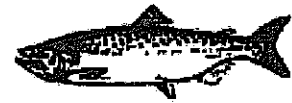




**Hoopa Valley Tribal Council
Natural Resources Division
Fisheries Department**
Post Office Box 417 • Hoopa, California 95546
(530) 625-4267 • FAX (530) 625-4995



September 1, 2011

Mrs. Robin Schrock, Executive Director
Mr. David Bandrowski, Acting RIG Branch Chief
Trinity River Restoration Program
1313 South Main Street
Weaverville, CA 96093

Re: Comments on the RIG FY 2012 Budget

Dear Robin and DJ,

Thank you for providing a process by which the Design Team was allowed to provide input into the FY 2012 RIG budget. While we are grateful for the opportunity, we find the sequencing indicative of the inequitable scrutiny applied to the Science, RIG, and Administrative budget categories. Comparatively, the Science budget was assembled through a lengthy and phenomenally rigorous process that endured for six months or more, while, until now, the RIG budget has been developed in a vacuum absent input from Program Partners. This disparity is amplified by the fact that a large number of science proposals remain unfunded in FY2012 (many of them one-year studies), while several line items in the RIG budget appear to be inflated, especially in light of the anomalous "pause" in construction planned for FY 2012 and possibly beyond.

It is our belief that there are as much as \$2.15 million in over-allocated funds in the RIG budget given the circumstances of programmatic needs for 2012. With regard to the Program's Science needs, you are aware that multiple assessments have been compromised by an inconsistent process applied to assigning project priorities. Irrespective of the somewhat arbitrary practice of partitioning program funds at approximately 20:30:50 shares to Administration, Science, and RIG respectively, we believe that the priority for maintaining integrity of Science is of greater priority than some of the funding allocations proposed within the RIG budget for FY 2012. Additionally, some smaller portion of funding should be reallocated within the RIG budget to fund re-designs at some previously implemented sites. However, we would also advocate that there be a well defined process and criteria developed in order to assess and evaluate the need to revisit restoration sites that may need to be redesigned or reconstructed. We recommend the balance of funding (after the re-allocation to Science and re-designs) should be brought back to



PACIFIC LAMPREY



STEELHEAD



GREEN STURGEON

the TMC for discussion and potential redistribution to other Program needs at the upcoming September TMC meeting.

Detail Comments on RIG line items:

Phase 2 Planning Line Item

The Phase 2 Planning Line Item includes funding for the FY 2012 Phase 1 Review and the FY 2013 Phase 2 Plan (\$376,000), the USGS Geomorphic Assessment (\$90,000), and a Restoration Database (\$85,000).

RIG staff reports the combined cost of the Phase 1 Review and Phase 2 Plan is now estimated at \$750,000 total. We find this cost to be ever-skyrocketing and generally exorbitant beyond what should reasonably be required. Furthermore, we understand that RIG staff was recently (8-26-11) able to secure an additional \$400,000 in FY2011 funds from another BOR office. We congratulate RIG staff on their resourcefulness but believe this new funding should be credited against this line item, bringing the total cost down to \$151,072. We believe the \$750,000 cost of the Phase 1 Review and Phase 2 Plan should be revisited. If additional funds are indeed needed for the Phase 2 Plan, this should be detailed in the FY2013 budget, given it is planned to be an FY 2013 activity.

Additionally, the Restoration Database has never before been discussed with the Design Team, and we believe the description of the project is squarely within the purview of the Program's Data Steward. We have serious reservations about whether or not the activity should bear an additional contractual cost to the Program.

Rehabilitation Construction Line Item

The Rehabilitation Construction line item is designated to fund 2012 sites (\$1,650,000) and to pre-fund a 2013 site (\$1,000,000). We do not believe pre-funding a 2013 site is necessary, especially given the uncertainty to site construction timeline posed by the Phase 1 Review, Phase 2 Plan, and other factors. We recommend the \$1,000,000 for the 2013 site be removed from the FY 2012 RIG budget.

Watershed Implementation

We are generally supportive of allocating full program support (\$2,000,000 annually) to watershed restoration work provided there is clear justification for it. However, we are greatly troubled by the fact that the Watershed Work Group has become defunct and ceases to meet regularly if at all. The Watershed Work Group has sadly devolved to a brief annual meeting during which watershed projects developed by project proponents are simply waved through for funding. This has left the Program without a platform that ensures watershed restoration is pursued within the same Adaptive Management framework to which all of our other management actions are held. As a result, it remains very unclear to Program Partners as to what specific actions are contemplated at this cost point or how to evaluate these investments

against the objectives for restoring main stem processes and natural fish production in the Basin.

At the same time, it is clear to us the entities that traditionally receive contracts for the watershed implementation funding are wholly unprepared and scrambling to prepare concepts and proposals that total \$1,000,000 between now and the end of October 2011. This work should undergo the same scientific review process that is imposed upon the projects conducted within the Science portion of the Program. Furthermore, this lack of preparation is further exacerbated by severe BOR contracting delays that resulted in FY2011 watershed funding only very recently being made available to these same organizations. We fear that in the chaotic dash to quickly assemble \$1,000,000 worth of watershed projects, the funding maybe poorly spent. Accountability is further reduced because there is not a functioning Watershed Work Group to guide the process and ensure projects are tracking with the objectives of the watershed restoration (fine sediment reduction) management objectives. Recent TMC conference calls have informed us that the RIG budget was to be "scrubbed" for redundancies and inefficiencies. It appears entirely inappropriate to now see a doubling of the watershed line over what was initially proposed in an earlier version of the FY 2012 budget presented to TMC , especially given the lack of consistent process in the watershed implementation aspects of the Program.

We recommend reducing this line item to \$250,000 in FY 2012 to better match the scale of what local watershed organizations currently have the capacity to plan for. Second, we urge that the program immediately resurrect a properly functioning Watershed Work Group that can guide the development and implementation of watershed restoration projects such that \$1,000,000 (or more) can be allocated to this line item in FY 2013, assuming funding is available.

In follow up, it is unclear how you plan to assemble the input you receive from Program Partners via the Design Team regarding the RIG budget and the broader programmatic budget reprioritization issues we raise herein. Further, how do you intend to implement any changes to the RIG budget in advance of the September 21-22, 2011 TMC meeting during which action to approve the FY 2012 budget is anticipated? We would appreciate clarification on how you plan to proceed between now and then.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Orcutt". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Mike Orcutt, Director

Cc: TMC
Ernie Clarke, USFWS