

Reinitiation of Consultation on the Central Valley Project Trinity River Division Briefing

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Background:

- In 2008, Reclamation reinitiated consultation on the Central Valley Project (CVP) and included the Trinity River Division (TRD) in the BA. NMFS choose not to consult on the TRD at that time and to prepare a separate BO for the effects of the action on SONCC Coho Salmon at a later date, which was never completed. However, a draft BO was completed (2012) but never issued because the court-ordered remand was overturned by the 9th Circuit.

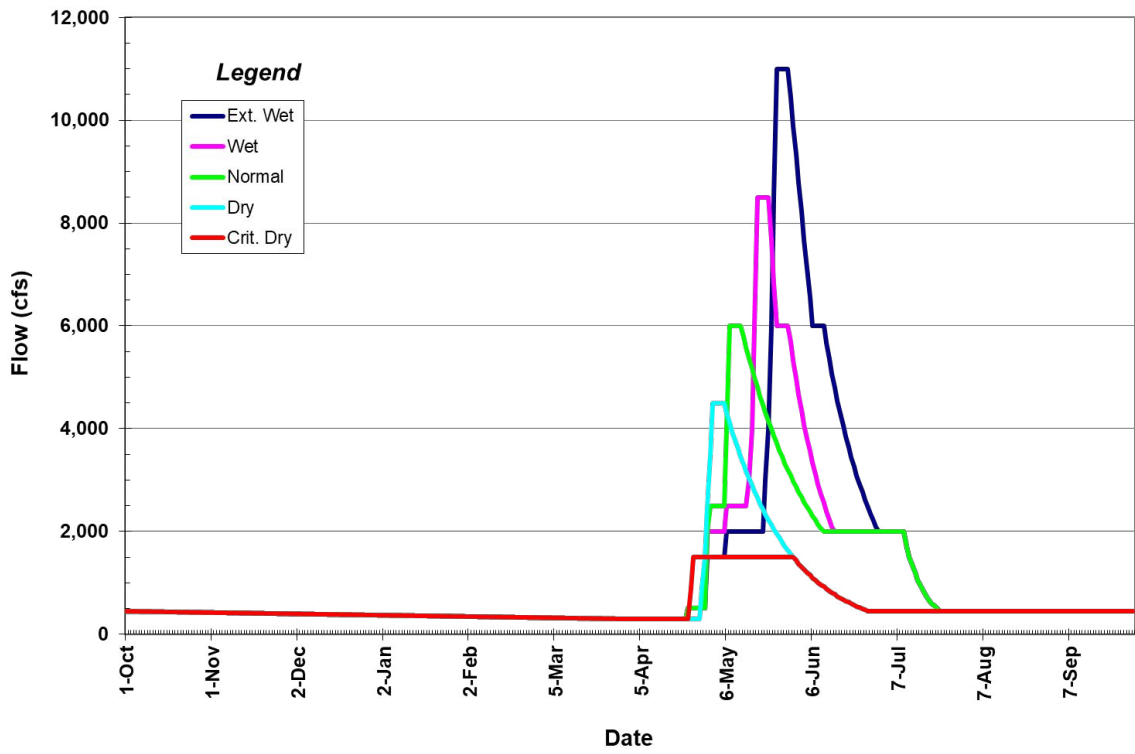
Issues:

- The current draft of the Proposed Action (PA) is very brief for the TRD, and proposes the status quo Trinity ROD for flow releases from Lewiston Dam. Reclamation may not request consultation on SONCC Coho Salmon, and instead rely on the 2000 BO that was written following publication of the 1999 Trinity River Mainstem Fishery Restoration EIS. A ROD was then signed in 2000 following issuance of the BO. The NMFS 2000 BO is considered “stale”, as it is 18 years old, and a variety of important new information on fish habitat and the effects of the action has accumulated since that time.
- Reclamation and NMFS would be vulnerable to litigation for failure to reinitiate consultation if Reclamation does not include SONCC Coho Salmon in their consultation request.
- On a conference call Friday November 30, 2018, NMFS and Reclamation discussed TRD specific issues with the Proposed Action that are unresolved. These are detailed in the attached table.
- Chief among these concerns is that Reclamation provides, low, static, baseline flows from Lewiston Dam throughout the winter months during the Coho Salmon rearing period, which limits the quantity and quality of rearing habitat. The current Trinity ROD states that flows can only increase above the low baseline level from mid-April to July, with all other months being at baseline flows (see figure).

Recommendations:

- Elevate to Barry on the need to include flows down the Trinity River in the Proposed Action, and effects on Trinity River species in PA.
- Writing a letter to Reclamation if they choose not to reconsult on SONCC Coho Salmon, which states our recommendation to reinitiate consultation. Alternatively, NMFS could proceed with consultation without the consultation request from Reclamation.

ROD Flow Releases from Lewiston Dam to the Trinity River



Issue	Reclamation's Perspective	NMFS Position	Potential Path Forward	Elevate?
<p>Inclusion of flows down the Trinity River in the Proposed Action. Also including effects on Trinity River species in PA.</p>	<p>Reclamation is concerned that NMFS will impose additional conditions which would potentially open up the TRRP ROD. Assumed the 2000 TRRP BiOp would not be superseded. Concerned if that BiOp is superseded. They don't want to reopen the Trinity ROD.</p>	<p>Trinity River Division (TRD) is part of CVP, so needs to be included, especially since it was included in the 2008 BA.</p> <p>If we punt on Trinity Flows it could trigger future reinitiation of consultation because it could affect transbasin flows.</p>	<p>Reclamation includes Trinity River Flows in the PA. Reclamation is discussing this internally.</p>	<p>Yes</p>
<p>Low releases in the Trinity River in the fall and winter months are simplified and static, and do not reflect natural river hydrographs. The PA should include sub-daily flow variability that is synchronized with storm events.</p>	<p>Open to mentioning possibility for reshaping.</p> <p>CVO okay with flow fluctuations within the ROD volumes, and within water year, as long as doesn't interfere with Safety of Dam release.</p> <p>Reclamation not interested in re-opening Trinity ROD.</p>	<p>Flow variability increases migration and life history cues that are appropriately timed with basin wide weather events; Increases habitat availability; and increase spawning habitat capacity. Also flushes tributary delta sediment deposition that impede tributary access of adult and juvenile coho salmon.</p>	<p>Reclamation will look into including flow scheduling flexibility in the PA; may be able to.</p>	<p>Not at this time.</p> <p>Yes if Reclamation doesn't include flexibility on water releases to coincide with precipitation.</p>

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<p>The PA provides very low flows during autumn to early spring, (i.e., 300 cfs from mid Oct –April 22). We recommend more flow volume released into the Trinity River during winter months (Nov-March).</p>	<p>Open to reshaping some flows into that period. See above. Not open to releasing more than TRRP ROD volumes.</p>	<p>Higher flows provide greater habitat capacity (Perry et al. 2018), and improved growth. Faster fish growth during the winter-spring rearing period leads to higher survival rates and improved smolt-to-adult return rates</p>	<p>Reclamation will look into including flow scheduling flexibility in the PA; may be able to.</p>	<p>Not at this time. Yes, if Reclamation is not willing to provide opportunity to consult on volume.</p>
<p>The PA needs a better description of minimum reservoir storage and bypass vs power outlet use at storages less than 1.0 MAF, as well as the frequency of EOS storage at various levels. Based on data, we recommend blended use of the auxiliary outlet at storages less than 1.0 MAF.</p>	<p>Reclamation not comfortable with storage targets. Summer flows in Trinity ROD were expected to be adequate for temperatures.</p>	<p>Cooler water temperatures at certain times of the year are expected to provide optimal growth conditions for rearing Coho salmon, as well as early returning adult migrants, improving their survival and reproductive success.</p> <p>During drought years, elevated water temperatures released from low EOS storage have lead to the inability of Reclamation to meet its regulatory temperature objectives in some years (e.g. 2009).</p>	<p>Reclamation will look into whether blended use of the auxiliary outlet could be included in the PA.</p>	<p>Not at this time. Yes, if Reclamation is not willing to blend use of the auxiliary outlet and does not set adequate minimum reservoir storage to manage water temperature released into the Trinity River.</p>

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<p>A temperature control device would allow for more nuanced temperature control, and conservation of the cold water pool in Trinity Reservoir which would benefit Trinity and Sacramento river species.</p>	<p>Reclamation noted that would require a lot of review before any commitment, including a review of how Lewiston affects temperatures.</p>	<p>The need for a Temperature Control Device is not needed if blended use of the auxiliary outlet and having adequate minimum Trinity Reservoir EOS storage is in place.</p>	<p>None</p>	<p>No</p>
<p>The PA should clarify how Reclamation will integrate the Lower Klamath Long Term Plan with CVP operations, as well as Humboldt County's water contract with Reclamation for not less than 50 TAF of Trinity River.</p>	<p>Fall flow releases for addressing ich and columnaris in the lower Klamath River already has a long term plan EIS and Reclamation was unaware of Humboldt County's efforts to make a call for their contractual water.</p>	<p>The section 7 for Lower Klamath fall flows (from the Trinity Reservoir) is a framework programmatic that does not exempt incidental take for implementation. Inclusion of the fall flow augmentation into this consultation would provide section 7 efficiencies. The 1955 Trinity River Division Act establishes an obligation for Reclamation to release water from the TRD to provide for beneficial use by Humboldt County and other downstream water users. Humboldt County is making a call for the 50TAF. Deliveries for Humboldt County may affect Reclamation's diversion to Central Valley.</p>	<p>Lower Klamath fall flows in the modeling; More to figure out before knowing how and when Humboldt County water would be scheduled; so Humboldt County water won't be in modeling. Possibly would be mentioned in PA, not sure of level of commitment at this time.</p> <p>Possible NEPA and section 7 efficiencies. Tight timeline means Reclamation doesn't feel they can work through the Humboldt County water uncertainties to rescope the NEPA.</p>	<p>No.</p>

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Buckhorn Dam	CVO unfamiliar with dam.	Not covered; could be covered through this consultation by adding a relatively simple description of it in the PA. For fish benefit, would be good to have a once-a-year flushing flow. Not a big deal, but would be helpful.	Reclamation will look into.	No