

Glen Canyon Dam Adaptive Management Work Group
Agenda Item Information
May 28, 2015 Webinar

Agenda Item

AMWG Charter

Action Requested

- ✓ Motion. *(The Charter Ad Hoc Group recommends the following motion. However, no motion is officially made unless and until an AMWG member makes the motion in accordance with the AMWG Operating Procedures.)*

The AMWG recommends approval by the Secretary of the AMWG Charter dated May 1, 2015.
(See the attachment to this AIF for the text.)

Presenter

Beverley Heffernan, Bureau of Reclamation and Co-Chair of the Charter Ad Hoc Group

Previous Action Taken

- ✓ By an Ad Hoc Group: The Charter AHG presented a draft charter to the February 2015 AMWG meeting. Feedback received at and subsequent to that meeting was further discussed by the Charter AHG members and interested AMWG members in conference calls on April 16 and May 1, 2015. During the May 1 call, consensus for recommendation at the May 28, 2015 AMWG teleconference was arrived at by the group.

Relevant Science

N/A

Background Information

The Federal Advisory Committee Act limits approved charters to a two-year duration and thus requires review and request for renewal every two years. The AMWG Charter was renewed in August 2013 after deliberation by the AMWG at its May 2013 meeting, based upon a recommendation from the Charter Ad Hoc Group. This charter expires on August 23, 2015. Then-Secretary's Designee Anne Castle called for formation of a new Charter Ad Hoc Group (CAHG) at the August 2014 AMWG meeting, and this group has conducted a series of conference calls leading to recommended revisions to the existing charter as part of the charter renewal process. The work of the CAHG is summarized below.

August 28, 2014: Ms. Anne Castle directed formation of a new Charter Ad Hoc Group, charged with reviewing the August 2013 charter and recommending revisions, if necessary, such that AMWG approval can be obtained, and the renewal process through DOI to GSA, can occur before the charter expires on August 23, 2015.

October 2014-February 2015: In the first conference call on October 17, 2014, the group reviewed suggested items for revision. The following were identified prior to the meeting and included on the

agenda:

- A paragraph stating that TWG is our most significant subcommittee. The paragraph should clarify TWG's responsibilities to make technical recommendations to AMWG.
- Clarification of the ability to furnish compensation consistent with FACA if, for example, the TWG chair is not with a Federal or state agency and therefore reasonable compensation is appropriate.
- Review of the ex-officio, non-voting status of DOI agencies and recommendation on whether to continue this current arrangement.

Other documents were reviewed as follows:

- Review last Charter Ad Hoc Group findings to see if other items should be revisited. (See file on website: http://www.usbr.gov/uc/rm/amp/amwg/mtgs/11feb09/Attach_03.pdf.)
- Review current charter and other documents as needed, including GSA guidelines for FACA charters, older AMWG charters and ad hoc group reports, and the Grand Canyon Protection Act.

Based on this review, additional items were identified for consideration:

- Revisit whether an AMWG Executive Director or some corresponding position within Reclamation is needed.
- Revisit TWG nominating process.
- Consider whether and where (4g suggested) to codify the annual memorandum to the Secretary from the Secretary's Designee, forwarding AMWG findings and recommendations.
- Consider whether any recommendations for the DFO are warranted, such as potential for the ASWS to delegate that responsibility.

These issues were discussed and suggested revisions made in monthly calls from October 2014 thru February 2015, with details captured in meeting notes. DOI Solicitor review and input was sought throughout the process as appropriate for certain issues.

Additionally, both procedural and editorial items in the existing charter were identified during conference calls as warranting revision or clarification:

- Editorial changes to paragraph 3 ("Objectives and Scope of Activities").
- Renumbering of paragraphs to restore lost formatting.
- Corrections of listings of AMWG and DFO duties and deletion of obsolete language.
- Revisions to paragraph 13 ("Ethics Responsibility") for clarity, or possible deletion to conform to GSA guidelines.

February 2015 AMWG meeting: At the AMWG meeting in February 2015, a draft Charter with proposed changes was presented to the AMWG. Most of the proposed changes received no objections from the AMWG members.

In addition, AMWG members offered the following comments during and following the meeting. Resolution of these comments by the Charter Ad Hoc Group is given for each item:

- Section 3, paragraph 1: Please change this phrase, "operating criteria and plans adopted by the Secretary," to read "plans and operating criteria adopted by the Secretary" to make it clear that it includes all plans adopted by the Secretary, such as resource plans, and not only operating plans.

- This edit was made.
- Section 3, paragraph 4: Move the TWG paragraph to the Subcommittee section (Section 14).
 - Subsequent to the AMWG meeting, it was determined upon recommendation from Reclamation FACA staff that this paragraph should be struck.
- Section 4.f: Maintain the sentence about modifying the ROD and operating criteria, because there will be a new ROD after the LTEMP EIS is completed. Maybe refer to the “current ROD.”
 - There was consensus on the May 1 Charter Ad Hoc Group call that this language should not be added. The AMWG duties described in 4b-4g capture the substance of recommendations that would apply to the LTEMP or other applicable RODs.
- Section 12: The Grand Canyon Protection Act specifies the inclusion of representatives from academia and science, who are not today represented on the AMWG. Consider adding them.
 - This was discussed at length on the April 16 and May 1 calls; outcome is described below.
- Science Advisors are not mentioned and are crucial to the program.
 - All agree on their importance; FACA staff noted and Ad Hoc Group agreed that specific reference is not desired in the charter.
- Define the process for amending the Charter, and include the opportunity for the public to comment. This can be in the minutes, operating procedures, or any other appropriate place.
 - The charter notes that renewal is required every two years. It would be appropriate to briefly describe the process in the operating procedures, bearing in mind that the Secretary’s Designee establishes the process.
- Please copy the AMWG members when the Annual Report is sent to Congress and the Governors.
 - This direction has been communicated to Reclamation staff responsible for preparing the report and transmittal letters.

March-May 2015: Following the February AMWG meeting, as invited by the Secretary's Designee at that meeting, AMWG members furnished comments and/or indicated a desire to participate in Charter Ad Hoc Group calls leading up to the May 2015 AMWG conference call.

As referenced above, a proposal was made for consideration of adding to AMWG both a science representative and an academic representative. In preparing for the April 16, 2015 Charter Ad Hoc Group conference call, research was conducted, including a review of the Charter Ad Hoc Group recommendations from 2011, which may be found at http://www.usbr.gov/uc/rm/amp/amwg/mtgs/11feb09/Attach_03.pdf.

Additionally, Reclamation FACA staff was consulted regarding proposed changes as well as any concerns that the DOI FACA staff might have which should be resolved with the Group to facilitate charter renewal before the charter expires in August 2015.

During the April 16, 2015 conference call, the proposal to add academic and scientific representatives to the AMWG was discussed at length. All agree that increased scientific and academic presence at AMWG has great value; the question was focused on whether a “seat at the table” is the best way to achieve that desired participation. It was agreed on the call that there is already a robust science presence in AMWG with GCMRC, the Science Advisors (new contract in

process), and expertise of AMWG members. The proposal was modified to consider adding only an academic representative to AMWG, and all agreed they would like to think about this and schedule another call to discuss.

An additional call was therefore scheduled for May 1, 2015. At this meeting, the academic representative proposal was considered along with other proposed edits made at the February AMWG meeting. Please see outcomes summarized under the February meeting bullets above.

During the discussion on academic representation, it was determined that at this time, the group would like to see the results of DOI's commitment, explained on the call, to increase the desired academic presence over the near term via invited guests and appropriate use of the new Science Advisors contract. There was a consensus that at this time, the Charter Ad Hoc Group does not recommend the addition of an academic representative to AMWG, but does recommend that AMWG consider this proposal to remain "active" and follow up on considering it during the charter renewal process that will be required by August 2017.

Two additional edits were made on the May 1 call. First, it was noted that Paragraph 8 as written requires the DFO to attend "all" meetings, including all TWG meetings. Since Paragraph 14 covers the relevant responsibilities regarding subcommittees, Paragraph 8 was edited by deleting references to subcommittee meetings. Second, an additional edit was made to Paragraph 14: the sentence "Subcommittees must not provide advice or work products directly to the Agency" was modified by replacing "Agency" with "Secretary."

Please see the attachment starting on the next page for the Charter as recommended by the CAHG.

Charter AHG Agenda Item Form—Attachment 1 Recommended Text of AMWG Charter From Charter AHG, May 1, 2015

Note that the redlined changes **highlighted in yellow** were presented to the AMWG for its February meeting. The redlined changes **not** highlighted have been made since the February AMWG meeting.

U.S. Department of the Interior ~~Bureau of Reclamation~~

Glen Canyon Dam Adaptive Management Work Group

CHARTER

- 1. Committee's Official Designation.** Glen Canyon Dam Adaptive Management Work Group (AMWG).
- 2. Authority.** The Grand Canyon Protection Act (Act) of October 30, 1992, Public Law 102-575, Sections 1802, 1804, and 1805, Federal Advisory Committee Act, as amended, 5 U.S.C. Appendix 2.

1.3. Objectives and Scope of Activities.

~~The AMWG will provide advice and recommendations to the Secretary of the Interior (Secretary) relative to the operation of Glen Canyon Dam. The AMWG's advice will support the Secretary's actions in accordance with the additional criteria and operating plans specified in Section 1804 of the Act, embodied in Public Law 102-575, and exercise other 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 Glen Canyon National Recreation Area were established, including but not limited to, natural and cultural resources and visitor use, as provided in Section 1802 of the Act.~~

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

The AMP includes ~~an Adaptive Management Work Group~~ the AMWG. The Secretary's designee is the Assistant Secretary for Water and Science who will serve as the Chair and the Designated Federal Officer (DFO) to the AMWG. The AMWG will 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 shall not deter from the focus of the Act.

The AMWG will provide advice and recommendations to the Secretary relative to the operation of Glen Canyon Dam. Under the Act, "[t]he Secretary shall operate Glen Canyon

Dam in accordance with the additional criteria and operating plans specified in section 1804 [of the Act] and 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 Glen Canyon National Recreation Area were established, including, but not limited to natural and cultural resources and visitor use. . . . The Secretary shall implement this section [of the Act] in a manner fully consistent with and subject to the Colorado River Compact, the Upper Colorado River Basin Compact, the Water Treaty of 1944 with Mexico, the decree of the Supreme Court in Arizona v. California, and the provisions of the Colorado River Storage Project Act of 1956 and the Colorado River Basin Project Act of 1968 that govern allocation, appropriation, development, and exportation of the waters of the Colorado River basin.”

2.4. 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 including those contained in the Glen Canyon Dam Environmental Impact Statement Record of Decision (GCDEIS ROD) and subsequent related decisions.
- c. Recommend the framework for the AMP policy, goals, and direction.
- d. 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 Grand Canyon National Park and Glen Canyon National Recreation Area were established, including but not limited to, natural and cultural resources, and visitor use.
- ~~d.e.~~ Review and provide input on the report identified in Section 1804(-c)-(2) of the Act to the Secretary, the Congress, and the Governors of the Colorado River Basin States. ~~The This annual report will include includes~~ discussion on dam operations, the operation of the AMP, status of resources, and measures taken to protect, mitigate, and improve the resources defined in the Act.
- ~~e.f.~~ Annually review long-term monitoring data to provide advice on the status of resources and whether the Desired Future Conditions and 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 Act.~~
- ~~g.~~ ~~Facilitate input and coordination of information from stakeholders to the Secretary to assist in meeting consultation requirements under Section 1804(-e) of the Act.~~
- ~~h.g.~~ Monitor and report on all program activities undertaken to comply with applicable

laws, including permitting requirements.

- 5. ~~5.~~ Agency or Official to Whom the Committee Reports.** The AMWG reports to the Secretary through the Secretary's Designee.
- 6. ~~6.~~ Support.** The logistical and support services for the meetings of the AMWG will be provided by the Bureau of Reclamation.
- 7. ~~7.~~ Estimated Annual Operating Costs and Staff Years.** The estimated annual operating costs associated with supporting the AMWG's functions are \$600,000, including all direct and indirect expenses. It is estimated that five FTE's will be required to support the AMWG.
- 8. ~~8.~~ Designated Federal Officer.** The DFO is the Assistant Secretary for Water and Science who is a full-time Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all AMWG ~~and subcommittee~~ meetings, prepare and approve all meeting agendas, attend all AMWG ~~and subcommittee~~ meetings, adjourn any meetings when the DFO determines adjournment to be in the public interest and chair meetings when directed to do so by the Secretary. The DFO will facilitate input and coordination of information from AMWG to the Secretary to ensure that advice and recommendations are communicated in accordance with the Federal Advisory Committee Act. This will be accomplished by memoranda annually or more often if appropriate from the Designated Federal Officer to the Secretary of the Interior.
- 9. ~~9.~~ Estimated Number and Frequency of Meetings.** The AMWG is expected to meet approximately twice a year, and at such other times as designated by the DFO.
- 10. ~~10.~~ Duration.** Continuing.
- 11. ~~11.~~ Termination.** The AMWG will terminate 2 years from the date the charter is filed, unless prior to that date, it is renewed in accordance with the provisions of Section 14 of the FACA. The AMWG will not meet or take any action without a valid current charter.
- 12. ~~12.~~ Membership and Designation.** Members and alternate members of the AMWG appointed by the Secretary will be comprised of, but not limited to, the following:

 - a. ~~a.~~**—Secretary's Designee, who will serve as Chairperson for the AMWG.
 - b. ~~b.~~**—One representative each from the following entities:

 - (1) The Secretary of Energy (Western Area Power Administration)
 - (2) Arizona Game and Fish Department
 - (3) Hopi Tribe
 - (4) Hualapai Tribe
 - (5) Navajo Nation

- (6) San Juan Southern Paiute Tribe
 - (7) Southern Paiute Consortium
 - (8) Pueblo of Zuni
- ~~c. e.~~ One representative each from the Governors from the seven basin States:
- (1) Arizona
 - (2) California
 - (3) Colorado
 - (4) Nevada
 - (5) New Mexico
 - (6) Utah
 - (7) Wyoming
- ~~d. Two representatives each~~
- ~~d. d.~~ Representatives from: the general public as follows:
- (1) ~~Environmental~~ Two from environmental organizations
 - (2) ~~Recreation~~ Two from the recreation industry
 - (3) ~~Contractors~~ Two from contractors who purchase Federal power from Glen Canyon Powerplant
- ~~e. e.~~ One representative from each of the following DOI agencies as ex-officio nonvoting members:
- (1) Bureau of Reclamation
 - (2) Bureau of Indian Affairs
 - (3) U.S. Fish and Wildlife Service
 - (4) National Park Service

Members will be appointed to the AMWG by the Secretary, with input and recommendations from the above-referenced agencies, States, tribes, contractors for Federal power from Glen Canyon Dam, environmental organizations, and other stakeholders. These stakeholders Each member may also recommend an alternate member for appointment by the Secretary. Members and alternates of the AMWG will be appointed for a 4-year term.

Members of the AMWG generally serve without compensation. However, while, except that the DFO, in his or her sole discretion, may choose to allow compensation for the TWG Chair according to applicable FACA authorities. While away from their homes or regular places of business, members engaged in AMWG or subcommittee business approved by the DFO may be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in Government service under section 5703 of Title 5 of the United States Code.

A vacancy on the AMWG will be filled in the same manner in which the original appointment was made.

- 13. 13. Ethics Responsibility:** No Each AMWG member, alternate member, or and subcommittee member will participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation comply with applicable

~~federal ethics obligations in place during the member's tenure~~ ~~Department in which the member has a direct financial interest.~~

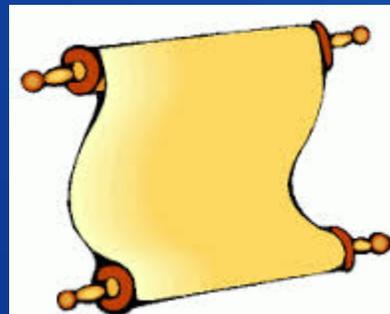
~~3.14.~~ **14. Subcommittees.** Subject to the DFO's approval, subcommittees may be formed for the purpose of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full AMWG for consideration. The AMWG Chair will appoint subcommittee members. Subcommittees must not provide advice or work products directly to the [Agency Secretary](#). Subcommittees will meet as necessary to accomplish their assignments, subject to the approval of the DFO and the availability of resources.

~~15.~~ **15. Recordkeeping.** The records of the AMWG, and formally and informally established subcommittees of the AMWG, shall be handled in accordance with General Records Schedule 26, Item 2 and other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

RECLAMATION

Managing Water in the West

Glen Canyon Dam Adaptive Management Work Group Charter Ad Hoc Group



May 28, 2015



U.S. Department of the Interior
Bureau of Reclamation



RECLAMATION

Managing Water in the West

Charter Ad Hoc Group Membership

Beverley Heffernan, Bureau of Reclamation, Co-Chair

Chris Harris, Colorado River Board of California, Co-Chair

Mike Yeatts, Hopi Tribe

Steve Wolff, Wyoming State Engineer's Office

Jason Thiriot, Colorado River Commission of Nevada

Ted Rampton, Utah Associated Municipal Power Systems

Leslie James, Colorado Energy Distributors Association

Jayne Harkins, Colorado River Commission of Nevada

Evelyn Erlandsen, Arizona Department of Water Resources

Shane Capron, Western Area Power Association

RECLAMATION



RECLAMATION

Managing Water in the West

Additional Participation

At the February 2015 AMWG meeting, Secretary's Designee Gimble invited comments and participation for anyone wishing to join the Ad Hoc Group deliberations.

During and following the February 2015 AMWG Meeting, comments were received from NPS (Dave Uberagua and Martha Hahn), NPCA (David Nimkin), AZDWR (Evelyn Erlandsen) and Hopi Tribe (Mike Yeatts).

Additional participants in the Ad Hoc Group April and May conference calls included Scott VanderKooi (GCMRC), Martha Hahn (NPS), Jan Balsom (NPS), David Nimkin (NPCA), Vineetha Kartha (AZDWR), and Jessica Neuwerth (CRBCA).

RECLAMATION



RECLAMATION

Managing Water in the West

Task: Review Charter and Recommend Updates/Revisions for renewal before charter expires in August 2015

- Clarify the ability to furnish compensation consistent with FACA.**
- Review ex-officio, non-voting status of DOI agencies.**
- Review prior Charter Ad Hoc Group action items carried forward: Executive Director position, TWG nominating process**
- Consider adding a science representative and an academic representative to the AMWG.**
- The Group and other AMWG members identified other recommended changes and observations, detailed in the AIF and attachments**

RECLAMATION



RECLAMATION

Managing Water in the West

Summary of recommended changes (see markup attached to AIF)

- A number of editorial changes to improve organization and readability.
- Some revisions across sections to clarify AMWG and DFO roles and responsibilities.
- Revision of Section 13 for clarity.
- Note 4e provides for AMWG review of annual report (two week review); this occurred for this year May 8-21.
- The Group and other AMWG members identified other recommended changes and observations, detailed in the AIF and attachments

RECLAMATION



RECLAMATION

Managing Water in the West

Recommendation

- **The Charter Ad Hoc Group recommends approval by the Secretary of the AMWG charter dated May 1, 2015.**
- **After AMWG approval, Reclamation must gain approval through the Reclamation/DOI management chain such that the revised charter can be filed with GSA before the current charter expires in August 2015.**

RECLAMATION