it's loose. You get that out, haul that away in dump trucks. I classify it: Pea gravel, sand, silt, gravels, one-inch or two-inch diameter rocks. You use trommels to do that. But I can put local people to work making a good salary. And in the process of doing it, restore and revitalize Trinity County. If you take look -- like J&M Tackle over in Junction City had to close his doors. That man, I knew him personally. Thirteen years he worked on the river and he thought he could make it. But the -- the restrictions placed on dredging -- and I'm not saying to interfere with the rafting or anything, but the neat part of this is you can get a -- it can pay for itself just like Boulder Dam did. They built Boulder Dam at a cost of hundreds of millions of dollars. A byproduct was the electricity that paid for the dam. So the dam didn't really cost anything, but it put everything to work. And it's a perpetual

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source of electricity for, you know, California and whatever. This kind of work that I'm talking about can be done on a small scale, say a quarter of a mile at a time, eight or ten different locations, get the mercury out. I don't know what mercury sells for anymore. But put local people to work. And then truck it out. And in the process of doing it, by getting the overburden out -- say you only do one percent the first year, and after a couple of years you do two, three, four five percent, we're talking millions of cubic yards, literally, every year being deposited. The overburden level would go down shallower and it would take you less water to have you in six or eight feet of water.

PRESIDING OFFICER RUESINK: Mr. Sherwood, could I have you wrap up in about --

MR. SHERWOOD: Sure.

PRESIDING OFFICER RUESINK: -- a minute here.

MR. SHERWOOD: All right.

PRESIDING OFFICER RUESINK: Thank you.

MR. SHERWOOD: I agree -- I would like to talk with Senator Johannessen before he leaves tonight, unless he's already gone.

DR. MUELLER: He's right back there.

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MR. SHERWOOD: Okay. But this can be done and it can be done now. And it can be done in a manner in which, instead of just costing money, it can restore an economy, it -- People who live in Weaverville and Trinity County live there because of the environment, but their families and sons have to leave because they can't feed their children, put their children in school, because there is no work. But I could put a whole bunch of people to work on it. You know, I'd have to have a government grant or something to do a small operation, but the thing is you guys would see with your own eyes -- And I'm not talking in the year 2020 either. I think the reason that year comes up, by that time there I'll be 75 years old and I'll say, "What was the Trinity River? Huh?" That's why they're talking about something 20 years down the road. We don't have all the answers. But the thing is if you can take little -- a little at a time and start cleaning it up -- It took 30 to 40 years to mess the river up. If you consistently work 30 to 40 years to clean the river up, it would be a lot cleaner. And every truckload of mercury that goes out of

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that river -- like again I've got facts from the Altoona quick silver mine to -- to -- to -- Oh, incidentally, the LaGrange Mine at one time was the world's largest hydraulic mining operation. And it's located between Weaverville and Junction City. And that was at one time the world's largest hydraulic operation. One of the last stages of hydraulic mining was the use of mercury. And that's all in the river. And incidentally, water does not push mercury to the ocean. Mercury stays right in the river.

PRESIDING OFFICER RUESINK: Thank you, Mr. Sherwood. David Bish?

MR. BISH: Good evening. My name is David Bish, B-i-s-h. I just have a very brief comment this evening. As we go through this whole process, it's obvious that economics is the name of the game here. You know, saving the fish, the positives of that, and then what are the costs and who should bear them. I just wanted to throw out one indirect economic benefit that quite often gets overlooked in these sort of analyses. I moved her in 1989 from Texas. I have a business here, I have employees here. The reason I moved to this

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area is specifically for white water boating. I consider the Trinity River my home river. It's the river that we use most extensively. And the flows have -- you know, it's a beautiful area. And it was enough to induce me to move halfway across the country. Increasing the river flows, in addition to helping the fish populations, also has the benefit of increasing people like myself who may move here and bring economic growth in the process. And that sort of analysis -- I know there's one gentleman indicated 66 jobs would be created. I suspect with increased flows, there will be at least 66 more white water boaters moving here. So just factor these sort of things in here. And in that regard, I would say, you know, I certainly would support the preferred alternative, increasing the flows for the fish as well as white water boating. Thank you.

PRESIDING OFFICER RUESINK: Thank you, Mr. Bish. We have heard now from everyone that had filled out a yellow card and expressing a desire to make a statement this evening. If anyone else here would like to make a statement,

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I would ask that you go to the registration table and fill out a card, and then we will give you the opportunity do so. If there are no more cards right now, we will take a break and reconvene if someone else does register to speak. We're now off the record.

(Recess taken, 7:14 p.m. - 7:22 p.m.)

PRESIDING OFFICER RUESINK: I'll reconvene the hearing now. We're back on record. We do have one other person that's indicated they would like to make a statement. But before we do that, I would like to introduce John Engbring sitting to my immediate left. Mary Ellen Mueller was the Fish and Wildlife Service representative and had to leave for another commitment that I think she has early in the morning than tomorrow. And so John is the Fish and Wildlife Service official that's listening to any other statements that we have this evening. The next speaker is James Holden.

MR. HOLDEN: Hello. I would just like to say --

PRESIDING OFFICER RUESINK: Could I have you state your name and spell it for the record, please?

MR. HOLDEN: Yeah. James Holden, H-o-l-d-e-n.

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And I work with SWAG which works in the area on restoring watersheds and also with Shasta College on some watershed restoration projects. And what I'm noticing and what I've noticed from like the Saetzer Dam discussions that we're having is all these dams, they're useful at one time, but over time when we start weighing them against the costs of the environment, we're finding that these dams aren't necessarily the solution to the problems we're having. We're trying to urbanize areas that don't really have any means of supporting population on its own. And you're saying here that in 20 years, you know, we're going -- we're going to take water from southern California. They're not going to let us. This is a very rural area with no vote. How are you going to take water from there and say that 20 years from now we might have 66 percent of the fish when we don't really know whether or not this is going to be the route? My basic point is is any humanization to the rivers are going to lead a decline in salmonoid and fish habitat. The Trinity River, no matter what we do to it, the temperature is still not going to be the same because of the dam raising the temperature. No matter what we release the flows at, it's never going to be the same as

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it is now. So if you're going to weight it against the environment, the vote's going to win down south. I don't really don't think it's going to matter too much what impact the environment has. It's who needs the water, who's going to get it. And that's about all I want to say.

PRESIDING OFFICER RUESINK: Thank you for your comments. Again, that's all of the slips that I have of those wishing to speak. If anyone else in the audience would like to speak, please go to the registration table and fill out one of the yellow cards. And I did see a hand raised. So we'll go off the record briefly, but let's try to get that person back on the record very shortly. We're off the record.

(Recess taken, 7:25 p.m. - 7:27 p.m.)

PRESIDING OFFICER RUESINK: I'd like the reconvene the hearing. We're back on the record. The next speaker is Eric Ayers. Would you state your name and spell it for the record please?

MR. HOLDEN: It's E-r-i-c A-y-e-r-s. I'm here as a citizen of Shasta County, member of the Shasta Paddlers, just to say to the board you heard

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some comments on Trinity County and their influx with the flows. And here as a member of the Shasta Paddlers. We support the flow in the EIR hearing tonight for the additional water flows to help out with the fish flows and the recreation from fisheries to white water enthusiasts. Also on the river paddling, you have the opportunity to speak with different people that come from around the world to paddle. Believe it or not, last year there was some people from Costa Rica paddling on the Trinity River, which I thought was really a neat thing. Amazing to be able to speak with them. And some people from -- all the way from back east paddling on the Trinity River. And the reason they were here in January was because the water was at a higher level. And if the water level was at a higher level during the summer, they would be here during the summer. And that in turn brings money to Trinity County that people might not realize. And I just thought that might be something to consider with that initial water flow, that people are going to come and utilize the resource that they have for fishing, people coming and spending money on fishing the river, enjoying the river, seeing its natural environment. Thank you.

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PRESIDING OFFICER RUESINK: Thank you, Mr. Ayres. Once again, I have no additional slips from people wishing to make a statement. And so we'll go off the record temporarily.

(Recess taken, 7:28 p.m. - 8:00 p.m.)

PRESIDING OFFICER RUESINK: I'd like to go back on the record, please. The hearing is reconvened. We are back on the record. I have no other appearance slips. And we're at the end of our scheduled time. So on behalf of the US Fish and Wildlife Service and the cooperating agencies that have been here with us this evening, we appreciate the time and effort that all of you took to be here, we appreciate the comments that you've provided to us. They have been very informative and will be fully considered in coming to the final decision. The hearing is hereby closed. We're off the record

(Whereupon the hearing concluded at 8:00 p.m.)

---oOo---

(1) CERTIFICATE OF REPORTER
(3) I, CLIFFORD M. FISHER, a Certified Shorthand
(4) Reporter, licensed by the State of California, License No.
(5) 2727, being empowered to administer oaths and affirmations
(6) pursuant to Section 2093(b) of the Code of Civil
(7) Procedure, do hereby certify:
(8) That the foregoing proceedings were taken in
(9) stenographic shorthand before me at the time and place
(10) herein stated, and were thereafter transcribed under my
(11) direction by computer-aided transcription;
(12) That the foregoing transcript constitutes a full,
(13) true, and accurate record of the proceedings which took
(14) place;
(15) That I am not of counsel or attorney for any of the
(16) parties hereto, or in any way interested in the event of
(17) this cause, and that I am not related to any of the
(18) parties hereto.
(19) IN WITNESS WHEREOF, I have hereunto subscribed my
(20) signature on this 2nd day of December, 1999.
(23) _____
(24) CLIFFORD M. FISHER
(25) ---o0o---

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