

TMDL for the Russian River

What is Regional Water Board staff's perspective on a Russian River TMDL?

The Russian River is on the Clean Water Act Section 303(d) list as impaired by sediment, and is scheduled for TMDL development in 2011. There are two primary reasons for that scheduling:

1. Staffing and contracts resources are currently fully utilized on development of TMDLs on a court ordered consent decree. Diverting any of those resources to the Russian River, which is not on the consent decree, would jeopardize our ability to meet the consent decree schedule.
2. There are a number of efforts in the Russian River watershed aimed at reducing erosion and sedimentation and improving riparian corridors, e.g., Fish Friendly Farming program (Sotoyome RCD), hillside vineyards programs (Regional Water Board, Sonoma County), watershed stewardship (Sotoyome RCD), salmonid restoration planning (CA Dept. of Fish and Game). It is our hope that the Russian River Watershed Council (RRWC) will nurture those efforts, as well as provide a coordination mechanism for local and regional agencies, groups, and municipalities to address erosion and sedimentation in the Russian River watershed. If such a framework exists and is equivalent to an implementation program under a TMDL, then a TMDL may not be necessary, or at least the TMDL becomes a formality since actions to address the problem are in effect and working.

So, how can the RRWC prepare for, assist, or avert the upcoming TMDL?

1. Provide information and/or other resources for problem identification and TMDL development
 - Monitoring data
 - Land use data
 - Erosion site data
 - Data on sensitive areas (areas that are sensitive to sediment inputs)
 - Remote sensing (satellite, high aerial, etc.) data for the above
 - Analysis of data to assist in developing a sediment budget, numeric instream targets (how much sediment is too much)
 - Workshops on products as they are developed for a TMDL
2. Provide a mechanism for coordinated efforts in the watershed to reduce erosion and sedimentation
 - Agency/public interface and coordination on regulatory mechanisms for erosion control
 - Foster cooperative watershed-based stewardship
 - Foster cooperative voluntary compliance with existing regulations
 - Foster workgroups to develop non-regulatory mechanisms for erosion control
 - Foster volunteer monitoring efforts
 - Document programs that reduce erosion and sedimentation
3. How can the RRWC prepare for, assist, or avert a listing for temperature?
 - Document problem areas
 - Foster efforts to address temperature problems in those areas
 - Cooperative watershed-based stewardship
 - Cooperative voluntary compliance with existing regulations
 - Volunteer monitoring efforts
 - Document programs that reduce temperature problem areas

The short answer to questions 1, 2, and 3 is to work together to address the sediment and temperature problems now, while collecting data documenting the problems, the efforts to address them, and any improvements in conditions as a result of those efforts.

Robert Klamt, Senior Land and Water Use Analyst, Upper Russian River Unit
January 12, 2000

DRAFT
Memorandum of Understanding
Between

California State Resources Agency & Russian River Watershed Council

Preamble

The Russian River watershed encompasses 1,485 square miles of forests, rangeland, and croplands. It supports well-established agricultural and recreational economies, and a growing industrial base. As a result of increasing demands on watershed lands and water, the Russian River community faces many challenges to protection of environmental values, economic viability, public safety, and quality of life.

The Russian River Watershed Council (the Council) is a group of diverse stakeholders who have come together to develop a community-based plan for protecting and restoring the natural resources of the Russian River. The Resources Agency of California (the Agency) is supportive of the collaborative efforts of the Council, and promotes the development of local and regional watershed solutions as part of its Coastal Salmon and Watersheds Program. These efforts, if they are to maximize the potential for success, must include all stakeholders, and incorporate elements of scientific assessment, planning, implementation, monitoring, and education and outreach.

I. Introduction:

The stated mission of the Russian River Watershed Council is to “protect, restore, and enhance the environmental and economic values of the Russian River watershed through an open, community-based process which facilitates collaboration and communication among all interested parties”. The primary goals are: 1) to ensure the recovery of the Russian River to a condition such that the native wild anadromous fishery recovers to healthy and sustainable levels; 2) to ensure a strong, healthy and diverse economy in the Russian River; and 3) to promote stewardship of the Russian River and its watershed by developing an informed and engaged citizenry.”

The California Resources Agency (the Agency) intends to enter into a cost-share agreement (Feasibility Cost-Share Agreement or FCSA) with the United States Army Corps of Engineers (the Corps) for the preparation of a feasibility study that is designed to produce a community-based watershed restoration plan for the Russian River in conjunction with the Council. The feasibility study plan (Project Study Plan or PSP) identifies activities that may be implemented in order to develop the watershed plan, and provides a five-year budget of \$6,650,000 in funds and “in-kind” services for implementing them. This funding level represents an estimate of watershed planning needs. The estimate is subject to change as community-based planning efforts by the Council evolve and more information becomes available. Funding is subject to appropriation of state funds by the legislature, therefore nothing in the FCSA binds the state to this funding level.

The PSP also provides for the establishment of an Executive Committee to oversee study costs, schedule, and amendments to the study plan, and to provide guidance to ensure that study results are consistent with desired outputs. The PSP was approved by the Council in November

1998.

II. Purpose

This Memorandum of Understanding memorializes an agreement between the Resources Agency and the Russian River Watershed Council on the principles for collaborative watershed planning for the Russian River basin, and for implementing the Project Study Plan in furtherance of the mission statement.

III. Principles and Agreements:

1. The Agency intends to continue to develop and implement the FCSA, once executed, so long as it finds that all actions funded pursuant to the FCSA by Corps, Council, and Agency support the stated mission of the Council.
2. The Agency will support Council efforts to be inclusive and to act as an independent watershed council by building partnerships with multiple entities and by pursuing sources of funds in addition to those provided through the FCSA.
3. To the maximum extent feasible, the Agency shall freely share information, and shall seek to coordinate programs, information and technical assistance of its various departments in order to work in collaboration with the Council.
4. The PSP provides for an Executive Committee to manage the Project Study Plan. The Executive Committee has jurisdiction only over funds appropriated through the FCSA. The Agency representatives to the Executive Committee shall recommend actions to ensure that the Plan is managed in support of the Council's mission. The Agency, as co-chair of the Executive Committee, will not fund or move forward with any projects within the scope of the PSP that are not endorsed by the Council.
5. The Agency shall recommend to the Council and the Corps that the Executive Committee functions openly, share information, circulates agendas prior to meeting, and work in partnership with the Council. Council representatives to the Executive Committee shall be voting members of the Russian River Watershed Council. The Agency and Council shall strive to provide two weeks notice for items brought to the Council for vote unless this time limit is waived or modified by the Council.
6. The Council may change its representatives at any time. The Council may propose amendments to the PSP to change the overall structure, function or composition of the Executive Committee at any time. Amendments must be approved by all study participants (Agency, Corps, and Council).
7. The Council shall prepare an annual work plan and budget for developing the community-based watershed restoration plan. The Council and the Agency, in consultation with the Executive Committee, shall work with the Corps to revise the PSP each year consistent with the annual workplans. The Council shall develop procedures to ensure projects are cost-effective and to avoid financial conflicts of interest with Council members in the awarding of contracts funded through the FCSA.
8. The Agency shall work with the Corps to provide the Council with timely, accurate information about state and federal budget cycles, processes and constraints. To the best of Council and Agency abilities, they will work together with all parties on funding and budget issues. The Council understands that the Agency must follow prescribed budget procedures and cannot delegate its budget authorities; and that no funding is guaranteed to the Council or its priority projects. The Agency maintains its authority to independently

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RULES OF OPERATION

RUSSIAN RIVER WATERSHED COUNCIL

ARTICLE I. PURPOSE

The purpose and mission of the Russian River Watershed Council is to protect, restore, and enhance the biological health of the Russian River and its watershed through a community-based process which facilitates communication and collaboration among all interested parties.

The Russian River Watershed Council's primary goals are:

- 1) To ensure the recovery of the Russian River and its watershed to a condition such that the native wild anadromous fishery recovers to healthy and sustainable level;
- 2) To ensure a strong, healthy and diverse economy in the Russian River region; and
- 3) To promote stewardship of the Russian River and its watershed by developing an informed and engaged citizenry.

ARTICLE II. RUSSIAN RIVER WATERSHED COUNCIL (RRWC) MEMBERSHIP

Section 1: The RRWC is comprised of four (4) caucus groups that support public involvement. The primary function of each RRWC caucus is to select members to represent that caucus on the RRWC. Membership shall be open to all persons who wish to participate and who meet the qualification set forth by the caucus that they wish to join.

Section 2: The RRWC is committed to a policy of fair representation, which does not discriminate on the basis of race, physical handicap, sex, color, religion, sexual orientation, or age.

Section 3: The RRWC name or insignia shall not be used as an endorsement and/or as a representation without the consent of the RRWC.

ARTICLE III. RRWC MEMBERS

Section 1: The number of voting members of the seated RRWC will be 57, with 3 representative caucuses; 18 members from the economic caucus; 18 members from the environmental caucus; 18 members from the public caucus, plus one representative from each Resource Conservation Districts in the Russian River Watershed. In addition, the RRWC will include 20 ex-officio non-voting agencies members.

- The economic caucus is comprised of members representing businesses, business and labor organizations, and landowner organizations.
- The environmental caucus is comprised of members who represent environment organizations.
- The public caucus is comprised of persons who are not aligned with either the economic or environmental caucuses.
- The agencies caucus is advisory to the RRWC and is comprised of Federal, State and local governmental agencies to provide technical assistance and support for the RRWC.

Section 2: The RRWC caucus memberships are responsible for selecting alternates to represent their interests. An alternate designated by a voting member or organization will fulfill the responsibilities of the voting member if the voting member is not available to serve. The caucuses are responsible for designating qualified alternates for absent voting members at RRWC meetings.

Section 3: The RRWC will strive to achieve a geographic balance of Sonoma and Mendocino Counties.

Section 4: Election or appointment of new RRWC members or election or appointment of current RRWC members to a second term will be supported by the caucus they represent. *New members will be approved by a vote of the RRWC at the first general meeting of the new year.*

- Any member of the voting RRWC may be removed by a 75% vote of the RRWC membership for cause, such as non-attendance, disruptive behavior, etc).

Section 5: The duties of the voting members of the RRWC will include attending RRWC meetings, to serve and participate in one or more work groups and to work to fulfill the goals of the mission statement.

Section 6: The voting members of the economic and environmental caucus must have on file a letter that states authorization from the organization they represent. The Public caucus must have on file a letter stating their support of the RRWC as a public caucus representative.

Section 7: No compensation will be paid to any member of the RRWC for services as a member of the RRWC. By resolution of the RRWC and if funds are available, travel expenditures for authorized RRWC representatives may be reimbursed for attendance to special meetings relating to RRWC business.

ARTICLE IV. MEETINGS OF THE RRWC

Section 1: At all meetings of the RRWC, the voting members will be entitled to cast one vote on any motion coming before the meeting.

Section 2: A quorum at RRWC meetings will be 50% plus one (30 members) of the 57 voting members.

Section 3: At a RRWC meeting, a 2/3 majority affirmative vote of the RRWC members present is required to pass a motion before the RRWC. For all votes, the number of votes required for passage shall be

rounded up to the nearest whole number. At the first meeting of the year 2001, the voting requirement will be a 60% majority affirmative vote of the RRWC members present.

Section 4: Meetings of the RRWC may be called by the voting RRWC members or the Steering Committee in emergencies. The meetings of the RRWC, the work groups and the Steering Committee will be held on an as needed base. There will be a minimum of quarterly meetings of the RRWC.

Section 5: Notice of meetings of the RRWC must be sent to individuals who have requested notification and must be mailed at least 10 calendar days prior to the day such a meeting will be held.

Section 6: RRWC meetings will be facilitated by a person or persons designated by the Steering Committee

ARTICLE V. OFFICERS

Section 1: Annually, the Steering Committee will elect a Directorate, comprised of three Steering Committee members, one from each caucus. Actions of the Directorate shall be unanimous, or resolved by the Steering Committee.

The duties of the Directorate, in rotation, will be limited to presiding at all meetings of the RRWC and as representatives of the affairs of the RRWC. The presiding Directorate will also chair Steering Committee meetings during their rotation.

The Directorate, pursuant to authorization and direction from the Steering Committee, will execute and oversee all contracts and other written instruments that may be required or authorized by the RRWC for the proper and necessary transaction of RRWC business.

Section 2: Any member of the Directorate may be removed by a 75% vote of the Steering Committee after 5 days notice to consider such removal has been given to all members of the Steering Committee as well as the Directorate member in question.

Any member of the Directorate may be removed by a 75% vote of the RRWC membership subject to the same notice as above.

Section 3: A vacancy in the Directorate may be filled by a 50% majority affirmative vote of the Steering Committee for the unexpired portion of the term. The replacement must be from the same caucus as the original Directorate member.

Section 4: The Steering Committee will appoint one of its members to oversee the keeping of RRWC records and one member to have general charge of RRWC finances.

ARTICLE VI. COMMITTEES

Section 1: Steering Committee Members

- The number of members of the RRWC Steering Committee will be 9 members, 3 from each voting caucus.
- The Steering Committee shall be members of the RRWC, shall be representative of the Public Caucus, Economic Caucus, and Environmental Caucus, shall try to achieve a geographic balance of Sonoma and Mendocino Counties, and shall fulfill the mission and goals of the RRWC.
- The Steering Committee members are responsible for selecting an alternate to represent their interest if a member will be absent from a Steering Committee meeting.
- The Steering Committee shall act as an advisory board to the RRWC. The Steering Committee is responsible for selecting the *Directorate*, for developing the agenda, for providing recommendations for procedural issues and other actions as directed by the RRWC. The Steering Committee, in addition to the powers conferred upon it by these rules, will have such additional powers and duties as may be prescribed from time to time by the RRWC.
- Election of new Steering Committee members or election of current Steering Committee members to a second term will be done by the caucus they represent and will occur as the first item of business at the last caucus meeting of the year.
- The term of the Steering Committee members will be one year.

Section 2: Meetings of the Steering Committee

- The Steering Committee will hold regular meetings to support the operation of the RRWC at such place as may be designated in the notice of the meeting.
- Ten (10) calendar days prior to the general RRWC meeting the agenda will be mailed. Fifteen (15) calendar days prior to the RRWC meeting the Steering Committee will meet to set the agenda. Any proposals for inclusion onto the agenda must be presented to the Steering Committee.
- Action items will be agendaized and identified as action items on the agenda mailed to voting RRWC members. Action items to be agendaized at a RRWC meeting will require a 75% vote to be placed on the agenda for action that day. Discussion items will require the normal process.
- At all meetings of the Steering Committee, the members will be entitled to cast one vote on any motion coming before the meeting. Five (5) Steering Committee members with at least one representative from each voting caucus will constitute a quorum at all Steering Committee meetings.
- At a meeting at which there is a quorum present, a two third majority affirmative vote of the members present is required to pass a motion before the Steering Committee.

Section 3: The RRWC and/or the Steering Committee may designate work groups. Participation on the work groups is open to all interested parties. Each work group shall designate at least one Steering Committee member to act as a liaison for the work group. Each work group will consist of at least one coordinator and two or more RRWC members. The work group will select the coordinator of the work group. The studies, findings and recommendations of work groups will be reported to the RRWC for consideration and action. All proposals brought to the RRWC shall be sponsored by at least one member of all three caucuses. Work groups may adopt such rules for the conduct of business as are appropriate and are consistent with these rules. The RRWC will have the following standing work groups.

- **MOU/BUDGET WORKGROUP:** Be responsible for updating the MOU, as necessary. Manage all funds and securities of the RRWC and work with foundations, local, State, and Federal agencies to identify new funds to fulfill the RRWC mission. Provide support and advice to the RRWC and the Steering Committee on contracts, accounts, and financial records. The MOU/Budget work group will include at least one Steering Committee member from each caucus.
- **PUBLIC OUTREACH AND EDUCATION WORKGROUP:** Inform the public of watershed problems and solutions. Ensure that accurate informed information is provided. Develop and distribute information through a newsletter, webpage, brochures, media packets, and informational packets to libraries and schools. Provide information to schools by conducting workshops, curriculum units, and materials for resource libraries in the classrooms.
- **SALMONID RESTORATION WORKGROUP:** Develop a historical understanding of the salmonid population and the factors and processes that impede restoration. Define the lost economies associated with anadromous fish. Identify the salmonid recovery objectives and ways to achieve those objectives. Promote Federal and State agency involvement in salmonid recovery. Evaluate the best ways to remove migration barriers in the main stem and selected tributaries.
- **WATER QUALITY, SUPPLY, AND QUANTITY WORKGROUP:** Assess impacts of developing new water supplies, to determine flows in all tributaries and main stem and impacts of fluctuating flows. Assess water quality data/testing including point and non-point sources. Develop water conservation methods and water consumption in the watershed. Assess water policies of individual agencies. Assess impact of urbanization and agriculture on the water sources in the watershed.
- **WATERSHED ASSESSMENT WORK GROUP:** Assess the biological health of the watershed and those factors limiting the restoration of, and supporting the preservation of, healthy salmonid populations. Develop a watershed information system to gauge watershed health and restoration through time. Form a scientific and technical panel to validate and interpret the data used to assess watershed conditions.

- **DAM OPERATIONS WORK GROUP:** Organize, review, and distribute Corps documents that detail precipitation, stream flow and channel boundaries before dam construction to present. Evaluate the impacts of the public and private dams in the Russian River watershed. Develop alternatives for fish ladders to bypass migration barriers to fish.
- **TRIBUTARY CLEAN-UP WORK GROUP:** Develop an assessment of selected tributaries to evaluate their health and function. Conduct mapping of tributaries to identify invasive species, migration barriers, and riparian health. Support local community efforts to clean-up tributaries.

Section 4: The RRWC will designate one representative from each caucus to serve on the Executive Committee identified in the Project Study Plan. The RRWC Executive Committee representatives shall be seated members of the Steering Committee.

ARTICLE VII. MISCELLANEOUS

Section 1: The fiscal year of the RRWC will be October 1 through September 30.

ARTICLE VIII. AMENDMENTS

Amendments will be presented to the full RRWC on the recommendation of three or more Steering Committee members, a majority of a caucus or a written request of one third of the voting RRWC members. All such proposals will come through the Steering Committee for their recommendation and review and shall be presented at the next RRWC meeting for consideration. The RRWC, with a two thirds majority affirmative vote, may amend these rules to include or omit any provision that it could lawfully include or omit at the time the amendment is made. Upon written notice to the Steering Committee, any number of amendments or an entire revision of the rules may be submitted and voted upon at a general RRWC meeting. Amendments will become effective in ten (10) days.

This draft letter is provided for the RRWC approval to demonstrate the RRWC's support of the continued study of Coyote Dam fishway modifications.

RUSSIAN RIVER WATERSHED COUNCIL

February 1, 2000

To whom it may concern,

The Russian River Watershed Council (RRWC) is a 77 member community-based coalition with the purpose and mission to protect, restore, and enhance the biological health of the Russian River and its watershed through a community-based process which facilitates communication and collaboration among all interested parties.

At the July 24 RRWC meeting, Park Steiner gave a presentation advocating a proposal to increase fish and wildlife habitat above Coyote Dam located on the east fork of the Russian River. The RRWC supports further study and analysis of alternatives to re-connect salmonid habitat and gravel recruitment in the East Fork Russian River by means of a fishway around Lake Mendocino, to benefit fisheries and other natural resources. For this reason, the RRWC supports preliminary feasibility work of the proposal. As proposed, these feasibility studies would evaluate the quality of existing fish habitat above Lake Mendocino and passage requirements for adult and juvenile fish. Additionally, these feasibility studies, if funded would begin evaluating sediment resources and how they might best be transported to the mainstem where they would help restore geomorphic balance to the impaired upper reach of the Russian River and associated tributaries.

Sincerely,

Russian River Watershed Council
Steering Committee

Bob Anderson
Nikki Barrett
Al Beltrami
John Calaprice
Tim Derry
Rusty Klassen
Jay Halcomb
Kathy Reese
Chuck Vaughn

REQUEST FOR PROPOSAL WATERSHED COUNCIL COORDINATOR

The Russian River Watershed Council (RRWC) is seeking an experienced individual to contract with the RRWC as the Watershed Council Coordinator (WCC). The WCC is accountable to the RRWC and works under contract at its will and pleasure. The person selected will be responsible for implementing RRWC policies and managing the day-to-day activities of the RRWC.

The budget for the fiscal year FY2001 for all administrative costs is \$220,000. The administrative costs may include the following:

- Salary and benefits for the WCC (who will be responsible for communication within the RRWC, representing the RRWC at meetings with public agencies and other organizations, preparing documents for RRWC meetings and gatherings; correspondence; program development, and other activities).
- RRWC and WCC supplies, telephone, travel and other approved purchases.
- Part-time clerical and accounting assistance.
- Rent for RRWC meeting places
- Facilitation of meetings, if necessary
- Printing, copying and mailings of RRWC materials.
- Purchase of books, periodicals and reports related to watershed issues for the research and implementation purposes of the RRWC.
- Approved travel for RRWC Members and/or the WCC to attend meetings, conferences and workshops, as approved by the RRWC

The WCC will be selected on the basis of:

1. Response to this RFP, which will include personal background and experience, as well as meeting the criteria of this RFP;
2. An interview process; and
3. Competitive budget submittal.

This position is considered to be a full time position. The selected WCC will be expected to provide approximately 40 hrs. per week performing prescribed duties.

Required Duties of the WCC will include but not limited to:

- Work with the RRWC members, agencies and the public to further the mission of the RRWC.
- Attend and take minutes at workgroups and steering committee meetings or obtain minutes from designated RRWC members. All minutes will be posted on the RRWC website to be developed.
- Ensure that RRWC members without access to the internet will be mailed or faxed a copy of requested information.
- Be available to respond to RRWC members' information requests on a regular basis.
- Assist in preparation and presentation of printed and visual aides for RRWC.
- Attend public meetings, agency meetings and technical discussions to obtain information and data relevant to the RRWC.
- Collect and coordinate the distribution of data required in the formation, analysis, scheduling and planning of RRWC activities, including tasks developed by the work groups and the Steering Committee.
- Assists in writing grant proposals as designated by the work groups and the Steering Committee and approved by the RRWC.
- Provide continuity and responses to requests for information from the RRWC, agencies and interested parties.
- Prepare service requests to assign and fund tasks approved by the RRWC.
- Work with agencies and groups to develop, process and implement contracts approved by the RRWC.
- Present RRWC supporting documentation at meetings/conferences held for other groups or agencies at the request of the RRWC.
- Facilitate RRWC meetings and Steering Committee meetings, as requested by the RRWC.
- Facilitate the formation of the non-profit legal entity for the RRWC

Required Qualifications:

- Ability to impartially carry out the mission of the RRWC
- Experience in dealing with, facilitating, and communicating with diverse groups for developing consensus goals
- Organizational and computer skills for disseminating information accurately within minimum time constraints
- Ability to present complex information accurately to groups with diverse background.
- Knowledge of local watershed issues and interests
- Experience in planning, project management and administration

Additional desired qualifications:

- Background in: Biology, Ecology, Geomorphology, Hydrology or other related sciences

- Knowledge of land use law and property rights
- Grant writing skills

Application and selection process:

Applicants will be required to submit a resume' of experience and background with addresses and phone numbers of three references.

Additionally, applicants must submit a 2 to 3 page plan as to the details of how they will perform the duties described and provide services required. Resume' and plan will provide the first screening by Selection Committee.

Successful applicants of the first screening will be asked to attend an interview by Selection Committee. Selected applicants will be required to submit a budget at the time of the interview. Applicants will be given an equal amount of time to present their plan with budget.

The three top applicants (or number designated by Selection Committee) will be asked to make presentations to the full RRWC.

Preferred ranking will be made by a vote of the full RRWC. Final decision will be made after background checks are done.

Review of contract position:

A six-month review will be completed by Review Committee. RRWC reserves the right of uncontested dismissal for non-performance of contractual or required duties of the WCC.