

From: Susan Rush
To: Diane Buzzard; Jerry Jacoby; Kib Jacobson; Linda Whetton
Date: 6/30/2005 12:03:37 PM
Subject: Ethics language in Charters

Below is the new paragraph on ethics that MUST be included in each charter as it is renewed.
This replaces the current ethics paragraph. If you have any questions, please contact me.

Thanks,

ETHICS RESPONSIBILITIES OF MEMBERS:

No Council or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest.

Susan Rush
Management Analyst
Information Management Div., D-2230
303-445-2047
Bureau of Reclamation
Denver, Colorado

CC: Allan Oto; James Judd; Jeanne Whittington; Roberta Ries

**Glen Canyon Dam Adaptive Management Work Group
Federal Advisory Committee
Bureau of Reclamation**

CHARTER

Official Designation: Glen Canyon Dam Adaptive Management Work Group

Scope and Objectives: The Committee will provide advice and recommendations to the Secretary of the Interior relative to the operation of Glen Canyon Dam in accordance with the additional criteria and operating plans specified in Section 1804 of the Grand Canyon Protection Act (Act) of October 30, 1992, embodied in Public Law 102-575, and to the exercise of authorities under existing laws in such a manner as to protect, mitigate adverse impacts to, and improve the values for which Grand Canyon National Park and the Glen Canyon National Recreation Area were established, including but not limited to the natural and cultural resources and visitor use.

The Glen Canyon Dam Adaptive Management Program (AMP) provides for monitoring the results of the operating criteria and plans adopted by the Secretary and research and experimentation to suggest appropriate changes to those operating criteria and plans.

The AMP includes an Adaptive Management Work Group (AMWG). The AMWG will facilitate the AMP, recommend suitable monitoring and research programs, and make recommendations to the Secretary. The AMWG may recommend research and monitoring proposals outside the Act which complement the AMP process, but such proposals will be funded separately, and do not deter from the focus of the Act.

Duration: It is the intent that the AMWG shall continue indefinitely, unless otherwise terminated by the Secretary.

Agency or Official to Whom The Committee Reports: The AMWG reports to the Secretary through the Secretary's designee who shall serve as the chairperson and Designated Federal Official of the AMWG. In the absence of the Chairperson, a senior level Interior representative will act as Chairperson for the AMWG.

The Secretary's designee shall be responsible for preparation of meeting agendas and scheduling meetings of the AMWG. The Secretary's designee shall attend and chair all meetings of the AMWG. The Secretary's designee will also be responsible for sending a formal summary report after each Advisory Committee meeting directly to the Secretary of the Interior with copies of subject summary report to be provided to all AMWG members.

Bureau Responsible for Providing Necessary Support: The logistical and support services for the meetings of the AMWG shall be provided by the Bureau of Reclamation (Reclamation).

Estimated Annual Operating Costs: The operating costs are estimated at \$200,000 annually for the establishment and support of the AMWG. This includes costs required for staff support,

Reclamation staff and AMWG members, and expenses incurred in the recording and reproduction of meeting minutes, reports, notices, etc.

Description of Duties: The duties or roles and functions of the AMWG are in an advisory capacity only. They are to:

- a. Establish AMWG operating procedures.
- b. Advise the Secretary in meeting environmental and cultural commitments of the Record of Decision.
- c. Recommend the framework for the AMP policy, goals, and direction.
- d. Define and recommend resource management objectives for development and implementation of a long-term monitoring plan, and any necessary research and studies required to determine the effect of the operation of Glen Canyon Dam on the values for which the Grand Canyon National Park and Glen Canyon National Recreation Area were established, including but not limited to natural and cultural resources, and visitor use.
- e. Review and provide input on the report required in Section 1804 (c)(2) of the Act to the Secretary, the Congress, and the Governors of the Colorado River Basin States. The report will include discussion of dam operations, the operation of the AMP, status of resources, and measures taken to protect, mitigate, and improve the resources defined in the Act.
- f. Annually review long-term monitoring data to determine the status of resources and whether the AMP Strategic Plan goals and objectives are being met. If necessary, develop recommendations for modifying the GCDEIS ROD, associated operating criteria, and other resource management actions pursuant to the Grand Canyon Protection Act.
- g. Facilitate input and coordination of information from stakeholders to the Secretary to assist in meeting consultation requirements under Section 1804 (c)(3) and 1805 (c) of the Act.
- h. Monitor and report on compliance of all program activities with applicable laws, permitting requirements, and the Act.

Allowances for Committee Members (compensation, travel, per diem, etc.) While engaged in the performance of official business at AMWG and AMWG sub-group meetings (regular, ad hoc, and Protocol Evaluation Panel meetings) away from home or their regular places of business, all AMWG members or AMWG sub-group members shall, upon request, be reimbursed for travel expenses in accordance with current Federal travel regulations.

Estimated Number and Frequency of Meetings: The AMWG is expected to meet biannually. The Secretary's designee, who will serve as the Designated Federal Official, may call additional

meetings as deemed appropriate. Fifteen members must be present at any meetings of the AMWG to constitute a quorum.

In accordance with FACA, a notice of each meeting of the AMWG shall be published in the Federal Register at least 15 days prior to the meeting advising the date, time, place, and purpose of the meeting. If it becomes necessary to postpone or cancel an announced meeting, a subsequent notice shall be published in the Federal Register as early as possible and shall explain the reasons for the postponement or cancellation. A news release for each meeting, postponement, or cancellation shall also be provided to selected major newspapers in Arizona, California, Colorado, Nevada, New Mexico, Wyoming, and Utah. News releases shall also be provided to agencies and organizations expressing interest in publishing meeting announcements in newsletters.

In accordance with FACA, all meetings of the AMWG shall be open to the general public. Any organization, association, or individual may file a written statement or, at the direction of the AMWG, provide verbal input regarding topics on a meeting agenda in accordance with FACA.

The minutes of each AMWG meeting; reports; related documents; and copies of all documents received, issued, or approved by the AMWG shall be available for public inspection and duplication during regular business hours within 30 working days after the meeting at the:

Upper Colorado Regional Office
Bureau of Reclamation
125 South State Street, Room 6107
Salt Lake City, Utah 84138
(801) 524-3880

Termination Date: It is the intent that the AMWG shall continue indefinitely, unless otherwise terminated by the Secretary. The committee is subject to the provisions of the Federal Advisory Committee Act (FACA), 5.U.S.C. Appendix 2, and will take no action unless the charter filing requirements of Section 9 of FACA have been complied with. The Committee is subject to biennial review and will terminate 2 years from the date the charter is filed, unless, prior to that time, the charter is renewed in accordance with Section 14 of the FACA.

Committee Membership: Members of the AMWG to be appointed by the Secretary shall be comprised of:

- a. Secretary's Designee, who shall serve as chairperson for the AMWG.
- b. One representative each from the 12 cooperating agencies associated with the EIS:
 - (1) Bureau of Reclamation
 - (2) Bureau of Indian Affairs
 - (3) U.S. Fish and Wildlife Service
 - (4) National Park Service
 - (5) Western Area Power Administration

- (6) Arizona Game and Fish Department
- (7) Hopi Tribe
- (8) Hualapai Tribe
- (9) Navajo Nation
- (10) San Juan Paiute Tribe
- (11) Southern Paiute Consortium
- (12) Pueblo of Zuni

c. One representative each from the seven basin States:

- (1) Arizona
- (2) California
- (3) Colorado
- (4) Nevada
- (5) New Mexico
- (6) Wyoming
- (7) Utah

d. Two representatives each from:

- (1) Environmental groups
- (2) Recreation interests
- (3) Contractors who purchase Federal power from Glen Canyon Powerplant

Members will be appointed to the AMWG by the Secretary, with input and recommendations from the cooperating agencies, States, tribes, contractors for Federal power from Glen Canyon Dam, environmental representatives, and other stakeholders.

To be eligible for appointment to the AMWG, a person must (a) be qualified through education, knowledge, or experience to give informed advice on water supply, diversion and delivery facilities, and their operation and management, or the environmental aspects of such operation; (b) have the capability to constructively work in a group setting toward a common objective of structuring a mechanism for program implementation; and (c) have the ability to represent their designated constituency.

Members of the AMWG will be appointed for a 4-year term. At the discretion of the Secretary, members may be reappointed to additional terms. Vacancies occurring by reason of resignation, death, or failure to regularly attend meetings will be filled by the Secretary for the balance of the vacating member's term using the same method by which the original appointment was made. The Secretary, may at her discretion, initiate a new term where the remaining term of the vacancy is less than 2 years. Failure of an organization to be represented at two consecutive meetings will substantiate grounds for dismissal. The Chairperson will make the final determination in dismissing a member.

To avoid conflict of interest issues arising from entities, including Federal agencies, having representatives on the AMWG and also submitting responses to request for proposals to perform


work, the Federal procurement process shall be strictly adhered to. While members of the AMWG may give advice to the Secretarial Designee, all decisions in the procurement process shall be made by Federal procurement officials free of influence from AMWG members.

Subgroups: The Committee may establish such workgroups or subcommittees as it deems necessary for the purposes of compiling information, discussing issues, and reporting back to the AMWG.

ETHICS RESPONSIBILITIES OF MEMBERS

A member may not participate in matters that will directly affect, or appear to affect, the financial interests of the member or the member's spouse or minor children, unless authorized by the DFO. Compensation from employment does not constitute a financial interest of the member so long as the matter before the committee will not have a special or distinct effect on the member or the member's employer, other than as part of a class. The provisions of this paragraph do not affect any other statutory or regulatory ethical obligations to which a member may be subject.

Authority: The Grand Canyon Protection Act (Act) of October 30, 1992, embodied in Public Law 102-575, directs the Secretary of the Interior, among others, to operate Glen Canyon Dam in accordance with the additional criteria and operating plans specified in Section 1804 of the Act and to exercise other authorities under existing law in such a manner as to protect, mitigate adverse impacts to, and improve the values for which Grand Canyon National Park and the Glen Canyon National Recreation Area were established, including but not limited to the natural and cultural resources and visitor use. The Secretary shall implement this section in a manner fully consistent with and subject to Section 1802 of the Act. Section 1805 of the Act calls for implementation of long-term monitoring programs and activities that will ensure that Glen Canyon Dam is operated in a manner consistent with that of Section 1802.



Secretary of the Interior

JUN 24 2004

Date Signed

JUL 1 2004

Date Filed