THE SECRETARY OF THE INTERIOR
WASHINGTON

NOV 16 2009

Memorandum

To: Members and Alternates
Glen Canyon Dam Adaptive Management Work Group

From: Secretary Ken Salazar

Subject: Response to Report and Recommendations from the Glen Canyon Dam Adaptive Management Federal Advisory Committee, April 29-30, 2009, and August 12-13, 2009, Meetings

I have reviewed the recommendations and minority reports from the Glen Canyon Dam Adaptive Management Work Group (AMWG) convened on April 29-30, 2009, and August 12-13, 2009, in Phoenix, Arizona. Please convey my sincere appreciation to the AMWG Federal Advisory Committee members for their efforts in developing recommendations to provide balance in the operation of one of our key water supply and renewable hydropower facilities and its impact on downstream resources, including endangered species and a treasured landscape, Grand Canyon National Park. After careful consideration, the following is my response to the proposed recommendations:

April 29-30, 2009 Meeting

AMWG Recommendation: AMWG recommends to the Secretary of the Interior that he approve the Strategic Science Plan revisions dated April 2009 and the Monitoring and Research Plan amendment dated March 24, 2009.

Response: The Department concurs with the AMWG's recommendation to approve the Strategic Science Plan revisions dated April 2009, and to approve the Monitoring and Research Plan amendment dated March 24, 2009.

Minority Reports: Minority reports were received from the Grand Canyon Trust and the Grand Canyon River Guides concerning Federal agency reports and a proposal for a high flow experiment, respectively. With respect to the motion concerning the filing of reports, many of the items referred to in the motion have been prepared and/or filed as required. Others are in process and will be submitted. With respect to the request for additional high flow experiments, the Department's position has been, and remains, that if certain conditions are present, such future experimentation is not precluded. Compliance with all applicable laws and regulations would be required to move forward on such an experiment and the duration of such a process is not known. I request that this proposal be explored and analyzed further by the Adaptive Management Policy Group.

August 12-13, 2009 Meeting

AMWG Recommendation: The AMWG recommends that the Secretary of the Interior adopt the Glen Canyon Dam Adaptive Management Program (GCDAMP) biennial budget, work plan, and hydrograph for FY 2010-2011 as sent to the AMWG on July 23, 2009, with the following changes:

> The AMWG recommends to the Secretary of the Interior that Reclamation report on the status of the Temperature Control Device and Sediment Augmentation projects to the Technical Work Group (TWG). The TWG will make a recommendation for next steps to the AMWG for consideration at the spring 2010 AMWG meeting.
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> The AMWG recommends that the Secretary of the Interior conduct meaningful consultation with the participating tribal stakeholders regarding the non-native fish control (i.e., mechanical removal efforts) portion of the 2010-2011 budget and work plan including an examination and evaluation of different locations for carrying out the mechanical removal and a compelling presentation of the scientific data. AMWG further recommends that the results of the consultation be reported to the AMWG.

Response: I concur with the AMWG recommendation on the biennial budget, work plan, and hydrograph for FY 2010-2011, including the two amendments. The GCDAMP biennial budget, work plan and hydrograph for FY 2010-2011 as sent to the AMWG on July 23, 2009, with the two described changes are hereby adopted. It is noted that tribal consultation regarding non-native fish control is underway.

AMWG Recommendation: The AMWG recommends to the Secretary of the Interior that Federal agencies be directed to first offer surplus equipment purchased with GCDAMP funds to other GCDAMP stakeholders, subject to applicable Federal laws and agency policy.

Response: Federal agencies are restricted to a defined process that they must follow in disposing surplus equipment. Regulations for this process are promulgated by the General Services Administration (GSA) under the Federal Management Regulation (FMR), 41 C.F. R. Part 102-75. The FMR provides specific steps to be taken by executive agencies in the disposal of surplus equipment. Those steps are as follows:

> (a) You must ensure personal property not needed by your activity is offered for use elsewhere within your agency. If the property is no longer needed by any activity within your agency, your agency declares the property excess and reports it to GSA for possible transfer to eligible recipients, including Federal agencies for direct use or for use by their contractors, project grantees, or cooperative agreement recipients. All executive agencies must, to the maximum extent practicable, fill requirements for personal property by using existing agency property or by obtaining excess property from other Federal agencies in lieu of new procurements.
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> (b) If GSA determines that there are no Federal requirements for your excess personal property, it becomes surplus property and is available for donation to State and local public agencies and other eligible non-Federal activities. Title 40 of the United States

Code requires that surplus personal property be distributed to eligible recipients by an agency established by each State for this purpose, the State Agency for Surplus Property.

(c) Surplus personal property not selected for donation is offered for sale to the public by competitive offerings such as sealed bid sales, spot bid sales or auctions.

(d) If a written determination is made that the property has no commercial value or the estimated cost of its continued care and handling would exceed the estimated proceeds from its sale, you may dispose of the property by abandonment or destruction, or donate it to public bodies.

It is evident from these regulations that not all AMWG members would have the same status in receiving surplus Federal personal property purchased for use in the GCDAMP and that there is a good deal of deliberation necessary by Federal agency property managers, in coordination with GSA as appropriate, in decisions on such requests. With this understanding, the recommendation of the AMWG is adopted. Due to the complexity of the regulations, and the differing status of GCDAMP members to receive surplus property, I am directing the Bureau of Reclamation and the U.S. Geological Survey, as the administering agencies for the GCDAMP, to identify to GCDAMP members a point of contact within their respective agencies to whom questions can be directed for information pursuant to a request to receive surplus property.

cc: Anne Castle, Secretary's Designee
Larry Walkoviak, Alternate Secretary's Designee
Rhea Suh, Assistant Secretary -Policy Management and Budget
Tom Strickland, Assistant Secretary -Fish and Wildlife and Parks
Larry Echohawk, Assistant Secretary - Indian Affairs
Mike Connor, Commissioner, Bureau of Reclamation
Jon Jarvis, Director, National Park Service
Sam Hamilton, Director, Fish and Wildlife Service
Suzette Kimball, Acting Director, U.S. Geological Survey
John Hamill, Chief, Grand Canyon Monitoring and Research Center
Shane Capron, Chair, Technical Work Group
David Garrett, Executive Coordinator of the Science Advisors
Mary Orton, Facilitator, Adaptive Management Work Group
Technical Work Group Members and Alternates (via e-mail)