

Final Minutes

Trinity Adaptive Management Working Group

Weaverville Victorian Inn, 1709 Main Street, Weaverville, CA

December 7, 2005

The meeting was open to the public.

8:30 A.M. convene

Members in attendance:

Member:	Representative Seat:
Arnold Whitridge (Chairman)	Safe Alternatives for Forest Environment
Ed Duggan	Willow Creek Community Service District
David Steinhauser	Six Rivers Outfitter and Guide Association
Tom Weseloh	California Trout, Inc
Elizabeth Soderstrom	Natural Heritage Institute
James Feider	City of Redding Electric Utility Department
Richard Lorenz	Trinity County Resident
Serge Birk	Central Valley Project Water Association
James Spear	Natural Resources Conservation Service
Byron Leydecker	Friends of the Trinity River
Spreck Rosekrans	Environmental Defense
Joan Hartman	Local Landowner
Dana Hord	Big Bar Community Development Group

Members absent: Pat Frost, Dan Haycox, and Steve Anderson.

Designated Federal Official: Mike Long Fish and Wildlife Service, Arcata, CA. Randy Brown served as Long's alternate.

1. Welcome and Introduction; Adopt Agenda; Approve Minutes of November meeting

Arnold Whitridge opened the meeting. The TAMWG members and the audience introduced themselves.

Changes to Agenda

Whitridge suggested a change to the agenda: to exchange Item 13 (re-organization of workgroups) with Items 5 and 6 and to add an extra item to discuss an extra \$1 million from Congress. There were no objections and the change was made.

Changes to minutes

Byron Leydecker made a few edits to his comments (Item 6 of the November minutes). Minor corrections were submitted by Tom Weseloh and Douglas Schleusner.

Ed Duggan made a motion to accept the minutes as changed.

Seconded by Rich Lorenz.

Motion passed unanimously.

2. Brian Person introduction and comments

Brian Person, new NCAO Manager of Bureau of Reclamation introduced himself and offered information about the 20,000 acre feet of emergency water that was not used last fall. In his introduction, he said that he is new to this position, he had worked most recently in Front Range of Colorado, and he is a native of North Dakota. He applauded the work of the Trinity River Restoration Program.

Person next offered some information regarding the 20,000 acre-feet of water that was available for emergency use last fall. This water was allocated, but not actually used since there was no emergency. The funds for the water came from sources “other than restoration programs” and, therefore, created no impact. Instead of emergency releases, the water was eventually released out of the Shasta Reservoir for other purposes--mostly environmental. Reclamation would likely not be interested in making additional purchases of water in the future. A written reply with this information is being prepared.

3. Open Forum; Public Comment

No public comments.

4. Approve revisions to TAMWG bylaws

Arnold Whitridge presented changes to the bylaws that should be considered (Attachment 1). He commented that he considered the old bylaws still in place and that a vote was required to make the new changes. The major change suggested was a reduction in the minimum number of affirmative votes required to take any action, from 10 affirmative votes to 9. Nineteen members were originally appointed to TAMWG; the current membership is now at sixteen. Nine is a super-majority of the sixteen current members.

Joan Hartman suggested the affirmative vote requirement could be changed to a percent of the actual membership. This would alleviate the need to change the number again if the number of members changes.

Ed Duggan made a motion to accept the changes to the TAMWG bylaws as suggested by Arnold Whitridge.

Jim Feider seconded the motion

Tom Weseloh and Joan Hartman opposed. Motion passed.

5. TRRP sub-group proposal and TAMWG committee organization (Originally Item 13)

Doug Schleusner, director of the Trinity River Restoration Program (TRRP), passed out a handout entitled a Proposal for Improved Communications among Technical Work Groups (Attachment 2). This was the TRRP's response to a request from TMC to clarify operating procedures for work groups (subgroups) in order to improve the interaction of the TAMWG with the TRRP. The TAMWG had formed various subcommittees in the past, but they actually rarely had met and it seemed that a better way could be devised to improve the workgroups and define the overall relationships within the TRRP. The objective was to propose actions for the Trinity Management Council (TMC) to approve at their next meeting.

There were four proposed actions for the TMC in the proposal: 1) define and confirm the workgroups; 2) set meeting dates; 3) suggest membership; 4) provide guidelines for operation. The handout described ten workgroups, the frequency of meeting, possible members, and the purpose of each group. The workgroups consisted of the following: TAMWG, TMC, TRRP IDT, B-Team, Flow Team, Implementation Team, Physical, Fish, and Watershed.

There was discussion about several items such as membership, and whether additional workgroups were needed. Most of the discussion focused on the need for more effort to be devoted toward producing a "strategic plan." Elizabeth Soderstrom asked about the use science and the strategic plan, and Jim Spear suggested that a "synthesis/strategic plan" would be useful for those not so familiar with the project. Serge Birk urged that development of the strategic plan should not be delayed. Bryon Leydecker also mentioned that, in successful Fortune 500 companies, work is 90 % planning and 10 % implementation. He also asked for the opportunity to appoint technical representatives, whether they are reimbursed or not. He echoed Joan Hartman's suggestion for a group to perform outreach and seek additional support. Tom Weseloh commented that the directions given regarding development of the strategic plan has changed over the years-- it has been emphasized and then de-emphasized. He suggested that a strategic plan is now considered important and perhaps should be placed on a future TAMWG agenda. He suggested drafting a letter of support to the TMC that would be on an agenda for next meeting.

Overall, there was consensus that the proposal was on the right track.

Jim Feider made a motion to endorse the proposal for the new workgroups as proposed by Douglas Schleusner.

Bryon Leydecker seconded the motion.

The motion passed unanimously.

Jim Feider suggested that membership on workgroups, the technical representatives, and effort on a strategic plan be addressed next.

Arnold Whitridge suggested the TAMWG look at who might be on the various workgroups. Arnold commented on guidance about roles of members that attend a workgroup. He emphasized that any TAMWG member can put forth their own views, but that the representative also try to promote TAMWG agenda. No single person can speak "officially" for the TAMWG without the TAMWG approval.

When specifically questioned about reimbursement for attendance to IDT meetings, Randy Brown agreed in principle.

The TAMWG members indicated their interests to serve on various workgroups and their willingness to be the lead member that reports back to the TAMWG.

B-team: Byron Leydecker (lead), Tom Weseloh, Serge Birk, Ed Duggan, Rich Lorenz.

Flow: Spreck Rosekrans (co-lead), Serge Birk (co-lead), Jim Feider, Ed Duggan, David Steinhauser, Tom Weseloh.

Implementation: Jim Feider (lead), Jim Spear, Rich Lorenz, Elizabeth Soderstrom.

Physical: Jim Spear (lead), Byron Leydecker, Pat Frost, Dan Haycox.

Fish: Ed Duggan (lead), Serge Birk, Byron Leydecker.

Riparian: Rich Lorenz (lead), Dana Hord, David Steinhauser, Byron Leydecker.

Watershed: Pat Frost (lead), Ed Duggan, Byron Leydecker, Jim Spear, Joan Hartman.

IDT team: all TAMWG members. Elizabeth Soderstrom, Joan Hartman, and Serge Birk volunteered to be the co-leads.

It was requested that the above members and their alternates be eligible for reimbursement for travel to their respective meetings.

Arnold Whitridge made a motion to eliminate the old TAMWG committees.

Rich Lorenz seconded the motion.

Motion passed unanimously.

Jim Feider made a motion that the Chairman draft a letter to advise the TMC that the TAMWG considers the strategic plan important. The letter will also advise that this strategic plan be presented at the next TAMWG meeting with a goal of TMC adoption by June of next year. The TAMWG will seek TMC participation to work with an ad-hoc group to look at the current strategic plan and re-work it in collaboration, as necessary, with TRRP staff.

Serge Birk seconded the motion.

Motion passed unanimously.

Ad-hoc group: Jim Feider (lead), Serge Birk, Elizabeth Soderstrom, Byron Leydecker, Joan Hartman.

It was suggested that an outreach effort be put on the agenda for the next meeting.

6. TRRP Budget Process (Originally scheduled as Item 8)

Irma Lagomarsino of the TMC described the results of a meeting to develop a annual budget process. She passed out a handout that described the meeting and its results (Attachment 3). The nature of the budget problem is that the process has been too long and there has been lack of a general process to develop the budget.

This year, the budget was approved much more quickly than the previous year, there was "general" consensus, and the process was more "transparent." There was some disagreement about the relative spending priorities. It was also noted that some the TMC voting members were funding recipients. The lack of a science framework and a

competitive grant process needs to be addressed. A multi-year contract and grant process is needed.

The issue of Tribal Trust and government-to-government relationships (i.e., the relationships of the federal agencies to the Indian tribes) was brought up. Questions about how the relationship is working were addressed by Brian Person. He said that the relationship is very important, and negotiations between Reclamation and the Hoopa tribe are ongoing.

Lagomarsino finished her presentation by stating her support for the TAMWG and said it was an honor to serve on the TMC.

Rich Lorenz made a motion that the TAMWG support the budget process recommendation (presented by Lagomarsino) to the TMC. He noted that the TMAG and RIG be linked to strategy.

Ed Duggan seconded the motion.

The motion passed unanimously.

Byron Leydecker made a motion to request from Congress a one-time supplemental appropriation to the program of \$5.5 million to accomplish the needed floodplain modifications.

Seconded by Tom Weseloh.

Following discussion, it was decided to put this on the agenda for the next meeting and Leydecker withdrew his motion.

7. Wildlife Emphasis

Sherr Miller, Redwood Sciences Laboratory, gave a slide presentation entitled "Bird and Herp Monitoring Applications for Adaptive Management and Planning of the TRRP." Miller said that monitoring of sensitive species are good indicators of river condition and habitat health. Monitoring indicates that the sensitive bird species--the Willow flycatcher uses the riparian zones of the Klamath and Trinity Rivers. Also, the Foothill yellow-legged frog and Western pond turtle use the edge-water habitat. Recent changes in discharge from the Lewiston Dam seem to be helping with frog egg survival. Turtle capture data shows that mainstem turtles are smaller and have a poorer relationship of size to weight than turtles from the South Fork Trinity.

Riverine birds are also being monitored for numbers by reaches. Dippers and mergansers are being counted by reaches. Warblers and Willow flycatchers selectively use trees.

Arnold Whitridge recapped the past discussion about how much effort to put to wildlife or whether they just do the minimum effort. This issue will need to be resolved later.

Bryon Leydecker was replaced at this time by his alternate Joe Neill.

8. Instream Flow Council presentation

The Instream Flow Council is a non-profit group of fish and wildlife groups that help various groups in restoration programs. They are preparing a book about eight river systems that are undergoing restoration and have chosen the Trinity River as one of these

rivers. Indicators of success for the TRRP include: good science and actually implementing flows. The TAMWG is unique in that the stakeholders sit down to meet and are trying to implement their recommendations. The Council members are visiting the Trinity and will be talking to several people while they are here.

9. Fish numbers- 2005 monitoring indications

This item was omitted for time.

10. Floodplain preparations for 11,000 cfs releases

Ed Solbos provided a brief summary of progress of floodplain preparations. These included new surveys and fieldwork. He noted that they have received needed data to run the final HEC-RAS model for the entire river. They are preparing to remove the Tullis house. He thinks they should be ready for 11,000 cfs flows by next year.

Tom Stokely noted Trinity County, the RCD, and Yurok Tribe's success in a receiving recent award of \$0.8 million from an EPA grant.

11. Adopt resolution on water-year-type forecasting

Spreck Rosekrans presented his request that the TAMWG adopt a resolution that asks the Department of Interior to use a 50 % exceedance level instead of a 90 % exceedance level (Attachment 4). Rosekrans discussed the difference between a 90 % exceedance level and a 50 % exceedance level. He provided some background on the ROD's directive of basing forecasts of current year water flows using a 90 % exceedance level (i.e., a flow that would be exceeded 90 % of the time). He reviewed that a 90 % exceedance level is a more conservative estimate method that predicts lower flows than a 50 % exceedance level. Also, the 50 % exceedance level provides a closer predictor to actual flows (i.e., predicts a median flow). Using the 50 % exceedance level instead of the 90 % exceedance level would allow for more water to be released downstream at Lewiston Dam in about 42 % of the years and would provide for more restoration benefit.

When asked what was the government response to Rosekran's letter that pointed this difference out in 2001, Rosekrans did not get a letter, but did talk with BOR representatives. They told him it was under consideration.

Serge pointed out that he has been told that all parties agreed to the language of the ROD, which stated a 90 % exceedance flow be used. Normally to change this language would require a legal challenge or a writing of a supplemental EIS. He also pointed out that the TMC may not have the authority to change this. Based on these issues he thought it is best to not attempt this type of change.

Ed Duggan thought that, based on opening a "can of worms," we lack the authority, no action is best.

Elizabeth Soderstrom disagreed, that this issue has come up before, the BOR is considering this issue, and the TAMWG has the authority to at least say what they want.

Douglas Schluesner commented that the Solicitor's office is looking into the 50 % versus 90 % and this could be a third way to change the ROD.

Tom Weseloh suggested that this issue be followed up for clarification.

Jim Feider and Rich Lorenz both expressed reservations about voting on the resolution without more time or information or clarifications from the Bureau of Reclamation.

Tom Weseloh made a motion that clarification about the discrepancy of exceedance levels be sought, to receive the Solicitor's opinion, and invite someone come to the next meeting and inform the TAMWG on the status of the exceedance discrepancy.

Rich Lorenz seconded the motion.

Motion passed. Serge Birk dissented.

This item would be discussed at the next meeting.

12. Discussion of Extra \$1 million allocation (new agenda item)

Doug Schleusner provided background on the additional \$1 million of funding that was received. The 2006 Congressional Energy and Water Appropriations bill allocated an additional \$1 million to the TRRP with \$0.5 million to be used for fishery restoration and the other \$0.5 million for floodplain structures.

Schleusner showed how the extra funds will be used and that this be recommended to the TMC (Attachment 5).

There was some discussion about whether the \$0.5 million for restoration would necessarily be transferred to the Hoopa Tribe. This is not yet clear.

Rich Lorenz made a motion the TAMWG support the recommended budget adjustments for the additional \$1 million.

The motion was seconded by Joan Hartman.

Motion passed with Spreck Rosekrans abstaining due to unfamiliarity with the budget.

13. Habitat assessment; baseline documentation

Omitted for lack of time.

14. Science Framework

Omitted for lack of time.

15. Executive Director's report

Doug Schleusner briefly reported that two TMAG positions have been filled. One physical scientist and one fisheries biologist position are coming in February.

16. Open Forum; Public Comment

No public comment.

17. Date and potential agenda topics for next meeting

Refined estimates for the \$500,000 (needed?)

Strategic plan status and direction

Education and outreach issues

Reports from subcommittees

Remaining agenda items that were not covered during this meeting.

Have lunch served during the next meeting to make better use of time.

Reimbursement of all TAMWG designees and alternates for subgroup meetings including IDT. Seek approval by DFT per response to request in Item #5.

Set up of phone conference calls by the DFO.

Things that Doug needs help on.

Presentation on 50 versus 90 exceedance.

Request from Congress a one-time supplemental appropriation to the program of \$5.5 million to accomplish the needed floodplain modifications.

Government-to-government and tribal trust obligation issues.

Adjourn

LIST OF MOTIONS

Ed Duggan made a motion to accept the minutes as changed.

Seconded by Rich Lorenz.

Motion passed unanimously.

Ed Duggan made a motion to accept the changes to the TAMWG bylaws as suggested by Arnold Whitridge.

Jim Feider seconded the motion

Tom Weseloh and Joan Hartman opposed. Motion passed.

Jim Feider made a motion to endorse the proposal for the new workgroups as proposed by Douglas Schleusner.

Bryon Leydecker seconded the motion.

The motion passed unanimously.

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Rich Lorenz seconded the motion.

Motion passed. Serge Birk dissented.

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LIST OF ATTACHMENTS

Attachment 1: TAMWG bylaws amendments proposed by Arnold Whitridge, December 7, 2005.

Attachment 2: Proposal for Improved Communications among Technical Work Groups and Teams. By Douglas Schleusner, Executive Director.

Attachment 3: Trinity Budget Process Meeting, November 1, 2005, by Irma Lagomarsino (draft 12/06/05).

Attachment 4: Memo to TAMWG re: Forecast Methodology for Trinity River year type, November 21, 2005; Memo to TAMWG re: Trinity River Flows, November 8, 2005; Letter to Mr. Michael Ryan re: Flow Allocation under Trinity River Preferred Alternative, July 19, 2001. All by Spreck Rosekrans.

Attachment 5: Updates to Program of Work: Trinity River Restoration Program, December 13, 2005 (Power Point slides); Trinity River Restoration Program budget FY 2006. Douglas Schleusner.