United States Department of the Interior

FISH AND WILDLIFE SERVICE

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October 13, 1995

Memorandum

TO: Klamath Fishery Task Force and Technical Work Group Members

FROM: Project Leader, Klamath River FRO
Yreka, California

SUBJECT: Minutes of the Klamath Task Force meeting June 20-21, 1995, in Klamath Falls

Enclosed are the draft minutes from the June 20-21, 1995 meeting in Klamath Falls. Please review these draft minutes and get back to us with your comments (preferably in writing) by the next Task Force meeting, October 26, 1995.

Also enclosed is a copy of the Draft Upper Basin Amendment (Handout T) as discussed at the June Task Force meeting, a proposed news release concerning nominations for the Outstanding Achievement Award, and the DRAFT Memorandum of Understanding with National Biological Service. Please review these documents carefully prior to the October Task Force meeting.

Ron Iverson

Ronald A. Iverson

Attachment (4)

Minutes of the
Klamath River Basin Fisheries Task Force
meeting, June 20-21, 1995
Klamath Falls, Oregon

June 20, 1995

1. Convene meeting

At 8:00 AM the meeting was convened by Chairman Dale Hall with a quorum of members and alternates present (Attachment 1).

2. Discussion, Adoption of Agenda and Past Minutes

**Motion to approve Agenda (Attachment 2).

***Passed

Changes to November 29-30 minutes (Handout A)

Discussion:

Hall: Mr. Bulfinch, would you like to address the comments from you and Mr. Polos? You had a comment on page 13 of the minutes.

Bulfinch: We wanted that to read, "We don't have any information on the impacts of hatchery coho strain on the natural coho stocks." We want to make this separate from the fall chinook hatchery vs. natural spawning issue.

Hall: Any comments or questions for Mr. Bulfinch? There is no objection, we will make the modification to the minutes. The second change looks a very minor change. It says "From Mr. Fletcher, sentence beginning with 'We are extremely....', 'increased' should be changed to 'minimized'." Is there any discussion or opposition to that? If not, we will so note and make the changes.

**Motion

***Passed

3. Correspondence (Handouts B thru L)

Discussion

Solem: I have some questions and comments about the California Department of Fish and Game (CDFG) letter in the packet. I take exception with this letter, strong exception. I think the tone of the letter, as far as the report and the investigation that was done by Mr. Vogel last Fall, seems to indicate that this work was done to justify status quo in flows in the Klamath River. Quite to the contrary. In fact, we were trying to avert both considerable impact to the refuges in addition to the impact economically to the farming community in Klamath Basin. The flow release request was not for passage at Ishi-Pishi

falls alone. In fact, in their press release that they put out, the U.S. Bureau of Reclamation (BOR) talks about passage in to the tributaries as one of the other goals and it would seem to me to be unconscionable to not ask the question of what impacts the temperature of IGD releases would have on fish downstream. Mike Ryan's response was that he did not know. BOR did not think that anybody was going to monitor those releases so the Klamath Water Users Association (KWUA) took it upon themselves to try to do the best job they could to monitor those releases. That report was brought to the TF without prior distribution but we asked for peer review at that time and to my knowledge at this point, we have not received any specific comments on the report itself. I would like to hear some discussion from especially CDFG and the rest of the TF members. If there is going to be some other procedure to bring information to the TF or procedures on how people operate in the river, I am more than willing to hear that discussion.

Rode: The request for increased flows was made strictly to facilitate mainstem movement of salmon up through the Irongate (IGD) Hatchery or the upper reaches of the river. That said, we found that the report started off with some false assumptions. For example, the KWUA study concluded that prespawning mortality was the result of high temperatures when we have data from pre-IGD construction that indicate otherwise; that it is a density dependent factor. The report came up with conclusions that fish weren't able to enter the tributaries even though the flows were increased when we know the flows were real low in the tributaries and in some cases it wasn't a temperature factor. Nobody on TWG was consulted about the KWUA report. Information regarding temperature monitoring that was ongoing was not utilized. The KWUA report was done very quickly, it was done poorly and then it was presented in the format to the TF without a real opportunity for peer review prior to that presentation. This issue was brought up at the last Technical Work Group (TWG) and I think some sort of protocol that would utilize the TWG to screen presentations of that nature is something that the TF should talk about.

Bybee: This issue we have kicked around a little bit and I would suggest that the flow study that we are going to discuss a little later might take care of all of the issues that are in conflict in this letter. I just don't see any sense to keep beating this up. I think the message is clear that any studies per se that come before the TF get some kind of credibility review from the TWG before it reaches us. The flow study will address most parameters that Vogel was investigating anyway.

Bingham: We are a Federal Advisory Committee and we will always take input from the public at all our meetings so anything can be put forward for our consideration to the extent that it has credibility. As the previous speaker suggested, our TWG would be one avenue to that.

Rode: There is one final point I would like to make. If something substantial such as the report that we received at that meeting is presented to the TF and if the TF receives it in silence, it is tantamount to acceptance at least in the eyes of the public. I think that we have to be careful there and qualify to the presenter that perhaps this should be reviewed by the TWG or perhaps the TF should have an opportunity to review the information presented and then the presenter can come back at a future meeting.

Solem: I would just like to follow up on that. If we are going to leave it up to the TWG; then I would imagine that we should have some kind of an expertise standard for that group which there isn't right now. We are asking a group to peer review in saying that they are a scientific body when in fact they necessarily aren't. I question that process, too and in fact, I would suggest then that it is brought directly to the TF for them to review prior to even handing it down to the TWG.

Hall: I tend to agree with Mr. Bybee that a lot of this will be discussed later in how we are going to approach the flow study. In the interest of keeping on track with positive forward movement, we will recognize that there are different ways of looking at things here and we will make sure that whatever the TF operates on will be of sound scientific nature.

4. US Bureau of Reclamation (Mike Ryan/ Bob Davis)

Bob Davis (BOR) provided several overviews (Handout M-P).

A. Existing Conditions.

Davis: Gerber Reservoir is within 1/3rd of a foot of full. That represents nearly 90,000 acre feet (AF) and the reservoir actually spilled this year. Spillage from that reservoir by the way, comes down the Lost River and is diverted through the Lost River diversion channel into the Klamath River so it does produce some flows into the Klamath River. The level in the reservoir is 173% of what we would normally have at this point in time in the year so we look at that particular reservoir being in very good condition. Clear Lake is at elevation 4533.16 and it's spillway is at 4543 so we are within 10 feet of spilling on Clear Lake. Clear Lake has never spilled through the spillway (there has been some operational spills out of there in the past). We don't anticipate that Clear Lake will fill this year. Storage in both of these reservoirs is sufficient for 2 years supply of irrigation if we had no rains. Storage at Clear Lake is 175,000 AF which is 119% of normal. Upper Klamath Lake is near capacity (elevation 4143.3). Precipitation in Klamath Falls was 132% of average this year as of the end of May. For the entire basin, it is a little bit lower than that. So we are looking like we are into a very good water year as far as supply is concerned. The demand this year from agricultural and also for the Refuge is less than average.

Questions:

Q: How did water content in snow pack end up?

A: All of the snow pack sites now are above 6,000 feet. I would anticipate the water content in the snow pack to be very high because of the rains.

Stream flow since October to Upper Klamath Lake has generally been normal. With all the storms, we would have anticipated that there would have been higher than normal but because of the dry conditions in the watershed going into the year, with all the rain, it only brought that up to normal. The forecast according to the Natural Resource Conservation Service (NRCS) has measured 85% of average as of the end of May. Summer inflow is expected to be normal and inflow to Clear Lake is projected to be 112% of average and the

Sprague River flows are projected at 121%.

Q: Where are the FERC minimums?

A: We are running about 1,200 or right in there. Info is about a week old actually. At the request of CDFG, Pacific Power did increase the flows to encourage movement of the hatchery fish.

B. Operating plan for 1995.

Davis: There are copies of the plan available. The plan was released in April of this year and it basically has 3 components: A Biological Section, a Water Supply Section, and an Allocation Plan. The plan came out of the desire of multiple agencies having questions as to how the water year would be managed by the BOR and the purpose behind the plan was to document our decision so that folks could see it in advance. The plan operated on the premise that there were 4 major priorities. The first one was to meet the Endangered Species Act (ESA) requirements for the endangered suckers in Upper Klamath Lake. The second was to fulfill trust responsibilities to Indian tribes within the Klamath basin. The third was to provide irrigation water for the irrigators to meet those contractual requirements and fourth was to deliver water to wetlands and to wildlife values that are present in the refuge system. There is a table that talked about a time period and also preferred elevations and life stages for various fish and we have been able to meet all of those requirements. From February to March, we wanted to be above 4141 in Upper Klamath Lake and we have accomplished that. From April through June, we want to be above 4141 and preferably 4142 and we will be able to accomplish that. Then for the rest of the year, the goal is to keep the reservoirs as high as possible to aid in the winter over conditions in Upper Klamath Lake. We selected an 80% exceedence factor for the projections in the 1995 operations. The flows have been higher, the reservoir is higher than what we projected and for that we are thankful. I will field any questions and then Gary Baker will give us an update on the K-POP process.

Orcutt: Can you outline what that was done with pulse flows?

A: I would refer that to Mike Rode.

Rode: Basically, what occurred, Mike, was that our assistant hatchery manager at IGD, Ken Russian, contacted the Redding Office and indicated that he foresaw a predation problem when our fall chinook smolts would be released. Last year, they had a problem when the flows were 550 CFS in terms of the fish not moving out and high predation occurring. Last year, the flows were essentially doubled to about 1,150 CFS. This year, the base flow was at about 750 and my recommendation was to increase to 1,500 based on the research we had done looking through the literature when we addressed the pulse flow situation last year or the year before. The BOR conferred with a number of other parties and decided to release the 1,100 CFS. We have had optimum conditions this year. We have been blessed, you know, with cold weather and cloud cover and it does appear that the fish have moved out while they were released at a good size. Our criteria is 90 per pound at release and not to release them beyond the middle of June because normally water temperatures

start increasing.

Q: So that was what period of time?; there was ramping?

Rode: I think there was ramping at the back end. We had initially asked Pacific Corp to ramp at about 100 CFS per hour which is very hard to do and the license agreement does not call for that. It calls, I believe, for about a 250 CFS ramp over a 12 hour period and when our office talked to Pacific Corp, we agreed to go at that rate and that seemed to be adequate. The intent there is not to strand fish as you bring the flow back down.

Q: Please clarify your comments on two years of storage in Gerber and Clear reservoirs.

Davis: Yes, that is the amount of storage that is present at the point in time, right now, if there were no more inflows. You know, there would be enough for 2 year supply, this year and next year.

Q: That assumes normal utilization?

A: Correct.

Q: The other question, point of verification, I suppose, is that you said there is a 121% of average flows in Sprague River, is that correct?

Davis: According to National Resource Conservation Service (NCRS), they are projecting that there will be 121% of flows during the summer months in the Sprague River.

Q: Does that mean that we will have significantly greater diversions in the Williamson River and Sprague River?

A: I wouldn't characterize it like that. What I would question is whether ground water, the springs, whether that has rebounded at this point in time.

Q: Given the exceptional water year we are having in the Upper Basin and the storage situation that we have, do you foresee any potential for increasing flows at IGD beyond FERC minimums if needed?

A: The problem increasing FERC license minimum flows at IGD is that we don't know what kind of summer we are going to have from here forward. If we have dry conditions, that should return, we still don't know what kind of sustained flows we may anticipate coming from the springs. They could be lower than normal. So the concern there is do we send the water down the river and then potentially jeopardize a closing elevation at the end of the year or do we stay near the FERC license minimums and maximize storage. The intent of the plan was to maximize the storage to protect the endangered suckers and to give that carryover elevation for protection of winter kill in Upper Klamath Lake.

Q: But to put that in context, the projections that you have calculated are based on very conservative assumptions, i.e. high excedence levels. The trend has been that you have wound up with more water than you have projected thus far.

A: Right and again the key to having more water has been the storms that we have experienced and it could change tomorrow.

Q: You said that there was two years irrigation supply. There is no way to be more than one year's supply in Upper Klamath Lake.

A: That is right. I was referring only to Gerber and Clear Lake.

Q: But you are talking about projections now. If we get to September and things look good, is there a potential that some additional flows could be provided? Is that what you were asking?

Rode: Maybe through this year it would be nice to have a little bit more in September but I am thinking also from here through maybe the middle of July granted that things down stream look good, too. I am still thinking about out migrants going down river.

Q: With the 1995 plan, you have designated 500,000 acre feet for agriculture. You are saying there is less demand?

A: That is correct.

Q: So can that excess not needed for agriculture be used for fish?

A: I don't know what the demand would be at this point in time. I would have to go back and compute that. The 500,000 was based on normal conditions but we have had the wet season. The season has been wet to the point where some of the producers have not even been able to plant all of their acreage because of wet soil conditions.

Q: More on that. Do you have in the Table II, Page 9, could you tell us what is comparable to what we have now?

A: I don't where we would be on that for sure.

Hall: Just a comment. The 500,000 AF for agriculture also includes refuge water that is necessary for the water fowl and the management of the refuges.

Q: A similar follow up question on that. The 500,000, does that include Clear Lake reservoir? Is there any plan to provide more than 500,000 AF? Is there any plans to provide more than that?

A: The 500,000 is those quantities of water that would be used out of Upper Klamath Lake. Just Upper Klamath Lake and the 500,000 again is a historic value of usage by the irrigators and also by the refuges as Mr. Hall points out. In wet years, we use less because we get direct application from the sprinkler systems in the sky, so that reduces the demand and it also increases the storage.

Q: You are not anticipating any more demand than that or planning to provide any more water than that?

A: For the entire system coming out of Upper Klamath Lake for agriculture, it

should not be more than that. That is a historic amount that has been used but we should be able to use less than historic because of the wet conditions this year.

Q: I am sort of asking if the commitment has changed any?

A: No, the commitment has not changed.

Q: How much of the upper portion of spring inflows do you have in normal years?

A: For spring flows, you are thinking as opposed to surface flows? We have never quantified that, Dave, because we don't know exactly what it is. We operate on net inflow to the lake and the water budget has not been fine tuned enough to be able to say exactly what percent comes from spring inflow versus surface inflow.

Sharon Campbell: Yes, I think that when USGS estimated in the '70s, they just kind of guesstimated based on whatever they couldn't account for from the surface flow.

A: And that is pretty loose because of the amount of diversion taken directly out of the lake for the lands around the edge and evaporation and so on. My understanding is that it has never been fully quantified but we know it is an important component to the supply to the reservoir.

Orcutt: Back to the first presentation on short term Klamath Project Operations Plan (KPOP). It mentions on the second page '95 monitoring, could you specify what that monitoring could be for '95?

Gary Baker: I would have to ask Bob Davis to do that.

Davis: The monitoring that is referred to in the plan refers to water supply monitoring and also to biological monitoring. Specifically the fish in Upper Klamath Lake. We have a program in place that we have accelerated the process of acquiring estimates of populations in Upper Klamath Lake this year. We have had increased activity in trapping of the fish and tagging those fish again trying to get an estimate as to what the population is, an update of the estimate of the populations of those two endangered species. Also we have continued with our water quality monitoring in Upper Klamath Lake and we have been doing that in concert with the Klamath tribes. We have been working as partners on that activity. We were prepared to provide monitoring of water quality in the Klamath River should we have had drought conditions similar to last year, (temperature and DO were significant areas of concern on the Klamath River) but with the conditions as they are, that apparently is not an issue. We have also in the last two years co-sponsored fish trapping activities in the Klamath River by US Fish and Wildlife Service out of the Arcata Office and we anticipate to continue in that activity to monitor fish movement in the river and to find out how the flows may be affecting them.

C. Klamath Project Operations Plan.

Baker: KPOP will be a community based effort to develop a long term operating

plan for the Klamath Reclamation Project. The plan will be developed with public input and will be based on the best scientific data available. KPOP is anticipated to reduce uncertainty regarding the distribution of project water especially in dry years.

The need for KPOP is fairly obvious in recent years. As you know 1992 and 1994 were the driest and third driest years on record in the Klamath basin. The shortages caused by the droughts demonstrate the need for a long term predictable water management plan for the Klamath Project. The KPOP presents an opportunity for all interested parties to work together to identify water needs and to find better ways to make sure that all needs are met, both now and in the future.

The primary goal is to fairly and scientifically address the water needs of the many interests served by the Klamath project. Within this framework, KPOP seeks to accomplish the following specific goals which are not ranked: Reduce uncertainty surrounding the distribution of project water, meet agricultural water needs, fulfill Federal tribal trust responsibilities, meet ESA requirements and conserve and protect wetlands and wildlife.

I would like to briefly discuss the overall process for the KPOP. The key elements include the following: Collection and analysis of existing technical information, computer modeling to develop alternative operating scenarios, soliciting public input throughout the process, selection of a management strategy that fairly addresses the needs of those affected by the Klamath Project.

KPOP will be developed on an adaptive management model which allows for future modification to meet changing scientific and legal conditions. Schedule for the KPOP is to produce a draft by March of 1996. There will then be a public comment and review period and we anticipate a final in May of 1996. BOR has contracted with CH2M Hill and with Thomas and Grace for various parts of the study. CH2M Hill will assist with technical work related to preparation of the KPOP. Mr. Bill Ryan is the project manager for CH2M Hill. Bill is sitting in the audience behind me. He is now located in Medford so he is convenient to Klamath Falls.

Bill is directing a multi disciplinary team which will collect and analyze the best scientific data that we have available. Disciplines that he is directing and working with are biology, fisheries, endangered species, agricultural engineering, public involvement, ground water, environmental planning and technical writing and editing. Thomas and Grace is a business and advertising consultant which is assisting us with our public involvement efforts. Tommy Thomas is a communication expert who is working closely with us to help bring together the various interests affected by the Klamath Project.

The public involvement process will include identification of the various stake holders, individual meetings with the stake holders, and a group meeting with all of the stake holders. As of now, the first stake holders meeting is scheduled for the week of July 18th, 1995. Another important aspect of the public involvement process is the publication of 3 or 4 newsletters. These will help keep interested parties up to date and announce opportunities for

public input and review. The first newsletter should be released during the week of July 10th, about a week prior to the first stake holders meeting. In addition, we anticipate two public meetings to help present new information and to solicit comments. The first meeting will be somewhere midway through the process, probably late summer or early fall of this year. The second meeting will be following a release of the draft KPOP. As information KPOP comes available, it will be available from the BOR Office and the Klamath County Library in Klamath Falls and also from the Tulelake City Hall in Tulelake, California.

Questions and Comments.

Dutra: Is the information on these meetings going to be supplied to the TF so that we can be aware of the schedule and try to attend as much as possible? I think that would be worthwhile.

Baker: We will do that.

Rohde: During the formation of the '95 interim management plan, mention was made of involvement by some of the entities that participated in the KPOP process. At what level are you anticipating involvement by other agencies and interest groups in the Basin? Are you forming a team or is this going to be more of a BOR project utilizing the consulting resources you mentioned? How specific an involvement do you see with some of the other agencies?

Baker: We see some very specific involvement from certain agencies. We are identifying a group of stake holders who are those most directly affected. Outside of that immediate realm, are the other agencies that have an interest in the project particularly the fisheries and other resource management agencies. We see involving them at the local level and that is in addition to the CH2M Hill team.

Bingham: Could you give us some insight as to the stake holders that you have already identified?

Baker: We do have a tentative list. We are nearing completion of that identification process. Basically, we are looking at the agricultural interests, the four Native American tribes that are involved with the Klamath River, some environmental groups, certainly the wildlife area folks, Fish and Wildlife Service, and those involved with ESA requirements.

Bingham: Willanone from the fishing industry be represented?

Baker: Yes, the fishing community will probably be represented along with the environmental and conservation groups.

Bingham: For the record, I would like to say that this is an error that is commonly made that fishing community people are lumped in with the environmentalists and certainly our interests are allied with theirs often, but we are a different industrial interest. Thank you.

Baker: I understand that. That is why I said conservation.

Dutra: Yes, I would like to make the same point. I think County government is definitely a player in this and I did not hear you mention the counties that it goes through. You know, that water flows through my county and it has a big impact. I would like to make sure my county is made aware of every step that you are going through and has an opportunity to be a player in it.

Baker: Okay, you are with Siskiyou County. We will get you involved.

Q: How is policy involved with the process? I am very concerned about the tribal trusts. How are all these going to be integrated. I did not hear that in the presentation. I am concerned that Oregon Department of Water Resources is not involved. There are water rights involved here.

A: I should state that the Oregon Water Resources and the Cal DWR will be involved. I neglected to mention that but they are stake holders certainly. You know I have discussed this a little bit. We are having the Solicitor's Office in Sacramento give us some legal guidelines, they are working on that right now. I cannot really tell you what the status is because I don't know. We hope that will give us some kind of a framework within which we can and will work. Part of our task is to bring all these interests together and to address all these issues.

Q: KPOP will allocate water. My question is on what authority can they do that?

A: I am not prepared to address that one either.

Q: You have a 120% from Sprague River but you still have normal inflows into the lake which has a direct bearing on how much water is available. We also know that the spring flows are a plugged number, grabbed out of the air. Nobody understands that component of the hydrology basin. I am concerned that we aren't focusing on the big picture of all the diversion upstream and downstream uses. Are you talking about KPOP with respect to the Klamath Project?

A: We are trying to identify what the upstream diversions are, at least what the rights are. That is a pretty vague answer but that is the best I can tell you right now. We are still defining the process. You know, we got things moving but we are still working out some of the details of the process. Unless Bill Ryan would like to answer that question; I don't know if he has a better feel for it than I do.

Ryan: We are essentially not looking at inflow to Klamath Lake except for just lake levels. There are diversions up there but those diversions are going to have to be decided whether they are junior, senior to the rights of the project at some point in time. It all gets back to adjudication of the water rights. You asked earlier about the legal part of this; we are not going to be deciding anything legally. Obviously, we cannot do that. I don't when that is going to be decided, when water rights are going to be adjudicated but what we are trying to do is take a scientific look at how we can maximize the water to all the different participants and equitably distribute it if it is a dry year without getting into the legal aspects of it. I know what you are saying, that is damn hard to do but there is no way

that the legal issues are going to be decided probably in the next 10 years.

Q: So if the allocation comes forward, then whose accountable? CH2M Hill and the Bureau?

A: BOR.

Q: And you'll do this by deadline date of March 1996?

A: That is what we are working toward. That is essentially so that we can give allocation estimates for next year. The process in the model we will set up will be continually updated as new information comes in and so it is not going to be cast in stone as of that point in time. The only thing we are going to do at that point in time is have our best guess so that the users will know what water they could expect next year.

Q: So KPOP will be 1996 operation plan and will be continually changing?

A: The more stream flow information you get for instance, the more accurate you can make projections. Every year, you get another year's worth of data essentially plus there is a lot of data being gathered on lake levels and requirements for lake levels for the suckers. We don't know what is going to come in with the ESA on the salmon and the steelhead. That could very well change the amount of flow that is required to go downstream. The model will be set up so that all these things can be fed into it as they happen.

Q: So right now the salmon and steelhead and coho are not part of this process?

A: We are using the FERC flow requirements for downstream but the ESA could change those requirements if anadromous species are listed.

Hall: If I might add something putting on my Fish and Wildlife Service (FWS) hat and working with the NMFS on this. There will be a revisitation of the biological opinion and they are also going to try and look at a formal conference on the proposal for the steelhead, so there will be some considerations built into this from that standpoint.

Q: My understanding is they are doing a biological assessment, Dale, right now. Why are we going to reinitiate a second biological opinion for the next period. Has it been determined that we need to do that?

Hall: The BOR and the FWS at least have had discussions that there is some fairly significant new information that has been gathered in the Upper Basin. Some of Vogel's information needs to be factored into the 1992 opinion. The law does require under the ESA that if significant new information surfaces that the Agencies are required to consider that information.

Davis: BOR has already reinitiated formal consultation and I think that was part of your question. It was initiated in February and again the stimulus for the reinitiation was the acquiring of new scientific data. We will be and are evaluating that scientific data at this point in time and that will dictate what will happen on the consultation.

Q: Coho and the steelhead will be part of that reinitiation?

A: The reinitiation was only on the two endangered sucker species. We did conference with NMFS on the steelhead because of the proposed listing there.

Hall: For purposes of clarification, if a species is formally listed and is on the list and it is a final listing, then agencies must consult with the Fish and Wildlife Service or the NMFS depending upon who has jurisdiction. If a species is proposed as the steelhead is but not yet listed, then it is more or less a conferencing and it can be non-binding recommendations. Just kind of look out for this because a decision has not been made to list yet. The agency could say that "We would like a formal conference report." If the species is listed, it could roll over as the formal biological opinion. In that case it is treated as if it is listed. That prerogative rests with the agency.

Rode: It then appears that in the KPOP Process at least at this time, that given the four scenarios for water availability in Upper Klamath in April, there is no room or no options in the modeling for flows beyond FERC minimums in the lower Klamath River?

A: I don't believe we have made that determination.

Q: Well, given the fact that in stream flow studies haven't been conducted yet and BOR's position has been not to provide flows in excess of FERC minimums except in an uncontrolled fashion, it appears to me that won't be part of the scenario until flow studies are done. Do you concur?

A: That is the best information we have right now. The basis here is the model will be set up so that we can plug in different flows than the FERC flows. In other words, those are not going to be set figures. The model will be able to run with different flows in there. We can play what if games or look at alternative flows downstream with the model once it is developed.

Q: I have a question for Mr. Baker. I have here a copy of the statement of work for your contract with CH2M Hill. Is this a long term simulation model that runs several consecutive years or is it a model that runs single years with different starting conditions?

A: Single years with different starting conditions but it utilizes all the data available, historically.

Q: Gary, is the TWG going to participate in the development of KPOP?

A: That is the question we have for the TF. Several of you have been identified as stake holders. We have met with some of you already. We can certainly do that.

Q: Is the BIA going to participate, too?

A: Not directly. We are working directly with the four tribes, as you know.

Hall: Would it be the pleasure of the TF that the TWG should be our conduit

into this KPOP operation?

Wilkinson: I would be opposed because there would not be a representative for Oregon fishers.

Solem: When we were talking about the budget and trying to figure out how to cut back on expenses last night, almost every person on the TWG is also being represented individually. In my case, and perhaps in the case of other representatives, I serve a dual function: 1) As a stakeholder (who will be invited to participate in KPOP) and 2) as a TWG representative (who will be invited to participate in KPOP). If any of us are in this dual capacity role, then perhaps we can save some money by not charging travel costs to the USFWS for TWG member. I am not sure that we would not be involved as a TWG member.

5. Public comment and questions.

Pace: I would suggest to the TF that they might consider a recommendation to the Bureau to include a formal scoping process in this development of the KPOP. In addition to that, I would suggest to the TF that the public and all the government agencies involved including tribal governments, local governments need to look at all the options. There is a transfer from Howard Prairie and Hyatt Reservoirs into the Rogue Basin that takes water that would go into Jenny Creek.

6. Update on Coho/Steelhead listing (Jim Bybee)

Bybee: We got a petition to list coho on October 20, 1993 from the Pacific Rivers Council and 22 other petitioners and then on January 26, 1994, we announced our intent to begin a status review. We have completed that status review and we have prepared the Federal Register notice to be announced sometime in July, hopefully early July. We have been sued by the Sierra Club Legal Defense Fund and we hope to stand firm in making this Federal Register notice available in July. If we do indeed list coho, that initiates a volunteer conferencing with other Federal agencies. It does not require any legal interaction with the private industry at that point. Once the proposed ruling is announced, then we have one year to prepare the rule. We received a petition to list Klamath mountain province steelhead on May 5th, 1992 and this petition came from the Oregon Natural Resources Council and 15 other petitioners. We did announce that we intend to propose a rule to list the species. What we did not complete is an identification of the critical habitat designation. Critical habitat designation is also part of the ESA listing process. We will do that in a separate ruling. We have to come up with our final rule March 15th, 1996 on the steelhead. As the Chairman mentioned, we are in a conferencing mode jointly with the FWS and the BOR.

Discussion

Rode: It was my understanding that the Klamath Mountain Province steelhead status review comment period was extended to July 15. I know some of our people are still working on it. Is that not a fact?

Bybee: The public comment period was extended for 60 days to July 14th.

Orcutt: The TF, I think, has real role to play here (i.e. some of the past attempts that we have had in terms of identifying stocks within the basin). We have had Roger Barnhart head up the stock identification group that catalogued the entire Klamath Basin and all of the stocks within, however that report was never formally adopted by the TF. I just wanted to highlight that fact that we haven't taken action on that.

Public Comment.

Campbell: Is this listing then proposed for the entire Klamath Basin, for portions of the Klamath Basin?

Bybee: The proposed steelhead listing does include the entire Klamath Basin. It is from Cape Blanco down to and including all of the Klamath Basin. The coho listing is coast wide.

7. NBS Scoping and Technical Work Group Recommendations for Instream Flow Study (Bob Rohde/Lee Lamb/Sharon Campbell)

Rohde: There are copies of TWG meeting notes (Handout Q) in the back and copies of an Executive summary of the NBS recommendations (Handout R). Among the handouts that I will be referring to are also the TWG recommendations for a flow study with a list of members present during our meetings on May 30 and 31, 1995 on the flip side. [Handout S was faxed to TWG members On June 10, 1995. It was understood that TWG members would get these recommendations and each TWG member's copy of NBS' Compilation of Phase 1 Reports for the Klamath River Basin to their respective TF representative prior to the June 20-21, 1995 TF meeting].

(Rohde provided background on flow study efforts and lead up to NBS involvement in a Klamath flow study)

Bill Shake at the TF meeting that was here in Klamath Falls, directed the TWG to use the surplus funds in-river this fiscal year but when the TWG met again, it was our decision not to specifically do a micro habitat analysis but to assist NBS in completing Phase I for two categories that could not be completed by NBS (morphological sedimentation and nutrient loading in Upper Klamath Lake). We came back to the TF and requested that the TF allow us to use the money for that purpose and we got approval to do that. So what happened after that was that the NBS began to go out and find out what information existed within the Basin. They had existing funds within their own budget so hydrologic analysis had already begun in the fall of '94 and coming in to this spring, NBS hit the ground running and put out a contract to get the nutrient loading in Upper Klamath Lake and the morphological sedimentation work done and what they did was they cranked out this report. It is Compilation of Phase I reports for the Klamath River Basin. We had a meeting with NBS at the beginning of May at which time, they produced their findings to the TWG and the TWG went point by point over their findings which is included in the Executive summary (Handout R) and we edited their findings to what they are now. When we met again at the end of last month, it was our job to take the information that was prepared by NBS and formulate recommendations specifically to the TF. I quite frankly did not know what we would end up with. Before you are our TWG draft meeting notes (Handout Q) that were put

together by our resource assistant during the meeting. When you have more time, you can kind of go over the gyrations that we went through to ultimately arrive at our recommendations and our recommendations are on a one pager. (Handout S).

On May 31st, 1995, the TWG agreed by consensus that an in-stream flow study of the Klamath River should be undertaken in the following manner: A water systems operation model of the Klamath River from the headwaters to the Pacific Ocean should be developed as soon as possible as a basis for all in-stream flow study efforts. Under current estimates, development of this model would take approximately two years. A water temperature/dissolved oxygen model should be developed for the Klamath mainstem from Keno Dam to the Seiad USGS gauge and Shasta River. Depending upon available funds, this study should be expanded to include the Scott River. A water quality model should be developed for the Klamath mainstem from Keno Dam to the Seiad USGS gauge and Shasta River. The TWG will complete a PHABSIM type study plan for the evaluation of the Klamath micro habitat conditions by June of 1996. A pilot study of past and present Klamath River stream morphological conditions should be conducted. A pilot study of Klamath River cold water refuge conditions should be conducted and an independent evaluation of opportunities for the reintroduction of anadromous fish to the Upper Klamath River Basin should be conducted. And then on the bottom part of the sheet, I give the rough time lines that were presented to us. NBS has roughly $200,000 committed over the next few years to work on in-stream flow related issues for the Klamath River Basin. Based on their preliminary projection, it would take approximately two years to formulate a basin-wide model, so I am using that one (on the top) starting right now or this fall and taking it to the end of '97. The time lines are shown for the water temperature dissolved oxygen model, the water quality model, and the PHABSIM. All are tied to how the water system's model is developed and how we can test the model based on water temperature, dissolved oxygen, and the water quality conditions in the basin. The other thing that NBS is doing is a jurisdictional analysis of the Klamath River Basin. Dr. Lamb is here and can give you some more information on how that works. As part of the "original directive of the TF", we are to identify potential funding sources, identify the range of methods that could be used and invite other people to be on the group. It is timely that the TWG and KPOP are following some of the TF original directives. For example, the TWG is emphasizing the development of broad based models. Since the BOR and CH2M Hill are in their preliminary stages, we highly recommend that this in-stream flow recommendation be tied very closely to BOR's activities and that we start to compare notes and sit at the table together. PPL is also directly influenced by this whole model development as well as the FERC process as it relates to relicensing. Those are all players and potential funding sources that we feel have to be at the table as we initiate our efforts into the in-stream flow issue. On the back of the recommendations (Handout S)is a list of the TWG members. I can say that the majority of the people on that list were at the meeting. I believe only the Humboldt County representative and Siskiyou representatives were absent.

Sharon Campbell: I felt that it might be valuable if we spent 10 minutes talking about NBS' role and how we intend to cooperate, and coordinate with the TF. It might also help clarify for scoping.

Hall: I think the important thing the TF needs to understand as we look at the flow study part of this is making sure that whatever is done will fit other models and exercises so that we are getting a good synchronized operation.

Clare Stalnaker (NBS, Fort Collins, Colorado, formerly with the FWS): NBS' roll in this has been one of providing primarily two services if you will. The first one would be to assist the TF particularly through the TWG in its efforts to struggle with balancing water quality and quantity issues in this Basin. In looking at that issue and our past experience with the instream flow and methodology (and trying to incorporate that on large systems like the Trinity River which we have been working on for about 5 years now) we determined that we could put together a work team that would be at the disposal of the TF and its TWG to help you to scope this out. That is basically what has been going on for about the last year.

There are two very important kind of unique nuances in this system that I think the TF needs to be aware of. Most IFIM studies, PHABSIM studies and that kind of things are driven by some water quantity management change that is being imposed upon a system, whether it be a reevaluation of a Federal project or a FERC relicensing. In our interactions with the TWG, it becomes obvious in this system, that there is no principle driving decision process that identifies to the technical people what are the changes possible or who is proposing what and so it is for this reason that we have proposed very strongly that there be a thorough understanding of the hydrology of this system and what is capable of being changed physically, institutionally, and legally. It has become very obvious that water quality is a big, big factor and may even override quantity in many parts of the basin so that is the reason for recommending that a water quality model be part of this. We need to integrate the two, water quality and quantity and understand how that can be manipulated and where the pressure points are. That drives the habitat analysis and there is both a macro and a micro habitat component to this question which we frankly have yet to fully scope out with the TWG in terms of the spatial distribution of these habitats, interests and where we need to assist the TF in quantifying those kinds of activities.

The next phase will be the study planning and identification of specifically what needs to be done where. So that is our role for '94 and '95 primarily. Starting in '96, we have an R&D interest since we are an R&D organization. We feel we can make a contribution in the research arena in the area of legal institutional analysis and economic analysis of this issue in this basin. We are interested in assisting in the scoping and helping to integrate quality and quantity issues of habitat and how one might restore the habitat in the basin by managing either quality or quantity of water. So we want to work with you this next year to identify specific studies that are ongoing in which we can bring our resources to bear to test the science if you will; to put together some hypotheses, improve techniques and so forth. That will require leveraging our resources with those with CDFG and FWS as well as the TF money. The possibility of extending some of the work that we have done with the salmon modeling on the Trinity River is an appropriate thing to be doing on the Lower Klamath or part of the Upper Klamath. We can assist in all of these but we cannot by ourselves carry out any one of them in isolation and carry it out with our funding. We are still depending upon the TF and the TWG to help

identify priorities with in that suite and then we can bring our resources to bear to assist you in doing that.

One final comment and then I would like to turn it over the Terry and Lee. You heard about KPOP. That sounds to us like an excellent first step in starting to identify and understand the water delivery throughout the system. We would really recommend that the TF charge its TWG to be party to that. We could work with the TWG to see how that could be extended and particularly as I understand it, the TWG would like to extend that kind of understanding analysis all the way to the ocean. I doubt if the BOR is planning to do that right now but analysis of water routing throughout the whole system is the driver of any habitat analysis, the driver of any water quality analysis. This must be done when you are looking for trying to change the way the system is now being managed in order to gain more benefits and when you have all these conflicting possible benefits that you need to understand.

Lee Lamb (Political scientist, NBS): The NBS has a very small cadre of social scientists. What we are planning to do in the next few months is what Mr. Rohde called a jurisdictional analysis. A jurisdictional analysis is an analysis that looks at institutions and how they function in making decisions. Institutions mean more that just the formal organizations. It means both the formal and informal organizations and it means the formal and informal ways in which those organizations go about making decisions or making choices. What we will do over the next few months is an inventory of the institutions that exist in this river basin, then talking about the procedures and processes that those institutions use to make decisions. We will be looking at the opportunities to make decisions. What we will end up doing is making some recommendations about what the options are, what the opportunities are, and what the obstacles are institutionally for getting the job done that this TF has set before us. There are really four of those ways of doing business and we are going to be looking at those four models as they might apply to the Klamath Basin and trying to ascertain which of those models best fits the way decisions are made and then to make some recommendations, We can make some recommendations about what the obstacles you are likely to face are and what sort of things you can anticipate in the future and how you might overcome them. We are hoping to complete that analysis by the end of September of this year and have a report for you in October.

Discussion

Hall: When you are talking about institutional possibilities, you are really looking at where opportunities are for water management per se?

Lamb - Yes.

Hall - Are you also going through some kind of a legal analysis?

Lamb - That is why Mr. Rohde referred to it as a jurisdictional analysis and that is the first step in our study. We will look at jurisdictions both in terms of organizations, boundaries of influence as well as our legal authorities and we will be assessing those, that is correct. There is also an informal part where we learn very much about how people actually behave. We will ask people how things work.

Hall- Do any of you have any recommendations as to the kinds of things that we ought to be looking at, working in-stream, in-river, measurements on the ground to the kinds of projects we talked about? Do you have any recommendations as to the kinds of things that would fit well with the modeling and the efforts that you are doing?

Terry Waddle (NBS)- It would really behoove you to have someone involved intimately in the KPOP process even to the extent that if the funding or circumstances are available to have a professional in the engineering field work directly with them and bring the information as they are developing it to you. A couple of reasons for that: while I haven't really talked with Mr. Bill Ryan, it appears that they are going to be doing a model that treats years independently. That is to look at what do we do in a condition like low reservoir storage at the beginning of the year but average runoff, what we do in a condition like higher reservoir storage but lower runoff. So to kind of bracket the range of decisions that operators of the project face and use that to help improve and communicate their rule book to the public, that is an essential and very effective approach.

There are two areas that I would advise you to look at. One, that it is likely that this model that they are working on is a monthly time increment model and a lot of the biological and water quality phenomena that you might want to ask about may require looking at smaller time increments; weeks or days. So we need some way of handling that conversion. It would be something that you interact with them about. Two is that droughts last more than a single year and so one form or another of dealing with multiple year involvement of these phenomena (and therefore the affects of anadromous fish that are multiple year critters) needs to be looked at. I think that simply looking at single year in isolation is a good starting point but it may not address all the issues that you are interested in. Since you are starting right now in the K-POP effort, you have a good opportunity to ensure that the modeling efforts and the on the ground measurement efforts are referring to exactly the same locations. Basically, you can build a model to make sure it reports data at this spawning ground. So that means the planning of the instream flow studies is very important that you have actually picked the locations to study that are identified by knowledgeable people as being the key representative parts of the system that will give you the information you need to make future decisions about the value of routing water past them at different times of the year. So having the on-the-ground studies and the modeling studies match geographically is the first recommendation that I would suggest and the second would be as I mentioned a moment ago that the temporal aspects of those two also match so that you can pick up the key migration period, et. cetera, that you might be involved with. It's also very important to have the stream gages.

One of the things that we use models for, is to fill in gaps that we don't have the budget to go out and measure. The lack of infinite budget does get us to look at more cost effective means and that is what I see models providing us. So a question, for example, of what is the temperature profile downstream. If we have a few measurement locations to calibrate or verify a model against, then we have more confidence that what the model is filling in the interval, is accurate. Therefore if you can continue temperature monitoring especially at locations that have a history, it is going to allow

us to have more confidence in the modeling work that is done.

Hall - Let me paraphrase you. I think what you are telling us, is that what we should put our emphasis on is in maintaining data gathering efforts where we have established locations?

Waddle - The question you are asking, I believe, is how does one set the priorities on handling this kind of data collection effort? At an initial stage, maintaining a continuous record at the locations you have, I think is a good initial step, however what you will find as we get into model application phase, you will see that the models will have difficulty predicting accurately at some locations and that will lead then to having the model direct you to refine the data collection pattern. You may, in fact, from that be able to say, we can do without some piece of information because there is another piece of information elsewhere that is more critical and our models are doing adequately at Location A but at Location C, or we don't believe what the model is doing and therefore, we need the data there to come up with the proper calibration of the model for that location. So I would say, initially, yes, continue what you have but plan on using the model to teach you where to improve things.

Q - Solem - I have about three questions here. Do you have any kind of a number for what the cost of Phase I of the scoping was, the total cost?

A - $130,000.

Q - Now is that outside the $44,000?

A - That is correct.

Solem - Do you have any kind of estimate what it would cost to actually do the on the ground work? Has that been developed to any extent? The reason I am asking is that we have a proposal out here that nobody really knows where that number fits in.

Campbell: It added up to about half a million dollars, a gross estimate.

Solem - I have some questions because the TWG did do some editing on this NBS summary, executive summary as far as what the recommendations would be. Some of those tasks that you were recommending, were not recommended by the TWG to go forward. Bob Rohde's one page summary probably comes closer to what was recommended to go forward. There was no estimate prepared for the entire suite of options under the recommendations section that we gave in the executive summary. As you can tell from the time lines that are on this, the tasks that are being recommended to you, are not going to be completed in FY96. This is a four year consideration, it may not be necessary for you to fund every item that was recommended to you in FY96, if your funds are limited. The second thing is that within this list of recommendations you may have to prioritize again to decide where your available dollars are going to be allocated and decide amongst yourselves to postpone or not fund some of the other recommendations. That is totally your decision and feel free to go ahead and make whatever adjustments that you need to make. NBS, we as an entity are not going to stand up here and make a demand or a call for all the money that has

been indicated that could potentially be used to address all of these recommendations. Instead what we are going to do is to allow you to establish the priorities and try to work with you and to leverage our own funding to forward the progress. The other question I had was the NBS funding itself. Has that become more firm or where are you at on that?

NBS - $200,000 roughly is what we have estimated that we will have for the duration of the project. That is less than we have this year and word has it that probably there will be a funding reduction for NBS. We have only focused on the institutional analysis and some economic analysis at this point in time. The rest will be driven by interaction with the TWG and what they think the priorities are especially water quality, temperature, those kind of things, so we are prepared to focus the rest wherever that comes out. The bottom line to a lot of this is that none of us have the funding that we need to get this done and we are going to have to make some cuts on what the most important things are and sort of pool resources in that area.

Campbell: Definitely the emphasis is on pooling of resources in order to accomplish things. Establish the priority, pool the resources, and then take it from there. For instance, I am specifically interested in the water quality modeling aspects but I think that right now, an excellent opportunity exists for pooling of resources because of the ongoing TMDL studies by ODEQ and the North California Water Control Board, and so therefore, it is unlikely that TF would have to bear the total cost of collecting the data and building the model. While I am not asking that influence your decision, that is another piece of information that can feed into the decision making process.

Public comment and questions

Q - Will we be developing totally new models for this system or are you modifying an existing model?

A - Definitely, I don't think there would be any attempt to build a new model for the Klamath. For the water quality model, chances are a decision would be made by what is being used by ODEQ and the North California Water Control Board for the TMDL process if appropriate.

Q - The other comment/question is why is there a separate model or two separate models, one for temperature and DO and one for water quality when it seems that most of the water quality constituents are related or can be related to water temperature and DO?

A -There are different models [Campbell, please clarify...]

Q - We have worked on the Trinity River for 10 or 12 years now on a flow study and population model. How much of that stuff can be saved and extrapolated for this plan so that we don't have to gather all of this information again? Is there any possibility of any of that?

A - As far as the population modeling and habitat modeling work, the stage of development of those models is still very site specific, very situation specific so I think that we can bring the concepts and the model designs rather like taking a water quality model and applying it in a different basin

as was talked about a moment ago. As far as bringing those particular results from the Trinity to the Klamath, the rivers are different enough and the models are still at an early enough stage of development that it will basically be doing through the same level of effort again in the Klamath. On the economics, Aaron Douglas made a pitch to the Klamath Council in September to do a similar thing for the ocean component. That is being planned and the money for that is about as secure as NBS can make it. Douglas' time is committed. We will begin the work next year.

Q - In the Trinity one, were you doing a flow model or a fish count model?

A - The model actually hatches fish, grows them, has them die through the various problems like mortality whatever and comes up with numbers of adults.

Comment - Dutra - I see here big numbers being talked, $250,000 from this group, $200,000 from NBS, $500,000 from the Secretary. What I am really trying to get to is when we get all the way done with this, are we going to generate one more fish or are we just going to have spent a lot of money on research?

Hall - What has been done on the flow study on the Trinity for the past 10 years or so has really focused all the efforts. The Trinity is now in the situation to where we know much more about what needs to be done and we can really focus after projects that we expect real results from after getting this type of long term information. The flow study, in my opinion, on the Trinity has identified what is necessary to bring the fish back and where the habitat needs to be restored and what kind of flows need to be there.

Q - So how much was spent on the Trinity flow study? We must have learned something from that, so we ought to be able to spend less.

A - The kind of information that has been acquired about the conditions in the channel and the behavior of the fish that lead to better survival and so on has led to a better understanding of the choices that can be made in managing the fish. The information that we have to my knowledge at least is not so tight and conclusive that we can count down to if we were to change the flow regime by 5 cubic feet per second in March, that we would get 6 more fish at the end of the year. We are at the level of resolution that a group of actions has been identified as having a significantly greater improvement than a different group of actions. The precise number of fish that one produces is still a great problem because of the very great difficulty in counting the very small critters in the stream. If we focus ourselves on saying can we measure exactly the improvement that we achieve, we will probably have an unobtainable objective. If we focus on identify sets of management actions that we know are going to produce overall improvement, then we do have an obtainable objective and I believe that the modeling and studies in the river that we have done so far have provided that kind of information. That is what is going to be incorporated in that Trinity EIS process.

Dutra: I never did hear a number and I thought my question was a number. How much has been spent?

A - On the Trinity, it was a multimillion dollar effort. The major difference

between the Trinity and the Klamath is that the Trinity had a considerable amount of what the TWG has said needs to be done, already completed about 5 years ago. BOR has a very intensive water routing, water management model of the Trinity. As we have heard, they do not have one of the Klamath. So that is again, a necessary piece that isn't there yet. The water quality monitoring here appears to be better than it was in the Trinity five years ago. The water temperature data is being monitored. That kind of a model can be put together about like it was on the Trinity perhaps. The population production model put together on the Trinity has one other very important piece that was done over there. That was an intensive habitat analysis of the Trinity and about 6-8 years of monitoring of the out-migrants in that system. Contrary to what Mike and Terry said, this model does predict numbers of fish in the production, the growth rates, and so forth. The problem is that the error bound on the monitoring in the Trinity does not allow one to test it scientifically to see how well its predictions are actually compared to actual smolt production going out of that part of the Trinity. You are a long ways from talking about a fish production model in the Klamath because we do not have yet even a consensus on where to describe the habitat let alone its description. The general life history and the coefficients that are used in these models can be transferred over, but you have to have a lot of this empirical data on the ground that has not been put together on the Klamath.

Halstead - Here is an example of how this flow study information would be useful. In 1993, after the spawning count below IGD by our office, there was a drop in flows and we know that a lot of the redds were dewatered or damaged. Unfortunately, there was nothing we could pin our recommendations on for flow. If we had the quantitative information we are going to collect on how much flow was needed, the dewatering of redds probably would not have happened.

Solem(to Lamb) - On the institutional analysis, have you put up any sideboards? How broad does the impact go when looking at the players? One of the complaints in Klamath County is that efforts to solve the problem just focus on the Klamath Project. Are you looking at the tributaries upstream of the lake? In California?

Lamb - At least that broad. The tributaries upstream of the lake, yes. State and federal agencies, yes. On the economics, you have asked a good question. We do bring a lot over from the Trinity. It won't be any less expensive on the Klamath: we spent $160k for the economics for the Trinity. We think it can be the same price on the Klamath and there will be a savings to the taxpayer. There is a great deal to do on the Klamath to value the ocean fishery and to determine the management scenarios we want to value.

Hall - One of the important things I heard in this discussion is that models coming over from the Trinity could be applied to the Klamath, but we will need data. That could be helpful in trying to decide budget decisions tomorrow. We need to work very closely with NBS because of their expertise in this area.

9. TF Decision on TWG Recommendations

Bulfinch - We suggested at the Budget Committee Meeting that items that related to the actions and procedures of a flow study be credited toward the TF's $250,000 contribution to an overall flow study effort. In Task 1 of NBS'

Draft, the NBS feels that in addition to recording river conditions (flow, temperature), they have to monitor the response of the fish. The Management Council also needs this information. So I suggest we continue on with the fish population study as always, but be funded with the flow study contribution and this will free up some other funds for projects which are worthy, but out of our budget right now. 96FP18 would fit this category. 96FP20 (outmigration of juvenile salmonids) may fit as well. Both projects are necessary for Council's efforts and flow study to work, yet should be credited as part of a flow study. Can these fisheries investigations be a functional part of a flow study?

Stalnaker - Absolutely, we need it. NBS' experience on the Trinity is that out migrant monitoring is the weakest link.

Bulfinch - 96FP19, Klamath River Yearling Salmonid Emigration Monitoring should also fit into this category.

Wilkinson - I would like to hear Bruce Halstead's opinion of how this information will tie with the Council process, how it might affect the conduct of ocean fisheries?

Halstead- 96FP19 study is the yearling migration which complement's the spring emigration study. There are a couple of other proposed studies which include the USFS screw trap at mouth of Scott River (96FP10). 96FP18 is the continuation of the spawning mainstem study we started two years ago. Even though we know we can't measure production by the outmigrant trapping, at least we can find some correlations between spawning and what we measure with the screw traps going out. As to its applicability to ocean harvest, it contributes to the CDFG megatable for spawning escapement and the determination of whether we are meeting the escapement floor.

Wilkinson- Anticipating that there will be a spawning upsurge this year, it makes it even more critical to do spawner counts and identify what mainstem component is. How do you feel about your ability to provide this information?

Halstead - The only difference would be the funding source. One thing I would add is that we have two proposals. One would add an extra boat and we would gather additional information on actual fish that are spawning; there is a lot of concern whether they are natural or hatchery fish. We would like to have more money if feasible so we can do these assessments. Of course this adds a third more to the cost.

Wilkinson - My concern is continuity for these funds and related information. I insist that they are needed for this project and be included in FY96 Work Plan.

Bulfinch - There are not two funds of money, it is all part of TF funds. We propose that what we would usually spend be credited toward $250,000 so that we can continue on with other projects.

Bingham- Are you proposing 96FP13 be included as part of $250,000 package?

Bulfinch - 96FP18 is vital and has been funded out of our discretionary funds.

If they feel that both 96FP18 and 96FP13 are important contribution we can include it with those in the flow study.

Discussion

Hillman- In regard to 96FP14, the Mainstem Escapement and Carcass Survey, it was suggested yesterday that this is instrumental to management of ocean and in-river fisheries by Klamath Management Council. That effort is only two years old and intended to test a hypothesis that there is little mainstem spawning. Those numbers are used by CDFG. Do they show up as natural spawners in the Megatable?

Wilkinson - Yes.

Hillman - There is controversy as to whether those numbers should be really considered natural. Those numbers are used in a questionable manner. This could be useful information but, in its current form, it hides some of the true picture that goes on in the Basin. I'm not supportive of that effort.

Hall - There are two issues here. We need to find out what amount of spawning takes place in Klamath River Mainstem. There is also a concern as to how is that information interpreted. These are two different things. Your concern is with interpretation. Do you disagree that we need to find out what is going on in mainstem?

Hillman - No, but natural spawning of hatchery fish may effect viable populations in the rest of the basin. We have tested that hypothesis and that opinion is no longer held. Since then, the information has been used in a questionable manner, which may have an adverse effect on wildstocks in the rest of the Basin.

Bulfinch - Is this information necessary for evaluation of ocean estimates and harvest allocations? Because the harvest allocation is not related to the origin of fish, but of the numbers of fish.

Orcutt- No, the goal is 35,000 natural fish, for the last three years. Our tribe has some reservations with the way this is computed because of at least one issue which was that the hatchery closed the ladder and those fish went somewhere, strayed in numerous areas. How this data is misused is a concern.

Olson- Is the reliability of estimates better now with field surveys in the mainstem now?

Rode - Yes, its better data now. We have two issues here, the management and genetic pedigree. Rather than arguing about it each time, The TWG needs to answers this question natural vs hatchery stocks.

Bingham - 96FP14 is what we need to focus on. Maybe we can set this aside to separate the issues and focus on how we can free up some money to go on other projects. The basic question Kent asked is the appropriateness of including other projects as part of credit towards a flow study.

Hall- I visited with NBS. I want to make sure we are compatible with what

other efforts are going on. Your emphasis, Dr. Stalnaker, is on modeling for KPOP, for temperature, and water quality. Where do we want to focus? We have data on Trinity but we don't for Klamath; we need it. I suggest to tie the three (KPOP, temperature model, and water quality) to make them share data with each other in a compatible manner to get the most out of overall Basin efforts.

Orcutt - The Macro parameter approach is something I agree with. I still haven't heard how many years and how many dollars. We are not going to do a 12 year flow study on Klamath; we don't have time. So those other things are nice, but should not be a full fledged project. The fish production modeling didn't work on Trinity anyway. We need to focus on concrete needs such as flows for spawning.

Solem- In relation to Kent's proposal, I hope that if these items are put on the other side that the TF is going to be deciding on what to do with the $250,000, so these funds are not dropped out altogether. We need funding of essential items. If we're going to put a lot of additional studies on, then the TF needs to approve them.

Bingham - NBS needs that kind of guidance, and they said they are looking for it.

[No explicit decision regarding TWG recommendations was made by the TF. The TF chair made a decision to move forward with a study based on the TWG recommendations]

10. Upper Basin Amendment - Status and Recommendation (UBA Ad-Hoc Committee, Keith Wilkinson)

Wilkinson: As Chair of the Upper Basin Amendment (UBA) Ad hoc Committee, I am pleased to announce that we have reached consensus on UBA. We make a do-pass recommendation to TF. The Draft provided in Eureka by the KBWU has been straw man. (He read the preamble of Handout T, including reference to LRP). Unfortunately we won't have copies until the later part of July. As Chairman, I want to thank Elwood Miller and his staff of the Klamath Tribe, Dave Zepponi and staff at the KBWU, Mr. Solem, Ron Kucera, Supervisor Dutra, Mr. Peters, Mr. Crawford, Mike Orcutt, Steve Lewis, and special thanks to Mr. Thackery, Dr. Ron Iverson and staff, and all other parties who offered comments.

One caveat is that the Draft UBA has to be run by their constituencies, but we don't anticipate any problems. What I have is the straw man; you are welcome to review it but the final draft will be coming at the end of July.

11. Public Comment

None

12. Action T.F. Decision on How to Proceed with Upper Basin Amendment

Hall - Thank you, Mr. Wilkinson. Staff needs to make sure that this document is on the agenda of the next TF meeting.

13. Award Options and Nomination to Recognize AG/Private Lands (Bulfinch&Hamilton)

Bulfinch - At the last TF meeting we decided that awards for non agency efforts would be appropriate. John and I have developed this for your consideration (Handout U). We could give individual award, group award or both. Cost for a 10x14" plaque would be $60 to $70 for one without logo, $100.00 with logo. The other option is a certificate, which cost is a good deal less (nothing or close to it). My suggestion is that we should give a certificate of appreciation to all who are nominated or apply. John and I are open to recommendations.

Bingham - I like the idea of giving to individuals and organizations. I also like giving certificate for all who participate. As to the time of year, mid winter might be best.

Bulfinch - We have suggested the first of the year or midyear. The newsletter comes out after first of year and this would be a good time to evaluate past accomplishments, invite the person, and notify the media.

14. Public Comment

None.

15. Action: TF Decision on Award Option and Nomination

**Motion (Bingham) That we move forward with the program and appoint Mr. Bulfinch chair of a committee to select the first recipient.

**Seconded.

No Discussion.

**Motion carries.

Adjourn

June 21 (Mr. Stokely is now here)

16. Report from the Budget Committee and the TWG on the Development of the FY96 Work Plan

Bingham: The Budget Committee started off with a discussion which really follows right on to where Bob Rohde just left off relative to the in-stream flow study. The figure of $250,000 was sort of put on the table at the beginning of our meeting last night as to what was considered to be a suitable contribution to the overall effort coming from the TF budget. We also heard that the Field Office was ready to come forward and look at some pretty significant budget reductions in their operations to enable us to put more money out to projects and we starting working from the ranked list of proposals that had been given to us by the TWG. The issue that was really before us was, how do we sort of mix, match and squeeze to make a budget proposal to this TF that would include a $250,000 allocation to in-stream flow

studies. Part of our recommendation will be that we reduce the number of meetings down from the present four a year to either three or two. The Budget Committee then moved ahead to look at the fact that there were a number of elements within the list of projects that were clearly flow related studies such as the gauges on the Shasta and Scott River which received an absolutely top ranking. There was understanding that they would be part of the overall $250,000 perhaps if the TWG deemed later on in its process that they were necessary parts of that investigation. Then we took a look at the package we had after we did that (those projects worked out to about $80,000 roughly): flow related studies that were within the area of approval that we would reach if we started at the top and worked our way down to $680,000 worth of projects. There were a couple of ongoing research efforts or studies really that were directly supporting the activities of the Klamath Fisheries Management Council and the Pacific Fisheries Management Council, that is spawning escapement studies and juvenile emigration work that is absolutely essential to the modeling process that supports the fisheries management process. Those studies would fall out if we started drawing lines on the TWG rankings, so we agreed to bring at least two of those up and put them in the package. Finally, before I go to the list, there was one that we were uncertain about that we kind of left at the pleasure of the TF and we would like for you to tell us today whether you feel it is appropriate for consideration as one of the approved projects and this is 96PC1 which is HSU Geographic Information System and Spatial Data Analysis Coordinator. This list is derived from the rankings we got from the TWG but it reflects the work that we did to try to balance out a little more between actual habitat work and give us room to accomplish our goal of setting aside $250,000.

Hall: Maybe it is appropriate if Mr. Orcutt brought up his question now about the duplication between what the monitoring that the BOR is doing and one of these studies that you were talking about.

Davis: BOR has made a commitment that we would fund a third of this amount that would come out to about $26,000 if I am not mistaken. Bruce Halstead is nodding his head.

Orcutt: What is the total funding requested to complete your objectives?

Halstead: When we submitted the proposal, it was for the whole thing for $78,000. Now since we submitted the proposal, the BOR has determined they have funding that they can come up with to fund 1/3rd of that, so they will come up with $26,000 and so we need $52,000 from the TF to do the project which would leave you $26,000 extra on the table.

Orcutt: Another follow up question. How does that compare in relation to past years' funding of the project?

Halstead: We don't anticipate any funding to do anything on the Trinity River next year, so this is an increase due to the lack of cost sharing through our mechanisms that would come through the Trinity River.

Hall: What was the funding level in comparison to last year and the 1/3rd that you are proposing this year?

Davis: First, I might need a little refreshing on this, but I believe in the last two years, we were funding about $35,000 each year.

Halstead: Yes, in the last couple of years, we also expanded our trapping efforts. We used what we got from the TF to do the Big Bar trap and then the extra funding either went up to the Scott River or Persido Bar trapping. Now it has come to the point, with the lack of funding from the Trinity Program, we have to specifically go up there and only do the Klamath stuff; that is all we can do.

Orcutt: There has never been any funding of any of the other projects like the spawning ground surveys, spawning escapement estimates?

Halstead: No, there hasn't.

Orcutt: That has always been TF money?

Halstead: Right. That has only been for two years.

Orcutt: You indicated that water quality because of the increased flows, wouldn't be monitored this year. What was the rationale for that and what the level of funding in the past for that?

Davis: In the past, we provided some funding for water quality monitoring and we were prepared to provide monitoring for this year and it was in cooperation and coordination with the California North Coast Regional Water Quality Control Board. I am not sure just what their plans are for this year, Mr. Orcutt, I cannot recall right now. They were going to do some monitoring and we were providing some equipment and some staffing to assist them but I don't recall what their full picture is at this point.

Rode: I believe the regional board is trying to work in cooperation with ODEQ on the Klamath River above Copco. There is a water quality study that is being conducted on the Oregon part of the river and California thought it would be appropriate to tie in the California side of the river. But I don't think anything was proposed downstream from IGD by the Regional Board. With all these issues facing us, it is desirable and ideal to get water quality data even in years of good flow as references so that we have a complete picture and eventually we will probably need that type of information when we get into this modeling. My understanding is that NBS will not be doing on the ground field work in their modeling efforts and if there are data gaps or data needs that arise during the development of these models, that is where some of that in-stream flow money shall go; we will have to provide that data.

Hall: The public needs to know that there was a very strong commitment in the Budget Committee meeting last night that as much in-the-water, on-the-ground restoration type activities take place as possible while recognizing that there are pure information needs that have to be taken care of. Out of that $450,000 or so that Mr. Bingham went through, you will see the vast majority of those are projects to get out on-the-ground with the local people while trying to meet the Secretary's commitment with the $250,000.

Bingham: We are asking for guidance on the question of GIS and we heard we

are going to save $20,000 possibly with the BOR's participation. The other part we need to think about is whether we are willing to cut back on meetings. The decisions we really need to make are: Will we approve this list as presented, what will we do about the GIS and then affirm the commitment to $250 because that is really an action for this group.

Miller- I want to make it clear that the Intertribal Fish and Water Commission and member Tribes sitting here have a great deal of concern with the workplan proposal for FY96. We are not prepared to pass the proposal on the table. Everyone in the basin needs to be a part of the project on a yearly basis; we continue to see the lack of Tribal involvement in these proposals. We thank the TWG for work to rank proposals. They are professional. There have been difficulties, but we feel they have the capability to rank, although the difficulty sometimes comes within the charge they are given and the types of regulations they have in ranking. Part of the duty of ranking lies within the TF itself to look at direction for the TWG in ranking.

We want to revisit what the TWG did , our charge coming out of the Act itself. Its good to revisit the Act sometimes. The Act states: (Elwood read articles B(1), B(2), B(3), and B(4) of Section 480ss-1 (Page 593)). The Tribes came together to state these concerns. My understanding is that the Budget Committee shall make sure that the budget is consistent with the Klamath Act; there shouldn't be one overbearing group or agency which benefits. We haven't reached that collective agreement in the process right now. The Tribes have a separate idea about what is important to fisheries. We don't want to be in disagreement with this body, but have come up with a separate list of projects, and have them on the flip chart. Bob Rohde will share that list with you now (Handout V; Tribal Counter Proposal).

Rohde - We put the field office on top. We left proposals which apply to instream flow in the list. We rearranged priorities based on the Act. We endorse the construction to build screens but pulled them out because of a lack of confidence in their ability to be maintained for the Shasta and the Scott. (We don't see a strategy whereby they will have funding and enforcement). They are not in this list. We also took out proposals for revegetation, fencing, and bank stabilization for the Shasta and the Scott.

We removed 96FP24, 96HR06, 96HR05, 96HR23, 96HR20, 96HR11, 96FP18, 96FP19, and 96FP21. We left GIS in but at 0$. We put Blue Creek back in (96FP11), Salmon River CRMP(96PC06), 96FR04, and 96FP13. If its on the list with a zero it means it's funded for a flow study. By adding them all up we got to $265,593 available for the flow study subtotal. The overall tally is $1,000,000.

Orcutt- In addition to the original consideration, it's the Trust responsibility component which is of most importance. In certain areas we align well with the new policy of the TF efforts. We need local solutions to local problems. Flow study is at the top of our priority list, and reflected in our budget here.

Hillman - We concur with Mike. Two major points in tribes proposal were to support CRMP's, and the policy that we've taken on screen projects. Screen projects are one of few that do produce positive results, but in recent years

the trend has been for the TF to accept responsibility for maintenance, not taken by landowners. This raises concern. We don't believe that TF can continue to support those without landowner commitment to maintenance. Those were our considerations in developing a counterproposal.

Orcutt - Another element was that monitoring is essential. This is needed for management.

Discussion:

Bingham - To go back to Kent Bulfinch's proposal, why isn't 96FP18 on the list?

Wilkinson - In light of this strategy, include 96FP14 also.

Bybee - I support the tribes' position on screens, it is owner's responsibility for maintenance. My concern is that only $25,000 goes to habitat restoration. Where will funding for future habitat restoration come from? How did the Tribes propose to address this? In another budget cycle? Isn't it an essential task that we have to address?

Bingham - There is a big addition to fish rearing not mentioned yet, the Mid Klamath rearing ponds.

Hillman - The geographic distribution of the habitat projects that were before the TF yesterday was heavily weighted toward one tributary, the Scott. We feel that water management is the real problem in the Scott Watershed, so habitat means very little if there is no water to cover it. We question the investment of funds to fix habitat until fundamental questions of having enough water are addressed.

Bingham- Thanks to Elwood for getting us back to our real focus: what our basic charge is in the Act. I would like to remind the TF that we have the obligation to match federal dollars with state or non-federal dollars. I will give you my personal commitment to work on funding habitat projects out of state dollars. I'll make the pitch to the Prop 70 committee so that the habitat projects do not go undone.

Orcutt - In regard to Bybee's concern about passing the red-face test with habitat projects, our project proposal (Pine Creek) is, in part, a habitat project, but masked to some degree. We have secured past TF funds to do the assessments then we have used TF money to do construction, restoration. We have since secured Option 9 funds as well as Tribal dollars from timber sales revenue. Option 9 and President's Plan money funds a significant part of our work.

Hall-When you try to restore ecosystems there are a number of on-the-ground issues which everyone agrees to, but down the road it's less clear. The Act says we are to do several things, but it doesn't say an equal split every year. This gets into area of how should the TF focus. Should we focus on shoring up the model for three years? The majority of funding after all goes on-the-ground. The Tribes have focussed on getting more information. There is not any significant splitting of funds between restorations categories or sub-

basins on an annual basis that needs to be done. The TF needs to show we have done all called for in the Act, including on-the-ground. Instead of shotgunning across whole Klamath System, we should try to focus on what the priority problems are, fix them, and move on.

Rode - I appreciate your comments on focussing. I have a major concern. We have established a process, we have some problems which should be dealt with outside of budget process. This needs to be addressed. The intent of Klamath Act is reflected in criteria when we rank projects. I hate to rank projects, then scuttle that process at the last minute. This is accommodating poorly presented projects and giving them preference over ones with more technical merit. It will lower the public's confidence in the process.

Miller- We felt that same way after the Budget Committee meeting.

Bingham- This year we have extraordinary circumstances. This year we have to come up with a substantial amount of money for the instream flow study which we all support. We have a strong sense of discomfort with how the process came out. There are some problems with the ranking process at the TWG level which need to be addressed at the next meeting, but the TF has every year modified the budget.

Rode - Maybe such a large departure form the norm of the last few years is what discomforts me. The $250,000 situation has disrupted the process quite a bit. My understanding is that we would go in and look at projects that made the initial cuts and substitute for some of those projects, recognizing that on-the-ground habitat work had top priority. However, what I see now is these projects coming from way down on the list, coming in there and not representing habitat restoration and supplanting projects which scored extremely high. I don't see how those high scores represent any bias in the ranking process. These problems should be addressed outside this process.

Bingham - We all agree that we won't do it this way next year.

Hall - You have properly characterized the process and the added requirements that we had to look at and deal with. The TWG did their job well, based upon the guidance they were given. What we are talking here about is really policy discussion on direction. This body is a policy advisory committee and so this is what we should be talking about so we can move forward and have a clear understanding of the track we want to go on.

Rhode - From the outset there has always been discomfort with the process of ranking. We were extremely frustrated with this process because we don't know where the past projects have occurred, both past TF projects as well as CDFG. We don't have a strategy for implementation of the Act in the basin. The problem with ranking criteria is that it is hard to tell how a project will end up with 12-16 TWG members at the table. We need to know where the problems are and where to prioritize our work. What we find is many criteria apply to all proposals. All have some scientific validity. Only certain ones are specific. We have no strategic plan. We are increasingly uncomfortable with ranking proposals this way. We want the ability to prioritize what needs to be done in this basin. We need guidance from TF as to what is most important to you. Based on this we will use our technical expertise to

prioritize as to where that will occur. Without that we can't guarantee that this process will give you the best proposals to fund.

Bingham - I would like to suggest that we make this an agenda item. Please put those thoughts on paper and into a straw man document on how to improve the process, Bob. I will make it a point to work with you and Jud to make this happen.

Hall- One common theme that seems to surface at these meetings is the need for guidance from the TF. I believe our job is to address these policy questions. We need to focus better on getting the information. We have to come to a resolution on what kind of guidance we are going to provide to the TWG and to the people we work with that are bringing funding to the table. We need to be able to tell the public where we are going and what we expect to accomplish.

Wilkinson- I concur. This task should properly be handled in our five year review to help the TWG, and to help prioritize our future work.

Olson - Back to discussion on NBS proposal and I am not sure that I fully understand what the essential components are of a model and at what rate we want to apply that model in time. I appreciate what Leaf Hillman and Elwood Miller bought forward. I have some concern about how much money was put toward restoration, whether this bioenhancement is buying us anything, or that we can show its benefit. I'm not sure if putting this much money towards the category of Fish (Protection) is the best way to spend money.

Stokely - CRMP's are an important program, they show the most promise as far as public participation. Maintenance of the screens should be a fundamental element of restoration. I question the proposal on pond rearing. It seems like we are taking money out of actual habitat restoration and putting it into additional studies and enhancement. Flow and riparian issues are not unrelated. Getting the land owners to understand what the fish need, including flows, will help the problem.

**Motion (Bingham) It is moved that we work off the tribal proposal with some modifications. I move that $265,000 be allocated to an instream flow study, but that certain other projects be incorporated within that package to be presented to NBS as projects we will fund from restoration funds with the understanding that those will be parts of the whole with the issue of how they will be incorporated to be resolved by the TWG working with the field office staff. Those projects will be 96HP04, 96HP06, 96HP03, 96HP05, 96HP01, 96FP14, 96FP18. 96FR04 will be reduced by $50,000; that fund will go to GIS proposal (total is downsized). Further, with respect to project 96FR04, the motion will recommend that project be managed and in a sound manner as regards to native stock genetics. My motion recommends the project operators seek advice and consult with a fisheries geneticist.

** Second (Hillman)

Discussion

Hillman- Regarding the last two projects that were mentioned, I can't speak

for the lower river project 96FR04, but regarding these projects in general, the state has a policy that requires cooperative rearing projects to have a five year plan in place. This plan involves measures to protect the genetic integrity of the stocks.

Bingham - I think that my concerns would not be onerous. What is needed is consultation with geneticist.

Rode - Nat, it is inappropriate to assume that Prop. 70 will pick up some of the projects. I suggest you drop 96FP18 and just consider 96FP14 only because it has the carcass survey. I would go with the more inclusive of the two surveys. The project for Riparian Restoration on the Shasta River has matched money and its a good project for the dollar.

I would like to comment on what Bob Rhode said in that projects are close in the ranking criteria. That's not the case. Some are real dogs and some exceptionally good. The TWG spent two days ranking the proposals. We're missing the boat. The Scott River projects were monumental efforts to get cooperation with private land owners and we're losing them. I have reservation about the bioenhancement of Native Stock; they are extremely expensive and have not proven themselves; we are trading off a lot of our on-the-ground work for those.

Rode - Regarding, the $50,000 reduction of Native Stock Enhancement from $109k. How can there be a viable project with this the reduction?

Bingham - From past ranking of such projects, most proponents can realistically accomplish the project most of the time for less money. They are usually willing to cut back.

Hillman - The TWG ranked these proposals. Of the two FR proposals, one of these projects received a higher rank simply because it cost half as much money. That is no reflection on the one being a less quality project. In answer to Rode's questions regarding the viability of the projects, that project as originally submitted was in two tributaries (Camp and Red Cap) and they could work in one tributary instead.

Bingham - So you are saying the projects are divisible? One creek could be operated instead of both?

Hillman - Yes. Last year that project came in at double that. This year was an attempt to eliminate the tributary and cut the cost in half, and that is what that cost is reflective of.

Rode - Dealing with projects in this manner is inconsistent with the standards the TWG uses when we rank them. We do <u>not</u> consider major monetary changes when we rank them. This creates an unfair situation for most submitters. Most projects do not have a proponent sitting on the TF to do this bidding.

Dutra - When this motion dies the death that it will, then we need a motion on which of our projects we will fund under flow study. Once this new motion is passed we could move forward on the remainder of money.

Hall - These kinds of things have to be on the table, there has to be a consensus or there will be no proposal to the Secretary. We need to make a decision on how funds will be spent or the onus will fall back on the Interior representative to spend that money. I prefer that there is a consensus instead.

**Bingham - Motion Withdrawn

Wilkinson- I need to hear from the NBS folks when we go to public comment for clarification. There are two critical projects for the state of Oregon. I would not want them to be lost in other priorities or because we have not reached the $250,000 goal from this group. I need some kind of reassurance that they will not be lost. I need some reassurance that these needs will be funded.

Solem-GIS was not included yesterday, why is it brought back in your motion?

Bingham - The GIS 5 year review is in that proposal and it is critical. Its been included as a maybe and I wanted to find a home for it in that part of the motion.

Solem- I am not convinced that the GIS proposal is adequate for the 5 year review. We need to assess how effective are we being.

17. Public Comment on Work Plan Recommendation

Sari Sommarstrom (Scott River Watershed Coordinator and Siskiyou Resource Conservation District)- I am taken aback at the radical change in process. I presented the CRMP water action plan to TWG and the TF. CRMP plans were adopted by a diverse group. The plans represent a lot of interest groups and a lot of private land owners and what they can agree on. We developed the project proposals that came out of these plans. There is a lot of community support for these projects. I am concerned about the turn around I see. You, the TF, has asked us to do this, and that is what we did. Now, the TWG rankings have been bypassed and the CRMP group and I are very upset about this.

All of these rash decisions are made without full understanding of these proposals that were discussed at the TWG. Two other projects that were deleted for funding had to do with Fish Screen Maintenance. This is a high priority project in Scott River Watershed. There are 155 to 160 ditches that can affect salmon and steelhead. Currently only 32 are screened. Our goal is to build 12 screens this year. We are hoping to screen all major ditches by the year 2000. Right now CDFG spends two days a week just maintaining the screens in Scott Valley. As a result of personnel limitations they cannot build new ones. The CDFG cannot maintain the screens and continue to build them as well. You get a lot of bang for the buck for maintaining fish screens that are working; you lose significant numbers of juvenile fish in the spring without them. Fencing and planting projects are high priorities and it took us a long time to convince landowners to cooperate. We are trying to get cost share funding on these from USDA.

Hall - This is not the first time we have discussed the contribution of the TF

to a flow study. While it may appear to be helter-skelter in this discussion there have been 10 hours or more of discussion by TF members on this issue.

Felice Pace - I think you will have to compromise and make the decision today. I put a lot of hours into the Scott Valley CRIMP and support the projects in the Scott but if you look at the original list that came out of the TWG you could see that most of the money (for whatever reason) was going into the Scott River and that is not appropriate. The support of the TF for CRMP's is apparent. Salmon River CRIMP was not rated as high. Why, when it is cheaper? Is there some technical reason? No, we know why, because we all have investments (personal, organizations) in these projects. None of us are objective. The CRMP's do have access to other funds. The message to go back to the CRMP's with is that we cannot take care of everything; we have to diversify. Pine and Blue Creek habitat assessments are necessary to get money from BIA. We cannot afford projects that call for continued maintenance.

Mary Taylor- (Malin, Oregon) I think that if you look in this audience there are very few representative in agriculture. We are working so that you can be on the payroll. There are so many of you and so few of us. You really don't know what you are doing and nothing has been saved. There is a lot of sacred ground here. Education: are the schools going to be involved to get their fair share? Schools are now involved in some of the projects, will they want their fair share? Working with agriculture, we fund our own projects. We have for 11 years had the fourth grade, over 1700 students including California come every year come to our expo. We have other education projects. We funded a video camera. SCS has funded projects with the Lost River school. You need to remove some of the educational projects. The Tripod projects are very expensive and very full of errors. If education is needed, you need to be educated on what's to be done.

Joel Heini - My husband and I farm the Tulelake area. Earlier, Mr. Rode said 18 duplicated number 11. You may not know what each one of these studies entail. Rather than throwing money away on duplicate projects, you need to look into them more.

Jack O'Connor- Here is something for each of you to review pertaining to salmon recovery (Handout W).

Dan Gale (Member of TWG and representing the Yurok Tribe) - The Scott, Shasta are pretty insignificant until you address the flow issues; you will not have any reasonable change until you do this. I questions the land owners commitment to restoration. I do not feel the TF should fund the screens year after year. The TF has a limited life and cannot do this indefinitely.

The Blue Creek Study is very important to the Yurok Tribe. Blue Creek has been identified as a key watershed by TF. Blue Creek is an important baseline study for restoration activities and plays a roll in the Harvest Management Data Base.

Rode - The Scott and Shasta have been main producers of fall Chinook in the past. These systems play a major roll in maintaining fisheries for downstream Tribes.

18. Action: TF decision on final FY1996 Work Plan

** Motion (Bingham): Move to set aside $265,593 for instream flow studies. Projects 96HP04, 96HP06, 96HP03, 96HP05, 96HP01, and 96FP14 for a total of $130,970 be funded out of that set aside.

**Second motion (Stokely)

Discussion:

Dutra - What strings are tied to the $130k to ensure we know what we will be buying? The spending of additional money should come back to the TF.

Bingham: I will add that to the motion

**Amendment added to the motion

**Amended motion accepted

Discussion

Orcutt: Three agencies that could be other sources of Federal funding are FWS, NBS, and BOR. The amount of BOR's contribution is still vague. We heard yesterday that BOR will pick up one-third of 96-FP-20. Some of these projects can be considered both as flow study and management.

I have concerns about the inclusion of item 37 (96-FP-14). Making an estimate of natural vs hatchery spawners is not an easy task. Further, once we had the information, I have reservations about how effective we would be to change the management of the hatchery given the past attempts to reform hatchery practices in the entire basin. What can you do about it?

Hall- I see a consensus stopper. Is there some way we can work though this?

Dutra- Before when had a list out of the budget committee, we had five items 13, 19, 38, 39, and 43 (96-FP-18) which were excluded. Why? What do you need in them, Keith?

Wilkinson- Items 37 (96-FP-14) and 39 have been included in the Motion. I have no objection to that, but Mr. Orcutt is objecting to 37 (96-FP-14). This should be left in, as it is such valuable information for the conduct of the fishery, even beyond the Klamath Zone, and certainly effects the conduct of the in-river Tribal and non Tribal fisheries.

Bingham - Would you be comfortable with dropping down to 43 (96-FP-18) alone as the bare bones version of this?

Orcutt - Yes.

Bingham - Keith, would you be comfortable with substituting 43 (96-FP-18) for 37 (96-FP-14)?

Wilkinson - I would accept this compromise.

Bingham - I so amend my motion, then.

**Motion Amended to "...substitute 43 (96-FP-18) for 37 (96-FP-14)".

**Second accepts the amendment (Stokely).

Discussion:

Orcutt: I still haven't heard about pursuing other sources of funding.

Dutra - Why didn't you include 13 (96-FP-20) in the motion?

Bingham - It is on the Tribal list and that is why we didn't include it.

Dutra - I would like to see item 13 included in the motion

Bingham: I would be willing to amend my motion to include item 13 and the pursuit of alternative funding.

**Motion Amended "... to include 13 (96-FP-20)".

**Second accepts the amendment (Stokely).

Discussion:

**Motion restated: $183,230 of project proposals 1(96-HP-04), 2(96-HP-06), 3(96-HP-03), 9(96-HP-05), 13(96-FP-20), 25(96-HP-01), and 43(96-FP-18) will be a part of a set aside for instream flow study purposes and the difference between this and $265,593 will be allocated at the discretion of the TF and the TWG.

**Motion Fails (No-Hillman, Abstain-Webster)

Bingham - Let's let someone else take a shot at resolution. Leaf, I know you have concerns; please enlighten us as to what your problems were.

Hillman - I am opposing the motion because one question has not been answered. I understand the reason why the earlier motion was broken up, but I think that this fragmentation may prevent consensus later.

Dutra- My concerns are that here are proposals that are ranked high by TWG and then we change this at the TF level. We're having real problems in getting landowners to buy in. We finally do with CRMP support, their projects get rated high, then the TF decides to spend the money somewhere else. The minor changes I can buy into, but this is major surgery. We have to be able to justify our decision to the public.

Hall - I understand what you say about minor changes. The problem was that there was not a significant proposal to do the specifics of a flow study. The TWG did not have this in front of them to feed to the TF. This created the problem we're dealing with now. From Interior's standpoint we are saying that if there are projects which fit the flow study mold, we'll say fine, we will

contribute. What we have to get to now is what does the TF want to do.

Bingham - I caution against using project scores as objective assessment of the projects merit or value; it's really a judgement call. I support what Dale says; its time to make policy here.

Orcutt - I would probably have voted no also. My concern is that we have $100k which should not have been part of a flow study (Project 13 (96FP20) and 43 (96FP18)). We don't know what the TWG's final recommendations for a flow study will ultimately be.

**Motion (Bybee) I move that we set $250,000 for a flow study, period.

**Stokely second

Discussion:

Dutra- I will not support this, because we do not know who and how this will be done; what are the deliverables. I would support it if it said that when the recommendation is made, it would come back to the TF and we approve spending item by item.

Bybee - I would amend to set aside $250k for approval by the TF.

**Motion amended.

**Seconded

Discussion

Miller - I can't agree to that. I want to see where the funds are going to go when we finish this budget.

**Motion withdrawn.

Miller - We need to massage Nat's first proposal. I would like to see the $265,000 with the components 1(96-HP-04), 2(96-HP-06), 3(96-HP-03), 9(96-HP-05), 13(96-FP-20), 25(96-HP-01), and 43(96-FP-18) for flow studies. This changes what's left over for the rest of the budget in my opinion. With $320k for administration and $265k for flow studies, then $415 is left and we need to decide what needs to go into that. Look at this, we may be able to get in another project which will help us reach agreement. To move forward, we can, on a general consensus basis, agree to put the above projects [1(96-HP-04), 2(96-HP-06), 3(96-HP-03), 9(96-HP-05), 13(96-FP-20), 25(96-HP-01), and 43 (96-FP-18)] as part of a $265 total for flow studies.

** Motion (Rode) - It is moved that both A) the TF fund for $173,465 projects 1, 2, 3, 9, 13, 25, and 43 as part of the flow study. Contingent with support with this funding, we request the Chair contact and vigorously request that BOR contribute more funding to monitor mainstem anadromous salmonids (this includes spawner escapement, carcass counts, redd counts, outmigrant monitoring) and B) the TF fund projects 7(96HR06), 11(96HR05), 17(96HR20) for $50,000, and 36(96FR04) for $65,703.

**Second by Wilkinson

Discussion:

Hall - How much would be left for discretionary flow study funding?

Rode - We have a net remainder of $92,128 and that would be our non committed flow study funding.

Miller - The Tribes can't support the fish screen maintenance. I would like to hear from Clancy Dutra.

Dutra- I have some problems with 96FP24 along with others, but maybe we need to maintain them this year. We're getting close.

*** Motion Passes (Handout X)

Hall: The TWG is to look at the ranking of these projects. If other sources fund a project; I will direct that the TWG will look at the remainder of the projects and have a ranking available for us for possible use in the future. This will take care of the concern expressed earlier that if there are remaining funds on the table we will know which projects to go to. Is this acceptable to everyone?

Orcutt: That's the flow component?

Hall: That's what projects remain.

Dutra: Will you remake your statement concerning if a project can get funded from another source?

Hall: Inherent in the motion is the understanding that for any project funded here for which we can get assistance for from other sources, I will vigorously explore those other avenues for funding (such as BOR). If other funding is forthcoming, then the TF will be able to look at remaining projects and decide which ones are appropriate.

Dutra: I made the point before, I think it is understood that if there are monies unallocated in the flow study portion of this that decision will come back to the TF.

Hall: If there are monies unallocated in the flow study portion, this decision will come back to this group.

19. Update on the Trinity Restoration Program

[see Department of Commerce letter in support of extending authorization of Trinity Restoration Program (Handout Y)-At the time of this TF meeting, negotiations regarding a Trinity reathorization bill were underway; without any information other than that deliberations were ongoing, the TF moved to the next agenda item]

20. Recommendation on proposed Trinity River amendments to Central Valley

Project Improvement Act (Section 3406(b) (23) of PL 102-575 (Tom Stokely) (Handouts Z).

Stokely- There is a proposal going into the House of Representative to amend the Central Valley Project Improvement Act. We are concerned in Trinity County with Section 3406 (b)23. The existing act directs the 12 year flow study on the Trinity River to be completed. If the Hoopa Valley Tribe concurs with the Secretary's flow recommendation, it will be implemented accordingly. There is an environmental impact report being prepared by the Fish and Wildlife Service and the Hoopa Valley Tribe. Trinity County is the lead under state Environmental Quality Act.

There are two proposals to amend the Act which basically take water out of the Klamath, Trinity watershed and put it into the Central Valley Project.

Before you is a draft letter that recommends to the Secretary against amending the Act.

21. Public Comments

None.

22. Action: TF Decision on Request

***Motion (Stokely) to send this draft letter to express concern over the two proposals for Trinity River flows.

**Second

Discussion-

Hillman- I would like to hear comments from the Hoopa Valley Tribe prior to proceeding with this.

Orcutt- We are aware of the efforts to amend the Act. The TF should express its view on this issue. I don't have any problems with the letter other than mentioning that there is a well defined process, including NEPA(an EIS), already in place.

Hillman - I would look favorably on sending this letter with the concurrence of the Hoopa Tribe.

**Motion Amended to revise the letter to include clarification that there is an existing, well defined NEPA/EIS process in place.

**Second accepted

** Motion Passes

23. Summary and Action

Hall- One announcement, Bob Rohde's tenure with as TWG chair is up. The new chair is Craig Bienz. Anything you would like to say, Craig?

Bienz - With the TWG we are trying to be supportive to the TF in every way we can; we know issues are complex. There are changes in perspective right now, with the TF and also in the scientific community as well. Sometime it is what we don't see rather than what we see that is an indication as to where peoples thinking is at this time. Restoration proposals were not supported in this ranking process; protection seems to be more important at this time.

We have tremendous respect for the staff at KRFWO. I'll put in my pitch that they are shorthanded. We will need to utilize the support that they can provide more in the next year. As we begin Phase II of a Plan Study, we will be working more with that staff this coming year and in the future, also NBS, and other federal agencies. You have kind of taken a few of our horses away from us but we will try to give you a better product as we move ahead.

Hall - Let us know here on TF through this coming year of impacts that our suggested reduction in support for the TF and the Council (to the tune of $80,000 to 85,000) may have.

Thank you all for your patience. I agree with Mr. Bingham's comment that we should discuss policy direction that the TF wants to take at the next meeting, not in conjunction with the budget meeting. It should be done before then.

No date was set for the meeting after next (Brookings Oregon, October 26-27, 1995)

Adjourn

TASK FORCE MEETING HANDOUTS
June 20-21, 1995

Agendum # 2 Changes to minutes of February 16 and 17 Minutes

Handout A
Changes from Joe Polos, Yurok Tribe

Agendum #3 **Correspondence provided for the information of the TF**

Handout B

Edward Jones to KRFWO & Response 3/8/95

Handout C
Task Force to Mike Ryan, Bureau of Reclamation 3/2/95, Water Allocation

Handout D
Mike Ryan to Stan DeSousa 2/22/95, Bureau of Reclamation, Temperature Criteria

Handout E
Task Force to Secretary Bruce Babbitt 3/29/95, In stream Flow Evaluations

Handout F
CDFG Letter

Responses Handout G
U S Department of Interior to Task Force 4/13/95, Water Operation Plan, Klamath Project

Information Handout H
Yurok Tribe to Robert Boyer, U S Bureau of Reclamation, Howard Prairie and Hyatt Reservoirs

Handout I
Department of Fish and Game to Dale Hall 3/15/95, Klamath River Flow

Handout J
Yurok Tribal Fisheries Program to Mike Ryan 3/20/95, Klamath River Flow Criteria

Handout K
U S Department of Interior to Ron Iverson 3/7/95, USGS programs

Handout L
U S Department of Interior Project Manager 3/17/95, 1995, Klamath Project Operations Proposal

Agendum #4 Handout M
Upper Klamath Lake Hydrograph

Handout N
Upper Klamath Lake Comparison of Actual and Projected Elevations

Handout O
Projected and actual Refuge and Ag Demand

Handout P
Iron Gate Dam Releases in CFS

Agendum #7 Handout Q
Meeting Notes from TWG meeting, May 30-31, 1995

Handout R
Summary of NBS Recommendations

Handout S
Summary of TWG Recommendations

Agendum #10 Handout T
Revised Upper Basin Amendment

Agendum #13 Handout U
Proposed award to landowners and groups for outstanding contributions to anadromous fisheries restoration

Agendum #16 Handout V
Spreadsheet, Tribal Counter Proposal

Agendum #17 Handout W
Salmon Recovery, Jack O'Connor

Agendum #18 Handout X
Federal Work Plan Proposal

Agendum #19 Handout Y
Department of Commerce to Roger Patterson 4/14/95, Central Valley Project

Agendum #20 Handout Z
Letter to all California Central Valley Members from Congress of the United States.