

**Glen Canyon Dam Adaptive Management Work Group**  
**Agenda Item Information**  
**February 9-10, 2011**

---

---

Agenda Item

Charter Ad Hoc Group Report

---

---

Action Requested

- ✓ The following motions will be presented to the AMWG from the Ad Hoc Group:  
AMWG recommends that the Secretary of the Interior adopt the changes to the AMWG Charter as attached in the draft dated February 9, 2011.

AMWG adopts the changes to the operating procedures as attached in the draft dated February 9, 2011.

---

---

Presenters

Jennifer Gimbel, Charter Ad Hoc Group Co-Chair (State of Colorado)

Ann Gold, Charter Ad Hoc Group Co-Chair (Bureau of Reclamation)

---

---

Previous Action Taken

- ✓ By AMWG: At its February 2010 meeting, AMWG passed the following motion by consensus:  
AMWG establishes a Charter Ad Hoc Group to make a recommendation to the AMWG in no more than a year regarding changes to the Charter. The CAHG will use the Roles Report as a reference.
  
- ✓ By the Secretary's Designee: On March 22, 2010, Secretary's Designee Anne Castle sent direction to the co-chairs of the Charter Ad Hoc Group. She asked that, in addition to providing a recommendation to AMWG on changes to the charter, they also review and make recommendations on potential modification to the AMWG operating procedures to improve the effectiveness of the AMWG. Without limiting the issues under consideration by the CAHG, she specifically asked that they consider and make recommendations on the following issues:
  1. Composition and membership of the AMWG.
  2. Inclusion of DOI bureaus as voting members on the AMWG.
  3. Establishment of the position of executive director for the AMWG, and the source of associated funding.
  4. Procedure for approval of TWG members and alternates and subgroup and ad hoc group members.
  5. Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.).

---

---

Relevant Science

N/A

---

---

Background Information

The Charter Ad Hoc Group (CAHG) met several times, including a meeting with collaborative process experts from the Department of the Interior and the U.S. Institute for Environmental Conflict Resolution. The CAHG's report ([http://www.usbr.gov/uc/rm/amp/amwg/mtgs/11feb09/CAHG\\_Attchs.pdf](http://www.usbr.gov/uc/rm/amp/amwg/mtgs/11feb09/CAHG_Attchs.pdf)) contains the full recommendations from the Ad Hoc Group for changes to the AMWG charter and operating procedures. It includes the following elements:

- Transmittal Letter
- Full report, including the Assessment Report from the U.S. Institute for Environmental Conflict Resolution
- Proposed Charter
- Proposed Operating Procedures

The recommendations are as follows:

**Issue 1 - Composition of the membership of the AMWG.**

Recommendation: It is the consensus opinion that the current composition of the AMWG adequately represents appropriate interest groups; therefore, the CAHG does not recommend any additional representatives be added. However, because the Grand Canyon Protection Act indicates the Secretary should consult with scientific/academic communities, the CAHG recommends that these entities participation in AMWG be clarified within the Department of Interior (DOI).

**Issue 2: Inclusion of the DOI bureaus as voting members on the AMWG.**

Recommendation: The CAHG recommends that the DOI Bureau representatives become ex officio, non-voting members for the duration of the renewed charter. After this trial period, the operation of the AMWG should be analyzed to determine if the DOI Bureaus remain actively engaged and provide adequate support for the recommendations developed by AMWG, and there are no significant negative effects upon the group operations. If the desired effects are being achieved, and there are no significant negative effects, retain the non-voting status of the DOI Bureaus.

**Issue 3: Establishment of the position of Executive Director for the AMWG, and the source of associated funding.**

Recommendation: Although the CAHG believes there could be a need for an executive director for AMWG in the future, at the current time, the CAHG does not recommend that a position be established. During discussions, a number of concerns were identified as needing to be addressed before such a position is established. These concerns include:

- (i) Obtaining more specific direction of the Adaptive Management Program. Is it to continue experimentation and gathering scientific data, or change its focus to active management and implementation of activities and programs to accomplish improvement of the Canyon's resources?
- (ii) Clarification of duties and responsibilities for the position. Is it to be an executive director or a program manager?
- (iii) Determination of a source of funding for the position. There is concern that additional funds taken from the AWMG program to support this position will exacerbate an already difficult budget situation.

**Issue 4: Procedure for approval of Technical Working Group (TWG) members and alternates, and subgroup and ad hoc group members.**

Recommendation: We believe the approval process for both TWG and subgroup members can be simplified. AMWG members should be given the authority to appoint and approve the TWG members and alternates for their organization. Subgroups and ad hoc groups can be established at either the AMWG or TWG level, depending on where the activities are occurring. None of the group or subgroup members, below the AMWG level, need to be approved by the Secretary's Designee.

**Issue 5: Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.).**

Recommendation: The CAHG believes the AMWG should try to reach consensus, and that there will be times when a vote will be required. The CAHG recommends that a change be made to the current practice to have issues pass based on 60% approval. This will total 13 AMWG members if DOI Bureaus are non-voting members. In addition, the CAHG recommends that AMWG members be given the opportunity and encouraged to explain their votes when casting minority votes, so that significant differing perspectives within the AMWG may be captured in the minutes. These perspectives should be provided in brief to the Secretary as part of the recommendation memorandum from the Secretary's Designee.

During the course of the CAHG meetings and discussion, the following additional topics and recommendations were identified.

**Making motions before and/or at AMWG meetings.**

Recommendations: The CAHG believes it will enhance the efficiency of the AMWG meetings if all members are fully aware of the topics to be discussed in advance of the meeting. To accomplish this, we recommend that, as a general rule, motions be identified in writing, and included in the agenda that is sent to AMWG before the meetings. If occasions arise where a member wishes to make a motion that has not been included in the agenda, the motion should be presented to the Secretary's Designee before going to the floor, and a simple majority vote of AMWG members would be required to bring it to the floor.

**Location of AMWG meetings.**

Recommendation: Although AMWG meetings are generally held in Phoenix, Arizona, the operating procedures should be changed to allow the Secretary's Designee to select an alternate location when necessary or desired.

To: Secretary's Designee  
Assistant Secretary - Water and Science

From: Jennifer Gimbel *Jennifer S. Gimbel*  
Co-Chair, Charter Ad Hoc Group

Anamarie Gold, Co-Chair  
Charter Ad Hoc Group *Anamarie Gold*

Date: January 21, 2011

Subject: Report on the Recommendations and Findings of the Charter Ad Hoc Group (CAHG)  
of the Glen Canyon Adaptive Management Group (AMWG)

Consistent with the AMWG Charter, the CAHG was established on February 3, 2010, to review the AMWG Charter and Operating Procedures and make recommendations for improvements in the effectiveness of the AMWG. In a memorandum dated March 22, 2010, you requested the CAHG specifically consider and make recommendations on five issues. This memorandum will provide a summary of the issues and our recommendations. The full report of the CAHG is attached. The five issues identified, and our recommendations are as follows:

Issue 1: Composition of the membership of the AMWG.

Recommendation: It is the consensus opinion that the current composition of the AMWG adequately represents appropriate interest groups; therefore, we do not recommend any representatives be added at this time. However, we do recommend that the role of scientific and academic community participation in AMWG be clarified within the Department of the Interior (DOI).

Issue 2: Inclusion of the DOI Bureaus as voting members on the AMWG.

Recommendation: The CAHG recommends that the DOI Bureau representatives become ex officio, non-voting members. It is hoped that the DOI Bureau representatives will continue to provide valuable advice and participate fully in the discussion and development of recommendations by the AMWG. In discussion of the recommendation, a concern was expressed that participating as ex officio non-voting members may discourage active engagement in the discussion of issues and development of recommendations by the AMWG. It was also noted that there is a potential for unintended consequences from this change. As a result, we recommend that for the duration of the renewed charter, the DOI Bureaus be designated as ex officio non-voting members. After this trial period, the operation of the AMWG should be analyzed to determine if the change in status has had the desired effect, i.e. DOI Bureaus remain actively engaged and provide adequate support for the recommendations developed by AMWG, and there are no significant negative effects upon the group operations. If the desired effects are being achieved, and there are no significant negative effects, retain the non-voting status of the DOI Bureaus.

Issue 3: Establishment of the position of Executive Director for the AMWG, and the source of associated funding.

Recommendation: Although we believe there could be a need for an executive director for AMWG in the future, at the current time, the CAHG does not recommend that a position be established. During discussions a number of concerns were identified as needing to be addressed before such a position is established. These concerns include: (1) obtaining more specific direction of the Adaptive Management Program - is it to continue experimentation and gathering scientific data, or change its focus to active management and implementation of activities and programs to accomplish improvement of the Canyon's resources; (2) clarification of duties and responsibilities for the position - is it to be an executive director, or a program manager; and (3) determination of a source of funding for the position—there is concern that additional funds taken from the AWMG program to support this position will exacerbate an already difficult budget situation.

Issue 4: Procedure for approval of Technical Working Group (TWG), alternates, subgroup, and ad hoc group members.

Recommendation: We believe the approval process for both TWG and other subgroup members can be simplified. AMWG members should be given the authority to appoint and approve the TWG and other subgroup members and alternates for their own organization. None of the group or subgroup members, below the AMWG level, need to be approved by the Secretary's Designee. In addition, subgroups and ad hoc groups can be established at either the AMWG or TWG level, depending on where the activities are occurring.

Issue 5: Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.).

Recommendation: Although we believe the AMWG should try to reach consensus, we believe there will be times when a vote will be required. We recommend that a change be made to the current practice to have issues pass based on 60 percent approval. This will be 13 AMWG members if the Department's Bureaus are non-voting members. In addition, we recommend that AMWG members be given the opportunity, and encouraged to explain their votes, when casting minority votes, so that significant differing perspectives within the AMWG may be captured in the minutes and provided in brief to the Secretary as part of the recommendation memorandum from the Secretary's Designee.

During the course of the CAHG meetings and discussion, we identified the following additional topics and recommendations.

Making motions before and/or at AMWG meetings.

Recommendations: We believe it will enhance the efficiency of the AMWG meetings if all members are fully aware of the topics to be discussed in advance of the meeting. To accomplish this, we recommend that, as a general rule, motions be identified in writing, and included in the agenda before AMWG meetings. If occasions arise where a member wishes to make a motion that has not been included in the agenda, the motion should be presented to the Secretary's Designee before going to the floor, and a simple majority vote of AMWG members be required to bring it to the floor.

Location of AMWG meetings.

Recommendation: Although AMWG meetings are generally held in Phoenix, Arizona, the operating procedures should be changed to allow the Secretary's Designee to select an alternate location when necessary or desired.

Finally, although the CAHG has made a good faith effort in analyzing the issues presented to us, we believe there remain several issues which will require further analysis and discussion. These include:

- Decide the actions to be taken, if any, for members who choose to file lawsuits on issues handled by AMWG--should they remain participants of the AMWG?
- Clarify the strategic direction of the AMWG program.
- Identify the proposed duties for an executive director and identify a source of funding.
- Clarify the role of TWG compared to AMWG, it appears they sometimes overlap.
- Develop criteria for including items on the agenda to focus more on policy issues and recommendations, which would allow for more broad-based discussion rather than a focus on the specifics of the budget or other details.
- Identify the process for attempting to reach consensus on issues. Currently the group doesn't spend much time exploring the viewpoints of the various parties. If more time was available to explore these issues, the group may have a better chance of reaching consensus or at least understanding other points of view.

A full report from the CAHG, including a report of the study performed by US Institute for Environmental Conflict Resolution of the Udall Foundation, is attached to this memorandum. If you have any questions regarding the report, or wish to discuss it in more detail please contact either Jennifer Gimbel or Anamarie Gold at your convenience.

Charter Ad Hoc Group

## **Report of Recommendations and Findings of the Charter Ad Hoc Group (CAHG) of the Glen Canyon Adaptive Management Group (AMWG)**

**Background:** Consistent with the AMWG Charter, the Charter Ad Hoc Group (CAHG) was established on February 3, 2010. It was tasked to review the AMWG Charter and Operating Procedures and make recommendations for improvements in the effectiveness of the AMWG. In a memorandum dated March 22, 2010, the Secretary's Designee requested the CAHG, without limiting the scope of its review, to specifically consider and make recommendations on five issues. The five issues identified by the Secretary's Designee are:

1. Composition of the membership of the AMWG.
2. Inclusion of the DOI bureaus as voting members on the AMWG.
3. Establishment of the position of Executive Director for the AMWG, and the source of associated funding.
4. Procedure for approval of Technical Working Group (TWG) members and alternates, and subgroup and ad hoc group members.
5. Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.).

The CAHG provided an update report at the August 2010 AMWG meeting. This is the CAHG's final report of its recommendations and findings.

**CAHG Membership:** Following are the CAHG members, and their affiliations:

- Jennifer Gimbel (Colorado)- Co-Chairperson
- Ann Gold (Bureau of Reclamation) – Co-Chairperson
- Perri Benemelis (Arizona)
- Leslie James (Colorado River Energy Distributors Association)
- Rick Johnson/Nicolai Lash (Grand Canyon Trust)
- Steve Mietz/Palma Wilson (National Park Service)
- McClain Peterson (Nevada)
- Ted Rampton (Utah Associated Municipal Power Systems)
- Sam Spiller (Fish and Wildlife Service)
- Kurt Dongoske (Pueblo of Zuni)
- John Shields (Wyoming)

**Process Used by CAHG:** Shortly after its establishment, the CAHG met both via telephone and in person to establish an approach to the task assigned. In April 2010 the CAHG met in Phoenix. At that meeting Elena Gonzalez, Director of the DOI Office of Collaborative Action and Dispute Resolution (CADR) and Sarah Palmer, Senior Program Manager of the U.S. Institute for Environmental Conflict Resolution (USIECR) presented the idea, used by other Federal Advisory Committees, to engage a third party neutral to conduct an impartial assessment of the AMWG process review. Based upon this discussion, the CAHG engaged USIECR to perform such an assessment. The USIECR report is included as an attachment to this report.

# Report of Recommendations and Findings of the CAHG

---

After the receipt and distribution of the USIECR report, the CAHG convened for weekly conference calls during November and December 2010 to discuss the issues identified by the Secretary's designee, and other aspects of the AMWG process.

## **Discussion of the issues:**

### **1. Composition of the membership of the AMWG.**

The fundamental question for the CAHG was "What is the program need and what group, if any, is missing?" An analysis of the current status of the AMWG membership disclosed a number of perceptions. Some perceive that the status quo stifles ideas, and there is occasional gridlock due to some members voting as blocks. While one remedy for this might be to add voting members to AMWG, the current size is already large, creating logistical problems that would only be exacerbated by additional members. It would also be difficult to determine the number of additional members to add, and determine from which group(s) new members would be added.

It was noted that the Grand Canyon Protection Act lists academic/scientific communities as those who should provide information to the Secretary. Adding members of the academic and/or scientific community could potentially resolve the perceived problems of stifling ideas and gridlock, but also created potential problems. One group identified as a possible addition as a voting member were the Science Advisors, who participate with GCMRC in AMWG-related activities. However, since the science advisors receive funding from the Grand Canyon Monitoring and Research Center (GCMRC) having them as voting members of AMWG as well would create a potential conflict of interest. It was also observed that numerous scientists provide information to the Secretary through their current member organizations. From the discussion, it was decided that academic and scientific organizations should work directly with GCMRC rather than be added as voting members.

After all discussion, it was generally agreed that no additional members to AMWG are needed at this time. Because numbers are already high, adding members is likely to hinder already difficult communication, and the CAHG did not identify a missing component or "voice" to the AMWG. Although the CAHG does not see the need for additional AMWG members, we believe the role of, and methods for including, the academic and scientific communities in the process should be clarified within the Department of Interior (DOI). In addition, all AMWG members should be encouraged to reach out to other entities, such as local businesses operating in Marble Canyon and Page, AZ, to understand and incorporate the interests of those groups.

- CAHG Recommendation: Although we do not recommend any additional representatives be added to AMWG at this time, we recommend that the scientific and academic community requirements be clarified within the DOI.

### **2. Inclusion of Department of Interior Bureaus as voting members of the AMWG**

Currently four DOI Bureaus are members of AMWG with full rights to vote on all issues presented to the group. These Bureaus are the Bureau of Indian Affairs, the Bureau of



# Report of Recommendations and Findings of the CAHG

---

Reclamation, the U.S. Fish and Wildlife Service, and the National Park Service. The U.S. Geological Survey participates in the AMWG through the Grand Canyon Monitoring and Research Center, but is not a voting member. The AMWG is a Federal Advisory Committee, and as such is established to provide advice and comment to the Secretary from stakeholders and non-Federal entities. DOI Bureaus work directly for the Secretary, and thus provide input through their respective chains of command. Due to the relationship between the Secretary and the DOI Bureaus, having them vote on AMWG measures is redundant, and sometimes awkward for the individual Bureaus. It was noted that although a Federal Agency, Western Area Power Association does not have the same relationship with the Secretary as do the DOI Bureaus, so its status as a voting member of AMWG is not included in this discussion

One major concern in designating the DOI Bureaus as ex officio non-voting members is maintaining their on-going commitment to AMWG. Some of the CAHG members believe that if the Bureaus do not have a vote on issues brought before the AMWG and on recommendations made to the Secretary, they would have the tendency to “pull back” from the process, and not engage in discussion on the issues. The entire CAHG concurred that participation by DOI Bureaus is crucial to provide advice, guidance, and technical information to the AMWG. DOI Bureau representatives in the CAHG do not perceive their participation in AMWG as a problem; they believe their Bureau commitment will continue as it has in the past whether they are voting or ex officio non-voting members. Some CAHG members perceived a benefit of having fewer voting members in AMWG; however, they also recognize the potential for unanticipated consequences which would adversely affect the operations of the group.

Based upon the discussion, the consensus opinion of the CAHG is that the status of the DOI Bureaus should be changed from voting to ex officio non-voting for a trial period of approximately two years (the duration of the renewed charter), and the impact of the change be evaluated at the end of the trial period.

- CAHG Recommendation: We recommend that (i) for a trial period equal to duration of the renewed charter, the DOI Bureaus should be designated as ex officio non-voting members; (ii) at the end of the trial period perform an analysis of the AMWG process, and (iii) if there are no significant adverse effects of the DOI Bureaus being ex officio non-voting members, their status will remain as such; however, if the AMWG process is significantly negatively impacted, the status of the DOI Bureaus will revert to voting members.

### **3. Establishment of the position of executive director for the AMWG, and the source of associated funding**

The CAHG reviewed the survey results and concerns about establishing an executive director for the AMWG as detailed in USIECR’s assessment (see the Attachment to this report), information from the December 2008 *Report and Recommendations to the Secretary’s Designee From the Roles Ad Hoc Group of the Glen Canyon Adaptive Management Work Group*, and obtained additional information and clarification from John Hamill, Center Director of GCMRC, and Shane Capron, Technical Work Group Chair. Using this information, the CAHG discussed the

## Report of Recommendations and Findings of the CAHG

---

benefits of establishing an Executive Director, and sources of funding that might be used for this purpose, but were unable to arrive at a definite conclusion.

Although the CAHG's members perceive a benefit to have a person working full time on AMP issues, they remain uncertain as to what the executive director would be tasked to do, and the interaction between the executive director and GCMRC. A major concern about establishing an Executive Director position is that it would result in additional "filtering" of information flow and add another bureaucratic layer to the process. A secondary concern is identifying a source for approximately \$200,000 for the cost associated with annually funding this position, and its potential for reducing funding for other AMP activities.

At the current time, the CAHG is unable to recommend that an AMWG Executive Director position be established. Several CAHG members believe that it is premature to establish such a position until more specific direction of the AMP has occurred, including completion of the Desired Future Conditions (DFC) report.

During the course of the discussion the following issues were raised:

There are significant differences between hiring an executive director for the AMWG and having a program manager for the AMP. CAHG Members see the role of an executive director as one who would function as a day-to-day liaison between the Secretary's designee and AMWG and GCMRC, and a program manager as one who manages the day to day operations of the program. The job duties, qualifications, expectations and personnel GS grade would likely differ between the former and the latter.

Second, the AMP is at a crossroads in terms of whether the great majority of the available resources are going to continue to be spent on experimentation and additional "science" as to what should be done to maintain and improve the management of the resources in the Grand Canyon or whether the AMP is going to move into active management and implementation of activities and programs to accomplish improvement of the Canyon's resources. If the AMP is going to continue to study what to do, then a program manager may not be needed for some time. However, if the AMP is about to "round a corner" and begin to be a program that is about implementing on the ground measures to improve resources in the canyon, then the need exists to hire a program manager soon.

- CAHG Recommendation: Although we believe there could be a need for an executive director for AMWG in the future, we do not recommend establishing and filling such a position until (i) a strategic direction for the program is finalized - is it to continue experimentation and gathering scientific data, or change its focus to active management and implementation of activities and programs to accomplish improvement of the Canyon's resources; (ii) the duties and responsibilities for the position are established – is it to be an executive director, or a program manager; and (iii) a source of funding for the position is determined.

# Report of Recommendations and Findings of the CAHG

---

## **4. Procedures for approving Technical Work Group (TWG) members and alternates and subgroup and ad hoc group members**

Under the current AMWG operating procedures, AMWG members nominate members of subgroups, including the TWG, and the Chairperson, i.e. the Secretary's Designee, is required to approve the nominations. In addition, the Operating Procedures indicate that Ad Hoc committees can only be established by subgroups. The consensus of the CAHG is that the added time required to obtain and document the Chairperson's approval slows the process of establishing subgroups, and provides no added value. The CAHG also recognized that there are times when Ad Hoc committees/groups are needed at the higher level (AMWG level) rather than at the subgroup level. Accordingly the CAHG recommends that the Operating Procedures be amended to remove the requirement for the Chairperson to approve membership in the subcommittees, including TWG, and allow the establishment of Ad Hoc committees/groups at the AMWG level.

- CAHG Recommendation: We recommend that (i) AMWG members appoint TWG and other subgroup members and alternates for their own organization; (ii) none of the TWG members, alternates, or subgroup members need be approved by the Secretary's Designee; and (iii) subgroups and ad hoc groups be established at the AMWG or TWG level depending on where the activities are occurring.

## **5. Voting procedures for the AMWG (consensus, majority-vote, super majority, minority report, etc.)**

Under the current AMWG Operating Procedures, when consensus on an issue cannot be reached, a vote will be held, and a 2/3's majority will decide the issue. Although the "majority rule" approach is expedient in deciding an issue within AMWG, the purpose of the group is to provide advice to the Secretary. There have been instances when after lengthy deliberations the AMWG voted to forward a recommendation to the Secretary, but a divide existed among the members with two distinctly different positions expressed. Members on the failed side of the issue believe that information regarding the reasons for their position should also be available to the Secretary. These members have in some instances submitted their own "minority report" to the Secretary. A middle ground might be to explain to the Secretary the alternatives, the one that received the majority votes and the other receiving fewer votes, and explain the basis for the perceived differences. Such an approach must be mindful that information provided to the Secretary must be concise, so the explanations would be limited to paragraphs and not pages, but must also ensure the alternative is adequately explained and properly characterized. A similar, but less concise, approach would be for the Secretary's Designee to allow members to explain the basis for their votes, which would then be captured in the minutes, and could be made available in brief via the memo from the Secretary's Designee to the Secretary.

Of the alternatives to majority rules, requiring consensus on an issue has both benefits and drawbacks. Once consensus is achieved, the Secretary can be assured of the full backing of all AMWG members on an issue. However, achieving consensus in a group, especially one as large and diverse as AMWG, is difficult at best, and time consuming. A single party can hold up a recommendation, so that few, if any are presented to the Secretary, thus defeating the purpose of the group.

## Report of Recommendations and Findings of the CAHG

---

One alternative to consensus is to require a “super” majority to pass an issue. Keeping the requirement for a 2/3 majority or requiring more than a simple majority, i.e., 60 percent, were discussed, noting that if Bureaus are re-designated as non-voting members, 2/3 would require 14 member votes and 60 percent would require 13 member votes. Such a requirement would still result in minority opinions, but would result in a larger number of recommendations being forwarded than if consensus were required. In addition, a “super” majority ensures the Secretary of a much higher level of support for the recommendation than does a simple majority. Minority opinions can still be presented as discussed above.

As a result of the discussions, the CAHG generally agreed that AMWG should strive for consensus, but will require only a supermajority of 60% to approve any motion if voting is required. The CAHG also believes having the Secretary’s Designee ask the voting parties to provide the rationale for their votes, if they so choose, is a good way to ensure minority vote members’ concerns are heard and recorded.

CAHG Recommendation: Although we believe the AMWG should try to reach consensus, we believe there will be times when a vote will be required. We recommend that a change be made to the current practice to have issues pass based on 60% approval. This will be 13 AMWG members if DOI Bureaus are non-voting members. In addition, we recommend that individuals have the opportunity to explain the rationale for their vote, at the discretion of the Secretary’s Designee, during the AMWG meeting, which will then be captured in the minutes and provided in brief to the Secretary as part of the recommendation memorandum from the Secretary’s Designee.

During the discussions of the topics identified by the Secretary’s Designee, a number of additional issues arose. Following is a discussion of these additional issues.

### **Making Motions Before and/or at AMWG Meetings**

The AMWG meets only twice per year, so there are many items included for discussion at each meeting. To make the most efficient use of the meeting time, members should be provided all relevant information, including motions that will be presented, prior to the meetings. By including motion on the agenda, and providing written copies of the motions to each of the AMWG members allows them to become aware of the issues involved, and better prepared for the ensuing discussion.

However, it must also be acknowledged that there are occasions in which parties wish to make motions, but were unable to prepare them for inclusion on the agenda and distribution to members. These, hopefully rare, cases can be accommodated by having the motion presented to the Secretary’s Designee, and a simple majority vote of AMWG members to bring the motion to the floor.

- Recommendations: We recommend that (i) a general rule be established that motions be identified in writing, and included in the agenda before AMWG meetings; (ii) if a member wishes to make a motion that has not been included in the agenda, the motion be

# Report of Recommendations and Findings of the CAHG

---

presented to the Secretary's Designee before going to the floor, and a simple majority vote of AMWG members be required to bring it to the floor.

## **Location of AMWG meetings.**

The current AMWG Operation Procedures limit the location of meetings to Phoenix Arizona. Although this location is generally suitable, there may be instances in which an alternative location is desirable.

- Recommendation: We recommend that, although the AMWG meeting will generally be held in Phoenix, Arizona, the operating procedures be changed to allow the Secretary's Designee to select an alternate location for meeting.

## **Topics Recommended for Further Discussion.**

Although the CAHG has made a good faith effort in analyzing the issues presented to us, we believe there remain several issues which will require further analysis and discussion. These include:

- Decide the actions to be taken, if any, for members who choose to file lawsuits on issues handled by AMWG--should they remain participants of the AMWG?
- Clarify the strategic direction of the AMWG program.
- Identify the proposed duties for an executive director and identify a source of funding.
- Clarify the role of TWG compared to AMWG—there appears to be some overlap and confusion between the groups.
- Develop criteria for including items on the agenda to focus more on policy issues and recommendations, which would allow for more broad-based discussion rather than focusing on the specifics of the budget or other details.
- Identify the process for attempting to reach consensus on issues. Currently the group doesn't spend much time exploring the viewpoints of the various parties. If more time was available to explore these issues, the group may have a better chance of reaching consensus or at least understanding other points of view.

**ASSESSMENT REPORT**

**Member and Participant Views About Potential Changes**

**to the**

**Charter and Operating Procedures**

**of the**

**Glen Canyon Adaptive Management Work Group**

PREPARED FOR:

Charter Ad Hoc Group

of the Glen Canyon Adaptive Management Work Group

Prepared by: US Institute for Environmental Conflict Resolution of the Udall  
Foundation

Suzanne Orenstein, Director, DC Office

Sarah Palmer, Senior Program Manager

Pat Lewis, Senior Program Associate

November 5, 2010

This page is intentionally blank.

# Table of Contents

Table of Contents ..... 3

Executive Summary..... 4

Introduction ..... 11

Background ..... 12

Findings and Options ..... 14

    Results Achieved by AMWG..... 14

    Barriers to Addressing the Weaknesses in AMWG Operations ..... 16

    AMWG Agenda Setting and Organizational Structure..... 18

    AMWG Facilitation..... 21

    Procedures for Approval of Technical Work Group (TWG) Members and Alternates and Sub-Group and Ad Hoc Group Appointments..... 22

    Decision Making..... 26

    Bureaus Voting..... 29

    Composition ..... 31

    Executive Director Position..... 35

Next Steps Decision About Recommendations and Products from CAHG. .... 37

Bibliography ..... 40

Appendix A. Assessment Participants..... 41



## Executive Summary

This report is the product of an assessment of the potential changes to the Charter and Operating Procedures of the Glen Canyon Adaptive Management Work Group (AMWG). It is based on confidential interviews with 25 members of AMWG who represent all of the membership categories on the committee. In addition the assessment includes 25 responses to an on-line survey distributed to current AMWG alternates, members of the Technical Working Group (TWG) and former AMWG alternates.

The AMWG, an advisory committee chartered under the Federal Advisory Committee Act (FACA), was established in 1997. The purpose of AMWG is to recommend suitable monitoring and research programs and make recommendations to the Secretary<sup>1</sup>. The duties of the AMWG are listed in its Charter and are linked to the Grand Canyon Protection Act (GCPA); the 1997 Glen Canyon Dam Environmental Impact Statement Record of Decision (GCD EIS ROD); and the Glen Canyon Dam Adaptive Management Program (AMP) goals. The AMWG Charter was last renewed in 2010.

Membership on the AMWG currently includes one representative from each of the following: Arizona, California, Colorado, Nevada, New Mexico, Utah, Wyoming, Bureau of Reclamation, Bureau of Indian Affairs, National Park Service, US Fish and Wildlife Service, Western Area Power Administration, Arizona Game and Fish Department, Hopi Tribe, Hualapai Tribe, Navajo Nation, San Juan Southern Paiute Tribe, Southern Paiute Consortium, and Pueblo of Zuni. There are two representatives from each of the following interests on the AMWG: environmental groups; recreation groups; and contractors who purchase Federal power from Glen Canyon power plant.

Consistent with the AMWG Charter, the Secretary's Designee established the Charter Ad Hoc Group (CAHG) on February 3, 2010 and tasked it to review the AMWG Charter and Operating Procedures and make recommendations for improvements in the effectiveness of the AMWG. The CAHG provided an update report at the August 2010 AMWG meeting and is to complete its work no later than February 3, 2011.

In her March 22, 2010 charge to the CAHG the Secretary's Designee identified five key issues for the CAHG to specifically address "Without limiting the issues under consideration by the CAHG, I request that the CAHG specifically consider and make recommendations on the following issues"<sup>2</sup>:

- Composition of the membership of the AMWG;
- Inclusion of the DOI bureaus as voting members on the AMWG;
- Establishment of the position of Executive Director for the AMWG, and the source of associated funding;
- Procedure for approval of Technical Working Group members and alternates, and subgroup and ad hoc group members; and
- Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.)

---

<sup>1</sup> Glen Canyon Adaptive Management Work Group Federal Advisory Committee Charter. Filed July 23, 2010

<sup>2</sup> Memorandum from March 22, 2010 from Secretary's Designee Ann Castle, Assistant Secretary for Water and Science to Jennifer Gimbel and Ann Gold, Co-Chairs of the Charter Ad Hoc Group

In order to fulfill its charge and ensure that a range of views and perspectives inform the CAHG's recommendations, the CAHG sought assistance from the US Institute for Environmental Conflict Resolution (US Institute) an impartial independent federal agency, to learn about AMWG, TWG and others' perspectives related to the charge before the CAHG.

In addition to the questions from the Secretary's Designee, the CAHG worked with the US Institute developed questions about the following topics to assess the contextual basis of the responses to the five questions posed by Anne Castle:

- Views about the results that the AMWG has achieved
- Barriers to addressing weaknesses in the AMWG operations, if any, and suggested improvements
- Perspectives about the following aspects of AMWG
  - Agenda setting process and general organization structure
  - Strengths and weaknesses of the facilitation of the AMWG process

Among the key findings is that the AMWG is considered **valuable in promoting information sharing and communication among the entities involved, sponsoring and learning from scientific experiments and monitoring, and communicating proposals and recommendations to the Secretary. On the other hand, many interviewees noted that the vision for adaptive management has not been fulfilled, with much emphasis on science and an under-emphasis on management. Many expressed the need for a clearer vision of the purpose and work of the AMWG.**

The commonly cited barriers to productive operation of AMWG include **the need for clearer direction and focus, the need to shift the focus to management using the science already gathered, and concerns about the atmosphere for dialogue and deliberation. The most common suggestions were that a long-term management plan with specific goals be developed, that the Secretary and Secretary's Designee should come to the AMWG with issues and proposals for comment, and that the focus of the conversations be at a more substantive, less detailed level, especially regarding budget decisions.**

**Interviewees' perspectives on the agenda setting process diverged, with some finding the process acceptable and others not so.** There seems to be **some confusion about how the agendas are set** and by whom (e.g., Secretary's designee; Reclamation; Technical Work Group; GCMRC, facilitator, members with interest getting an item on the agenda, etc.) Many commented that the AMWG meeting agenda are too full, with a range of topics that may or may not be the highest priority for AMWG discussion. Clarifying and refining the agenda-setting process and the scope of the agendas could help achieve more productive interactions in AMWG meetings.

With respect to facilitation, assessment participants **emphasized that facilitation of the AMWG is needed and should be maintained.** Most respondents noted highly positive attributes of the current facilitator, and others were less satisfied. A few expressed the view that a change of facilitators might be useful, but others worried that it will take a new person too long to get up to speed on the history and process.

AMWG members **almost all had an accurate understanding of how Technical Work Group (TWG) members and ad hoc group members are appointed.** There is agreement that there is no need for DOI approval of the TWG alternates and the Operating Procedures can be amended to remove that step for the TWG. **The more complex questions about how the TWG operates within the AMWG process need further discussion and clarification.**

Although many assessment participants indicated that the **current AMWG decision-making process works well, they raised a number of issues regarding aspects of the decision-making rule, consensus and voting, as well as development of motions and amendments.** In addition, some assessment participants are frustrated because they feel that they are frequently outnumbered and outvoted when motions are decided upon.

Participant suggestions for improving the decision-making process include

- Develop more clarity about what the consensus step should involve, how much time should be devoted to trying to reach consensus, and whether consensus is really achievable within the time constraints of two or three meetings a year and in light of the number of agenda items in any one meeting;
- Make changes in the voting process, including encouragement of fewer abstentions, improved procedures for development of motions, clarification of which parts of Robert's Rules will be used, and changes in the balance of the composition of the voting membership; and
- Change the process for deciding about recommendations, including the possibility of making no group decisions and instead sending a set of proposals to the Secretary for consideration and decision making.

There is a **high value on the engagement of DOI Bureaus in AMWG and hearing the potential implications of AMWG recommendations on DOI Bureau missions.** Assessment participants were divided on the value of the DOI Bureaus voting as members. While changing how Bureaus participate in AMWG decisions may create a more consistent DOI voice and establish a 'purer' advisory committee (advice from non-DOI interests to DOI), there is a concern that Bureaus will be less forthcoming if they do not vote. **If the Bureaus no longer vote, and voting remains the primary decision-making tool of the group, then the decision-making structure and group composition should be evaluated** to address perceived power imbalances within the AMWG.

Assessment participants on the whole feel that the **current composition of AMWG works well** however if there are to be **additions to the AMWG it would be among academia, Native American tribes, local business groups, members of the public, scientific representatives and additional environmental representatives.** The composition of AMWG, in conjunction with the decision-making process of the group is a source of disagreement among assessment participants. To some the composition and decision-making process are fine whereas others see it as a source of undesirable voting alliances.

There was an **even split in the opinions of the interviewees regarding the desirability of creating an executive director position.** If funding was available that was not shifted or reallocated from AMWG's scientific and management endeavors, the Executive Director position is viewed more favorably but still not universally. Assessment participants were universal in specifying that impartiality and even-handedness of the person in this position would be essential.

Based on these findings, the report identifies potential changes to the AMWG Charter and Operating Procedures that are summarized in Table 1.

Members of the AMWG and the Department of the Interior have an opportunity to fulfill the vision of the AMWG as laid out over a decade ago. Today a significant amount of scientific monitoring data is available to the AMWG to use in moving forward with recommendations regarding management actions below Glen Canyon Dam. Achieving the goals of AMWG hinges in part on the ability and willingness of the group to address and implement structural and operational refinements to AMWG. These refinements could be accomplished through revisions to both the AMWG Charter and Operating Procedures that address how and when the group will work together collaboratively and more effectively to make recommendations to the Secretary of the Interior. Finally, the potential for achieving a positive vision will depend on the actions that the members of AMWG as well as leaders at the Department of the Interior are willing to undertake to refine the operations and fulfill the AMWG mission.

### **From the Neutrals' Perspective: A Path Forward Based on Suggestions from Interviewees**

Sorting through the results of the assessment may be daunting for the Charter Ad Hoc Group (CAHG) and the AMWG. This section is an attempt to present a coherent vision and sequence of tasks for how things might be different in AMWG as a result of the work of the CAHG, including the assessment. Most of the suggestions below were made by one or more respondents in the assessment, and they also reflect the US Institute's experience as an independent neutral managing multiple FACA and other advisory committees.

1. The Secretary's Designee, in consultation with AMWG, should determine the goals for the Adaptive Management Program for the next five-to-ten years, and outline a plan for AMWG involvement in the development and implementation of those goals, including the assessment of progress toward each goal. If the current strategic plan is used for this purpose it should be reviewed and updated as needed.
  - a. Most assessment participants support an AMWG focus on management and policy recommendations that are informed by the robust scientific data gathered to-date and are within the legal sideboards of AMWG.
  - b. The roles and duties of AMWG outlined in the current charter should be revisited to determine if they match the future focus of the AMP. The CAHG should assist with that task.
2. The role of the TWG should be assessed and revised to meet the needs of the new ten-year plan. It should either be designed to be a staff-level working group that tees up issues for the AMWG, or a technical resource that works at the behest of AMWG to provide information to assist in the discussion and consultation in AMWG. Issues of neutrality of the science should be resolved if it will continue to provide scientific and technical support.
3. The duties and roles that are outlined for AMWG in the current charter or a revised charter should drive any changes to the composition of AMWG and to the decision making rules in the operating procedures. If consultation, as described below in item 4, is the desired process, "decision making" could occur much less frequently.
  - a. To improve the decision making process and address the issues of minorities who feel out voted, multiple proposals to the Secretary should be an option in any revised decision making rules for AMWG. This is an option now, but it is not always used after a divisive discussion.

- b. The issue of Bureaus voting does not have a clear answer from the assessment. However it is clear that the perspectives of the Bureaus are a valued part of the AMWG and should continue to be heard. The CAHG should determine if a recommendation on that element is desirable, in that it helps the AMWG fulfill its vision, and develop one if feasible.
  - c. The roles and responsibilities of members, the Secretary's Designee, should be updated in the operating procedures to reflect the assessment participant interests in their perspectives considered in a meaningful and respectful manner.
- 4. Consultation may be the best description of the degree of effective interaction between the AMWG and DOI that is most possible going forward. Consultation means that the Secretary's Designee or a member proposes a topic for AMWG discussion and all views are heard and considered, but no decision is sought or required. The agencies each make their own decision on the action or topic discussed.
  - a. Specific issues on which consensus may be desirable should be outlined in the five/ten year plan, and they should be very few in number. Some examples of issues that would benefit from consensus recommendations are key management actions, issues in which all entities need to take some management action together, and desired future conditions. The consensus process should be redefined in the operating procedures for use in the decision making situations that call for consensus. Consensus should be defined as "all can live with the decision."
  - b. Unless the AMWG meets much more frequently, the number of issues it can address should be scaled down to the most important policy questions that need consultation. The Secretary's Designee should, develop criteria for what should be on the agenda in consultation with AMWG, and there should be a clear and transparent process for AMWG members placing items that fit the criteria on the AMWG agenda. The Secretary's Designee should prioritize the issues that come to AMWG and prioritize issues proposed for any one meeting agenda to create more time for genuine deliberation.

**Table 1 – Potential Changes to the Charter and Operating Procedures**

Operational and Structural Elements of AMWG	Potential Changes to Charter	Potential Changes to Operating Procedures
<b>Barriers to Productive Operation of AMWG</b>	<ul style="list-style-type: none"> <li>• None, but revisit description of duties to ensure a common understanding and vision</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate AMWG duties into the Operating Procedures</li> <li>• Clarify involvement in AMWG of those with claims against the government</li> </ul>
<b>Agenda Setting</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Specify how agendas are developed, set, and by whom. For example, outline the process for getting an item on the agenda; what are the priorities for issues that should receive time on the AMWG agenda, etc.</li> </ul>
<b>Facilitation</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Spell out the role and responsibilities of the facilitator</li> <li>• Consider whether to re-compete the facilitation contract after a specified time</li> <li>• Consider tasking a small group to work with Reclamation to review and/or select the facilitator</li> </ul>
<b>TWG</b>	<ul style="list-style-type: none"> <li>• Specify role of TWG</li> </ul>	<ul style="list-style-type: none"> <li>• Add language to clarify the TWG role and the process for nominating TWG members and alternates to ensure consistency of how members are appointed</li> <li>• Add language clarifying process for nominating and managing other subgroups</li> <li>• Define and/or clarify the differences between a subgroup and an ad hoc group</li> </ul>
<b>Decision Making</b>	<ul style="list-style-type: none"> <li>• If voting remains a common decision-making process, may need to revise composition to improve parity between the interests represented on the AMWG</li> <li>• Clarify import and use of group’s recommendations to</li> </ul>	<ul style="list-style-type: none"> <li>• Change decision-making rules to clarify if and when consensus should be sought and why, if and when voting is used –             <ul style="list-style-type: none"> <li>○ If consensus is sought, define consensus and responsibilities for constructive participation in consensus discussions</li> </ul> </li> </ul>

Operational and Structural Elements of AMWG	Potential Changes to Charter	Potential Changes to Operating Procedures
	Secretary	<ul style="list-style-type: none"> <li>○ If Robert’s Rules continues to be used, clarify specifically how they will be used and what aspects of Robert’s Rules are used</li> </ul>
<b>Bureau Voting</b>	<ul style="list-style-type: none"> <li>• If Bureaus become non-voting members, change Bureau member roles to ex officio</li> </ul>	<ul style="list-style-type: none"> <li>• If Bureau members don’t vote, changes to voting procedures might be needed (e.g., the 2/3 majority would be a higher bar to passage for motions)</li> </ul>
<b>Composition</b>	<ul style="list-style-type: none"> <li>• Revise membership categories to add groups to address perceived imbalance (assumes decision making remains unchanged)</li> <li>• Options suggested: <ul style="list-style-type: none"> <li>○ Add environmental groups, representatives of academic and scientific communities, local business interests</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• None</li> </ul>
<b>Executive Director</b>	<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• If hire an Executive Director, roles and responsibilities vis-à-vis the AMWG should be spelled out in the Operating Procedures</li> </ul>

## Introduction

This report is the product of an assessment of the potential changes in the Charter and Operating Procedures of the Glen Canyon Adaptive Management Working Group (AMWG). The US Institute for Environmental Conflict Resolution (US Institute) conducted the assessment at the request of the Charter Ad Hoc Group of the AMWG. The purpose of the assessment is to reflect the perspectives of AMWG participants on the Charter and Operating Procedures and to assess the options in response to a set of topics specified by Anne Castle, Assistant Secretary for Water and Science, U.S. Department of the Interior (DOI). In her March 22, 2010 charge to the Charter Ad Hoc Group (CAHG) she asked the CAHG “Without limiting the issues under consideration by the CAHG, I request that the CAHG specifically consider and make recommendations on the following issues ”<sup>3</sup>:

- Composition of the membership of the AMWG;
- Inclusion of the DOI bureaus as voting members on the AMWG;
- Establishment of the position of Executive Director for the AMWG, and the source of associated funding;
- Procedure for approval of Technical Working Group members and alternates, and subgroup and ad hoc group members; and
- Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.)

In addition to the questions from Anne Castle the CAHG worked with the US Institute to develop the following questions to assess the contextual basis of the responses to the five questions posed by the Secretary’s Designee:

- Views about the results that the AMWG has achieved
- Barriers to addressing weaknesses in the AMWG operations, if any, and suggested improvements
- Perspectives about the following aspects of AMWG
  - Agenda setting process and general organization structure
  - Strengths and weaknesses of the facilitation of the AMWG process<sup>4</sup>

This report has been prepared for the Charter Ad Hoc Group and will be distributed to members of the AMWG .The report is based on: direct communication with 25 people, in the form of confidential interviews, and 24 <sup>5</sup>responses to an online survey available to AMWG alternates, members of the Technical Working Group and a set of former AMWG members identified by the CAHG. The names of

---

<sup>3</sup> Memorandum from March 22, 2010 from Secretary’s Designee Anne Castle, Assistant Secretary for Water and Science to Jennifer Gimbel and Ann Gold, Co-Chairs Charter Ad Hoc Group

<sup>4</sup> This question was added at the request of the Secretary’s Designee and concurrence of CAHG members

<sup>5</sup>Not all survey respondents chose to answer all of the survey questions.



people participating in the assessment can be found at Attachment A. Participation in the assessment by representatives of tribal governments represented on AMWG was limited. Primary representatives were contacted for an interview by two to three phone calls and two follow up emails..

The assessment process included a briefing about the results to members of the Charter Ad Hoc Group on October 28, 2010. This report incorporates feedback from that session as well. The willingness of participants to share their views was essential to this Assessment and is greatly appreciated.

## Background

The 1992 Grand Canyon Protection Act (GCPA)<sup>6</sup> outlines the responsibilities of the Department of the Interior (DOI) to operate Glen Canyon Dam in accordance with the GCPA and other existing legal authorities including long-range operating criteria to “protect, mitigate adverse impacts to, and improve the values for which Grand Canyon National Park and Glen Canyon National Recreation Area were established...”. Additionally the GCPA lists several categories of interests with whom DOI should consult in the preparation of criteria and operating plans for the Glen Canyon Dam.

The 1995 Final Environmental Impact Statement for Operation of Glen Canyon Dam Colorado River Storage Project recommends using adaptive management to meet the requirements of the GCPA. In response to the final EIS the Secretary of the Interior established the Glen Canyon Dam Adaptive Management Program (AMP) in 1997<sup>7</sup>. The AMP program provides for monitoring the results of the operating criteria and plans adopted by the Secretary of the Interior and research and experimentation to suggest appropriate changes to those operating criteria and plans.

The Adaptive Management Working Group (AMWG), an advisory committee chartered under the Federal Advisory Committee Act (FACA), held its first meeting in September 1997. The AMWG Charter was last renewed in 2010. The purpose of AMWG is to recommend suitable monitoring and research programs and make recommendations to the Secretary<sup>8</sup>. The Charter further specifies duties for the AMWG as follows:

- 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.*

---

<sup>6</sup> Grand Canyon Protection Act of 1992 P.L. 102-575 §1801-1809.

<sup>7</sup> See <http://www.gcdamp.gov/aboutamp/index.html> Downloaded October 25, 2010

<sup>8</sup> Glen Canyon Adaptive Management Work Group Federal Advisory Committee Charter. Filed July 23, 2010

- 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 report will include 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.*
- f. *Annually review long-term monitoring data to provide advice on 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 Act.*
- g. *Facilitate input and coordination of information from stakeholders to the Secretary to assist in meeting consultation requirements under Section 1804 (c) of the Act.*
- h. *Monitor and report on all program activities undertaken to comply with applicable laws, including permitting requirements.*

Membership on the AMWG is drawn from the interests identified in the GCPA and currently includes one representative from each of the following: Arizona, California, Colorado, Nevada, New Mexico, Utah, Wyoming; Bureau of Reclamation; Bureau of Indian Affairs, National Park Service, US Fish and Wildlife Service , Western Area Power Administration; Arizona Game and Fish Department; Hopi Tribe, Hualapai Tribe, Navajo Nation, San Juan Southern Paiute Tribe, Southern Paiute Consortium, and Pueblo of Zuni. There are two representatives from each of the following interests on the AMWG: environmental groups; recreation groups; contractors who purchase Federal power from Glen Canyon power plant.

Consistent with the AMWG Charter, the AMWG, with the Secretary's Designee, may establish subgroups for the purpose of compiling information or conducting research. The CAHG was formed by the AMWG on February 3, 2010 and tasked to review the AMWG Charter and Operating Procedures and make recommendations for improvements in the effectiveness of the AMWG. The Secretary's Designee identified five key issues for the CAHG to specifically address, and asked the CAHG to provide an update report at the August 2010 AMWG meeting and to complete its work no later than February 3, 2011.

In April the CAHG met in Phoenix. At that meeting Elena Gonzalez, Director of the DOI Office of Collaborative Action and Dispute Resolution (CADR) and Sarah Palmer, Senior Program Manager of the U.S. Institute shared ideas and possible approaches used by other Federal Advisory Committees to review their operations and procedures. They discussed the pros and cons of whether an impartial assessment of the AMWG process, conducted by a third party neutral, would be timely and informative to CAHG in developing its recommendations to the AMWG.

In order to fulfill Anne Castle's charge and ensure a range of views and perspectives inform the CAHG's recommendations, the CAHG sought assistance from the US Institute as an impartial entity, to learn about AMWG, TWG and others perspectives related to the charge before the CAHG. US Institute staff, Suzanne Orenstein, Sarah Palmer and Pat Lewis, conducted the assessment interviews and an on-line survey. The U.S. Institute is an independent federal agency, separate from the Department of the Interior, which assists parties in collaboration, consensus-building and dispute resolution processes.

In July and August the US Institute worked with the CAHG to develop the approach to the assessment, including interview and survey questions and lists of interviewees and survey recipients. Ms. Palmer attended the August AMWG meeting at which CAHG co-chairs Ann Gold and Jennifer Gimbel reported to the AMWG on the assessment approach and survey.

The following sections provide the key themes from interviews and survey respondents. The report is organized to provide the perspectives on contextual questions regarding the successes of AMWG and the barriers to AMWG success followed by the responses to the specific operational questions posed by Secretary's Designee Anne Castle. For each response a short summary of the possible changes to the AMWG Charter and Operating Procedures is listed. Documents reviewed in the course of conducting the assessment are provided in the bibliography. Additionally, Appendix B provides a brief description of operational and organizational approaches of similar multi-stakeholder, multi-governmental advisory committees that focus on endangered species, hydropower and watershed management.

The assessment findings represent a range of views among the participants. The responses to the interviews and on-line survey are grouped. Where there are commonly held views the descriptors 'many' or 'most' are used. The descriptors 'some' or 'a few' are used to represent views that were less frequently shared or unique among assessment participants. The interest group perspectives represented by 'a few' varied, i.e. one interest or group of AMWG members were not consistently represented by 'a few'.

## Findings and Options

### Results Achieved by AMWG

#### Interview Results

Interviewees were asked about their **views of the results that the AMWG forum has produced**. This question was included in order to identify views about whether the forum is accomplishing its purpose.

Most interviewees feel that **the forum is valuable in promoting information sharing and communication among the entities involved, sponsoring and learning from scientific experiments and monitoring, and communicating proposals and recommendations to the Secretary. On the other hand, many interviewees noted that the vision for adaptive management has not been fulfilled, with much emphasis on science and an under-emphasis on management.**

Some examples of the comments on this aspect of AMWG include the following:

- Some progress on cooperative resource management.
- Greater understanding of river system, operations, ecology, cultural resources
- "Experiments have provided information for all interests to use to tailor their management."
- "Not sure the results are as useful to the Secretary as they are to the members."
- "Resolved a few management issues for Grand Canyon."
- Have 10+ years of data to establish and implement management actions
- Humpback chub are more plentiful.
- Adapted to severe high flow and sediment events.
- Would like things to move faster, probably not possible.

- Better understanding of the resources and impact of operations on resources
- Greater understanding of interrelationships and difficulty tweaking system for one resource and the consequence to other resources.
- Creation of a tribal liaison position is an achievement.

**Only a few interviewees noted that progress has been made on specific adaptive management tasks.**

One of the most common views noted was that it is time for AMWG to move from a focus on science to a more concerted focus on management. Examples of the comments on management progress:

- “Need to revisit priorities for management. Desired Future Conditions (DFC) might not actually succeed at addressing them (priorities). E.g., extirpated species are missing from the draft DFC report”
- Need budget changes to be able to move into adaptive management
- The ebb and flow of interest in AMWG from different administrations has contributed to the lack of progress.
- Net effect on the Canyon is slight degradation, decline in rare species
- Lack of clear goals and direction reduces progress
- “An expensive failure.” “AMWG is a failure except for three beach flow projects”

Many interviewees noted inter-agency and inter-group relationship benefits from participating in AMWG. On the other hand, more than a third of the interviewees noted that positive relationships and productive dialogue have diminished as litigation has become a factor. Another positive element noted was the creation of the tribal liaison position.

**Survey Results**

*Most frequently noted comments:*

- Great science collected; increased knowledge and information (5 respondents)
  - Science advisors would rate it as a successful Adaptive Management program
- Continued dialogue from the EIS/ROD and made adjustments round the edges, mostly in the form of experiments
- Stakeholders have ability to express their views; all the players are at the table
- Desired future conditions process underway
- Established the “framework,” need to work on fine-tuning the process and actions
- AMWG has achieved fairly comprehensive vision, mission, goals and objectives and information needs
- “Only one lawsuit filed”

*Other comments regarding achievements*

- Positive achievements (but need a more holistic approach)
- Flushing flows have been a flop
- Experimentation continues to dominate
- Most of AMWG deliberations have been over budget
- Need to make decisions about management actions; need to act on what we’ve learned; Secretary will have to make tough decisions
- Same topics on the agenda today as there were 10 years ago

- Some members of AMWG are at the table only to protect their interests
- Testing by doing is problematic for the AMWG; tests may require decades before results are obvious

### **Summary of Assessment Results on Results Achieved**

In general, AMWG members and those currently and formerly associated with AMWG who completed the survey support AMWG as a vehicle for communication among themselves and with the Department of the Interior. There is an emerging view that the focus of AMWG needs to shift from majority focus on science to a much more major focus on environmental and dam management.

An aspect of achieving greater clarity or focus of AMWG includes clarifying the purpose of AMWG. The Grand Canyon Protection Act, of 1992, Glen Canyon Dam Final EIS and Record of Decision (ROD) offer insights, as does the description of duties in the AMWG Charter. The differing views among AMWG members about its purpose and scope are a source of conflict. For example, is the purpose to give advice to the Secretary or to coordinate in the region, or both? Is the geographic scope the entire Park or limited to the Colorado River below Glen Canyon Dam? Should AMWG focus on management, restoration, operations, etc? A clarification by the Secretary about the purpose and scope of AMWG could help eliminate conflicts within the group and improve its efficiency.

## **Barriers to Addressing the Weaknesses in AMWG Operations**

### **Interview Results**

AMWG members were asked during the interviews about any barriers that they saw to productive operation of the AMWG. **The major themes among the responses were the need for clearer direction and focus, the need to shift the focus to management using the science already gathered, and concerns about the atmosphere for dialogue and deliberation.**

Several interviewees mentioned issues with the science program as barriers to effective operations of AMWG, including lack of focused direction, delay in peer review for studies, difficulty obtaining research on socio-economic factors, magnitude of budget and resources devoted to it, and allowing research to delay management actions when actually have enough data to take some actions.

Among the specific barriers cited in the interviews are the following comments.

- Focus should be on protecting Grand Canyon, and that is not the focus now.
- Lack of leadership and direction for moving forward.
- Absence of a common goal for all to work towards.
- Group is polarized, with power and state interests on one end and environmental and recreation interests on the other. Tribes and federal agencies are in the middle, and take sides depending on the issue.
- Bloc voting among state water and power interests was noted as a frustration by some.
- Not enough time for actual discussions
- Atmosphere of distrust and wariness of lawsuits (Threats of lawsuits create “poisonous” atmosphere)

## Suggestions for Overcoming Barriers

Many interviewees made suggestions about overcoming barriers. **The most common suggestions were that a long-term management plan with specific goals be developed, that the Secretary and Secretary's Designee should come to the AMWG with issues and proposals for comment, and that the focus of the conversations be at a more substantive less detailed level, especially regarding budget decisions.**

Specific comments on overcoming the barriers to AMWG operating effectively include the following.

- The Secretary and Secretary's Designee should come to the AMWG with issues and proposals for AMWG to comment and respond to.
- DOI should put out a list of specific policy questions on which the Secretary wants advice (e.g. what is the appropriate number of beaches for the river given the existence of the dam, the law of the river, and existing policies and statutes?)
- Post the mission and vision of AMWG and review it at each meeting
- Address the effects of litigation on the AMWG discussions
- Revamp/downsize the science program. Original intent was a small program of six people who contracted research and monitoring to state universities. Rarely get a good independent review.

## Survey Results

### *Barriers*

- No vision / roadmap / no clear expectations (cited most often)
  - Misunderstanding the role of the AMWG
- Litigation
- Reaching consensus
- Rotating Secretary's designee
- AMWG power struggles/self-interest
- Political influence
- Disinterested Secretary
- No program coordinator
- Some members do not vote affirmative or negative, just *present* or abstain
- DOI agency conflicts
- Lack of decision making or acting on Roles Reports
- Complexity of the authorizing legislation
- Government/scientist control

### *What can be done to address the barriers to improvement in the functioning of the AMWG?*

- Executive Director to provide oversight and continuity (cited most often)
- Program coordination and a management group
- Require voting members to vote *yes* or *no*
- Remove DOI agencies as voting members
- Prioritize desired future conditions
- Carry out a facilitated shared vision exercise; define goals
- Generate recommendations from two sources (majority and minority?); forgo reaching consensus

- Continued strong leadership by Secretary’s designee
- TWG complete critical analysis of science and management alternatives
- Develop 10-year program and budget plans
- Work on substantive issues, rather than the budget
- Hire professional facilitator
- Deal with conflicts among scientists and DOI agencies
- Review roles of the GCMRC as they relate to the AMWG, TWG and GCDAMP
- DOI to ask for specific advice
- Need to assess whether the intent of the ROD and the GCPA have been addressed

**Summary of Views Regarding Barriers to Addressing the Weaknesses in the AMWG Operations and What Can Be Done to Overcome Them**

Interviewees and survey respondents noted many barriers to addressing the AMWG weaknesses and made many suggestions to overcome them. Creating a stronger vision for the work of the group and stronger leadership was repeatedly stressed.

The role of the Secretary’s Designee is key in the AMWG process, and many noted that the current Designee is a positive and strong leader. Many suggested that DOI focus and narrow the items for AMWG discussion.

Consensus as a goal is difficult for a group that meets only twice or three times a year. It may be unrealistic for AMWG to seek consensus except when the full group agrees they want to have an effect on an issue. Achieving a stronger AMWG will require increased time commitments from members for meetings, or a reduction in the number of issues the group gets involved in.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>• None, but revisit description of duties to ensure a common understanding and vision</li> </ul>	<ul style="list-style-type: none"> <li>• Incorporate AMWG duties into the Operating Procedures</li> <li>• Clarify involvement in AMWG of those with claims against the government</li> </ul>

**AMWG Agenda Setting and Organizational Structure**

**Interview Results**

Interviewees were asked for their perspectives on AMWG’s agenda setting process and organizational structure. This question was asked to determine whether the current process for setting agendas and/or AMWG’s structural framework is affecting its progress.

**Agenda Setting**

**Interviewees’ perspectives on the agenda setting process diverged with some finding the process acceptable and others not so.** There seems to be **some confusion about how the agendas are set** and by whom (e.g., Secretary’s designee; Reclamation; Technical Work Group; GCMRC, facilitator, members with interest getting an item on the agenda, etc.)

Other perspectives:

- Agendas are full / need more focus / at times they are not substantive with regards to adaptive management
- AMWG members can provide input; an initial call for agenda items would provide a vehicle for that input
- Agenda is controlled by “water” and “science” with limited opportunities for others to offer suggestions
- Need to spend more time on science and responses to the science
- Agenda setting is reactive to the budget

### Organizational Structure

Views on AMWG’s structure tended to focus on its purpose and goals with many interviewees expressing **the need for AMWG to develop a strategic vision and purpose, common goals and objectives, and plans for implementation with clear direction from the Secretary**. Some see a need for focusing its work on ecosystem restoration and not so much on hydropower. Other perspectives on AMWG’s purpose:

- GCPA and Record of Decision are viewed by many as foundational drivers of AMWG
- Need to look at whole system, not just manage for a single species
- Need to move from science to implementing Adaptive Management
- Ready to move to management actions
- Program is a “Christmas tree” – people want to hang different ornaments on it (e.g., studies that focus on the chub and sediment but that don’t help the larger ecosystem)

Additional views on AMWG’s Structure:

- Consider meeting three times/year in-person and/or via teleconference
- Remind AMWG members that they are advisory to the Secretary
- Establish term limits for members (e.g., 4-year terms are listed in the charter)
- Group is polarized with power & states vs. environmentalists and recreation; the tribes and federal agencies are in the middle. Need more clarity about how groups (AMWG, science advisors, GCMRC, TWG) interact; not always clear what role the scientists play and where they fit in
- Turnover in Secretary’s designee impedes progress; presents continuity and leadership challenges
- Sometimes Reclamation gets largest share of discussion

### Survey Results

**What perspectives would you like to add about the agenda setting process of the AMWG?**

- Need a more open process; everyone should provide input to the agenda
- Agendas should focus on what the Secretary needs advice on
- Need to include national perspective rather than the user groups’ perspectives
- Agenda too focused on GCMRC’s budget and work plan



- More time should be given to structuring future meeting agendas; agenda items should be issues that are ready for discussion and action with sufficient technical background provided
- DOI agencies should be engaged with agenda setting process
- Agenda should not be overloaded; avoid last minute additions
- Plan a workshop or focused meeting to tackle some of the bigger management topics
- The agenda should include:
  - updates on AMP projects
  - requests for feedback from the Secretary
  - review AMP plans and project results
  - provide briefings and training
  - opportunities for representatives to raise issues for discussion
- Larger agenda needs addressing: a clear vision of what the AMWG expects to accomplish through the Adaptive Management Plan

**What perspectives would you like to add about the organizational structure of AMWG?**

- AMWG’s progress depends on the end game as envisioned by the Secretary
- Rotate scientists through; balance ideologies of scientists
- NGOs not able to participate well because they tend to be underfunded; GCT has a disproportionate influence among the NGOs
- AMWG set up to ensure no significant changes
- All interests must have the time to devote to the program
- Having a lower level Secretary’s designee would help the AMWG be more responsive; it is a challenge to schedule meetings
- Role of federal agencies in question now
- Helps when Assistant Secretary provides clear directives for the group
- AMWG members who meet only twice a year are not in a position to solve problems
- Need a policy group at the staff level or let the TWG move more into policy

**Summary of Assessment Results on AMWG’s Agenda Setting Process and Organizational Structure**

Interviewees and survey respondents alike see a need for more direction (a vision/purpose) from the Secretary to focus AMWG’s work. There is an expressed desire to move on to management decisions and implementation and away from wrangling around GCMRC’s budget. In this section and in others, interviewees and survey respondents asserted that the AMWG is advisory only, which could have implications for decision making (not a part of this section). Overall, there was an acknowledgement of the challenges in setting AMWG agendas, and a recommendation that more deliberative focus be brought to the AMWG meeting topics.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Specify how agendas are developed, set, and by whom. For example, outline the process for getting an item on the agenda; what are the priorities for issues that should receive time on the AMWG agenda, etc.</li> </ul>

## AMWG Facilitation

### Interview Results

AMWG members were asked during the interviews about the strengths and weaknesses of the current AMWG facilitation. The most common responses were:

- Facilitation is definitely needed and should be maintained,
- The current facilitator has a useful, significant depth of experience with the AMWG members and with the issues,
- The current facilitator is
  - adaptive,
  - flexible,
  - prepared,
  - supportive to all at the table,
  - good at tracking things.

When asked to name weaknesses of the current facilitator, the following comments emerged.

- “Sometimes raises issues I’d rather not see raised.”
- “Some biases are visible, though she works hard to be fair.”
- “Others see her as biased because of her work for American Rivers. I do not see that.”
- Recently inserted her own opinion to steer a conversation.
- No weaknesses
- Writes things down too soon, forcing too much wordsmithing.
- Has “lost effectiveness, developed biases and points of view, and lacks consistency.”

Among the suggestions made for addressing the AMWG facilitation needs are to revisit/replace the facilitator selection every few years, circulating an RFP for the work and revisiting the facilitator’s role if an Executive Director is hired. Many saw a role for the facilitator in the between meeting work (agenda setting, preparing motions, etc.) but noted that an Executive Director could be the person who manages those AMWG interactions.

### Survey Results

#### *Strengths*

- Keeps track of commitments
- Helps focus the discussion and moves us along
- Adding facilitation allowed agency representatives to focus on representation
- Useful in areas where significant differences of opinion exist
- Facilitator is great to work with

#### *Weaknesses*

- Facilitator needs to be firm on time management
- Mostly token and about meeting effectiveness
- Facilitation is good if the intent is to maintain status quo
- Facilitators should focus on facilitation; not so important to have the history of the program
- Fresh air could be helpful; rotate facilitators
- Facilitation has been useful but needs to be unbiased
- Follow up is weak
- Wastes time on wordsmithing and construction of motions on things the group is not going to agree on

*Other Comments*

- Facilitation is needed to support the TWG

**Summary of Views Regarding Facilitation**

The range of views on the usefulness and strengths and weaknesses of the facilitator is consistent among the interviewees and the survey respondents. A few assessment participants expressed the view that a change of facilitators might be useful, but others worry that it will take a new person too long to get up to speed on the history and process. Many respondents noted highly positive attributes of the current facilitator, and others were less satisfied.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• Spell out the role and responsibilities of the facilitator</li> <li>• Consider whether to re-compete the facilitation contract after a specified time</li> <li>• Consider tasking a small group to work with Reclamation to review and/or select the facilitator</li> </ul>

**Procedures for Approval of Technical Work Group (TWG) Members and Alternates and Sub-Group and Ad Hoc Group Appointments**

**Interview Results**

AMWG members almost all had an accurate understanding of how TWG members and ad hoc group members are appointed. They noted the following process:

- TWG members are identified by their organizations. No DOI or AMWG approval seems to be required for the TWG nominations.
- The procedures for nominating sub-group and ad hoc members are not written into the Operating Procedures or Charter, but all understand them to be a combination of volunteering and recruiting of members to create balanced groups that are approved by the Secretary’s Designee and AMWG.

- The only language in the Operating Procedures about TWG and sub-group appointments is the following.

*“One standing sub-group of the AMWG will be the Glen Canyon Dam Technical Work Group (TWG). The TWG membership shall consist of one representative from each organization represented in the AMWG, with the exception that two members from the National Park Service representing the Grand Canyon National Park and the Glen Canyon Recreational Area, and one representative from the US Geological Survey.” ..... “Sub-group members may designate alternates subject to approval of the Designee and the AMWG.”*

As the quote above shows, the current Operating Procedures require the Secretary’s Designee to approve the subgroups alternates, but not the TWG members themselves. AMWG members did not see the need for the Secretary’s Designee to approve the TWG alternates. Changing the Operating Procedures to eliminate this step would be acceptable.

Some interviewees made specific suggestions about subgroups’ operations, including the following:

- Renewing/reviewing all appointments every two years
- Train AMWG members in how TWG members are nominated, including the desired qualifications
- Speed up appointment letters once folks are nominated (evaluate if this nomination step is even necessary)
- Establish a regular schedule for TWG meetings
- Consider facilitation for the TWG and for subgroups
- Spell out in the Operating Procedures how subgroups are created.
  - Should there be a process for removal of members

Many interviewees volunteered comments about the interrelationship of the TWG and the AMWG, pointing out areas of disequilibrium and frustration. While the TWG is established to be a technical advisory group, many interviewees noted that the policy differences present among the AMWG members play out in the TWG meetings. Several interviewees noted that the TWG and AMWG send proposals back and forth, without deciding anything, delaying resolution.

Another frequent comment concerned the TWG’s role in developing policy proposals and motions, which seems to happen in spite of the fact that the TWG is a technical support group. It may be the case that the TWG, because it meets more frequently than AMWG, serves as a staff group in support of AMWG rather than as a strict technical advisory group, which creates the occasional two-tiered discussion of issues that come up for discussion at AMWG. Some FACA committees intentionally create a staff-level group that tees issues up for a principals-level group to decide upon. This does not seem to be the intention of the TWG, but if that is what is actually happening, that fact should be discussed and the roles of the two groups should be clarified accordingly.

The Roles Report<sup>9</sup> outlines many improvements and procedures for addressing the challenges involving the TWG-AMWG dynamic. The request for this USIECR assessment did not include a detailed evaluation

---

<sup>9</sup> Roles Ad Hoc Report Dated December 2008. Provided to assessment team by CAHG

of the TWG operations and interactions, but a thorough discussion of the respective roles of the two bodies and their intersections is needed. Steps that would clarify these roles might include revising the AMWG Operating Procedures to clarify and refine the TWG role and developing AMWG-approved operating procedures specifically for the TWG.

Among the statements from the interviewees about the operations of the TWG are the following typical comments.

- Some sub-groups suffer from a lack of strong and neutral leadership
- Some AMWG interest groups don't have the resources to be represented on the TWG and subgroups, creating a lack of balance among the perspectives
- AMWG sometimes "undercuts" the TWG; the flow of recommendations between the two groups is not ideal
- At times the TWG elevates issues to the AMWG rather than working them out at the TWG level
- It is not clear what the TWG should weigh in on or is required to weigh in on
- Facilitation for the TWG might improve its implementation of its role and structure
- The current chair is a good leader for TWG and has improved the atmosphere that existed previously

### Survey Results

Responses to the question about what is the procedure for approving TWG members, alternates, subgroups and ad hoc group members varied considerably. The most frequently cited answer:

- AMWG representatives name TWG members; names are presented to DOI for approval; ad hoc groups are formed under the direction of the AMWG and are made up of volunteers

Other answers were some variation on the above including:

- AMWG representatives recommend TWG representatives; no DOI concurrence is required
- TWG are representatives appointed by AMWG; TWG selects its own Chair; some subgroups are formed by TWG

**A little more than half of the survey** respondents answered that the current procedure for approval of the TWG members, etc., **works well or works "okay."** A few respondents answered that the current procedure does not work well.

#### *Suggested improvements to the procedures from the survey*

- Require prospective TWG and subgroup members to explain their interest in and qualifications for serving or establish criteria for membership
- Expedite the approval process
- TWG Chair should approve membership – it is too political to have Secretary's designee approve
- An Executive Director should oversee the process and make the decisions
- TWG Chair should be appointed by AMWG
- Decisions about who serves on subgroups and ad hocs should be made by AMWG
- Need transparency

*Other observations from survey respondents about the TWG, primarily having to do with roles and responsibilities*

- TWG is too political Policy concerns overwhelm substantive technical discussions
- TWG should have more flexibility to generate proposals for AMWG; formal recommendations made by TWG must be considered by AMWG; TWG should have more authority to develop an analysis of alternatives for science and management activities including policy assessments
- TWG members representing their own interests can be problematic; some members are there to carry out their own agendas
- Non-management agencies have too much ability to push science or issues; TWG should not be a forum for a “sales pitch” by researchers
- TWG serves at AMWG’s pleasure and supports AMWG
- What is role of TWG? Define TWG’s purpose and desired deliverables to avoid endless and unfocused debate.
- User groups have too much power in the TWG

*Observations about TWG operations from survey respondents*

- TWG agendas are overloaded
- “Park” issues until more information is obtained – there is a time to move on
- Challenging for underfunded NGOs to participate in TWG meetings or ad hoc groups
- TWG and subgroup members lack the time needed to fully participate; provide compensation for time and travel

**Summary of Findings re: Approval of TWG Members and Alternates and Subgroup and Ad Hoc Groups**

The simple question of how the TWG alternates are approved was answered easily by the interviewees and survey respondents: there is no need for DOI approval of the TWG alternates and the Operating Procedures can be amended to remove that step for the TWG. The more complex questions about how the TWG operates need further discussion and clarification.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>• Specify role of TWG</li> </ul>	<ul style="list-style-type: none"> <li>• Add language to clarify the TWG role and the process for nominating TWG members and alternates to ensure consistency of how members are appointed</li> <li>• Add language clarifying process for nominating and managing other subgroups</li> <li>• Define and/or clarify the differences between a subgroup and an ad hoc group</li> </ul>

## Decision Making

### Interview Results

The AMWG Operating Procedures require that the AMWG makes decisions attempting to first use consensus and when consensus is not possible, voting using a two-thirds majority decision rule, with minority opinions noted and generally using Roberts Rules of Order. Interviewees were asked about how the AMWG decision-making procedures work for the group and suggestions for improvement. Their views are outlined below:

### Efficacy of and Issues with the Current Process

There are differing perspectives on the efficacy of the current AMWG decision-making process. To some, the initial consensus and then two-thirds majority voting works well, issues are discussed and the group is able to make decisions. Other interviewees think the process does not work well, and that there are consistent ‘winners and losers’ that are reflective of the distribution of membership and/or issue alliances.

Views vary about the consensus-seeking portion of the current process. Many feel it is important to try to reach consensus and consider voting as an effective tool for the group to move forward when consensus is not possible. Others note that there are few incentives for the group to work things out using interest-based negotiation to try to achieve consensus; voting is a more comfortable alternative to engaging in difficult conversations that may impact agency and other interests. Some feel that the litigation between AMWG members prevents and/or discourages consensus and reduces member willingness to work toward consensus before turning to a vote. Several interviewees noted that a consensus rule would be too difficult to achieve because the interests of the group are too divergent.

A number of views were expressed about the issues surrounding the voting process and its purpose. They Include:

- *Frequency of voting.* Some feel the AMWG turns to a vote before a sufficient effort is made to find consensus or incorporate minority views. Voting is perceived as a tool used by some to implement their preferred strategy rather than a tool for providing opinions on the substantive issue.
- *Abstentions.* Interviewees noted they may be used to preserve alliances and a few interviewees felt abstentions are overused in forming recommendations to Secretary.
- *Nature of the Majority.* Comments about the majority votes include the following:
  - The difference between a simple majority and a two-thirds majority is often just 1-2 votes.
  - Voting won't be satisfactory until composition of AMWG is more balanced and the voting blocs among DOI Bureaus and among states are addressed.

- Voting creates ‘winners and losers’.
- Two-thirds is better than simple majority voting.
- It is good to have minority reports.
- *Motions*: The process for developing and amending motions lacks clarity; facilitator assistance is needed to navigate the deliberation and decision-making process. Word-smithing to make a motion acceptable is frustrating and often an inefficient use of time.
- *Effect of Motions*: There is an incorrect perception that voting binds the Secretary to an AMWG recommendation

### **Ideas for Improvement from Interviewees**

Interviewees shared a range of ideas to improve the AMWG decision-making process. The ideas suggested are grouped into three themes below.

*Application of Consensus.* If the group is to use consensus, define collaboration and consensus.<sup>10</sup> The Charter Ad Hoc Group should provide the pros and cons of a consensus rule. The Secretary should establish expectations and/or incentives for consensus recommendations from AMWG.

*Work harder to get consensus more often.* When implementing consensus determine first if there is support for a motion and if not explore why, and develop a strategy to achieve consensus. If consensus fails, don't vote, instead, report all proposals to Secretary, with a short rationale for the proposal.

*Voting.* Encourage voting rather than abstentions, particularly among the tribal representatives. The voting process should be clear to all and consistently applied across all motions. Go to simple majority vote. Do not vote, but submit multiple proposals to the Secretary in brief (two-page) drafts from the proposers.

*Developing and Managing Motions.* Set a ground rule that new motions must be provided no later than xx days prior to the AMWG meeting and new motions cannot be introduced during the AMWG. If it is clear that a motion has no second, or will fail, don't waste time trying to amend it to make it acceptable. Issues like the budget should not go before the AMWG until they are accepted by the Budget Ad Hoc Group and TWG.

Other comments:

- There is an interest in greater clarity on the substantive tasks. A frequent example was the AMWG voting on the budget process, which was described as hard to follow and understand what is being decided.
- Establish clearer procedures for how people will act.
- Foster more acceptance of open disagreement
- If composition issues addressed: the AMWG would provide more written positions to the Secretary
- Use decision support tools that all can use to develop understanding of actions on matters brought forward for decisions

---

<sup>10</sup> For example, a frequently used definition of consensus in other FACA Committees is “All can live with the decision.”



## Survey Results

Survey responses mirror those of interviewees, with a **majority indicating that AMWG's decision-making process works well or that they could not think of a better way for it to make decisions**. A small number of respondents feel that the process does not work well.

### *Issues with current decision-making process*

- AMWG is charged with providing advice, not decision making; what does decision making matter if the decisions have no import?
- Everyone votes their special interests; voting is predictable; voting polarizes and should be avoided; voting blocs hinder compromise and consensus; voting on recommendations may not be the best way
- Two-thirds vote by entities who have a vested interest in the outcome and the numbers to control the outcome is not appropriate
- Backdoor deals [made] by DOI agencies; requiring agencies to speak with one voice dilutes the decision-making process
- Reduction in collaboration due to lawsuit;
- Identify the end game: is the purpose to keep players at the table or to make decisions?
- In areas of risk, tradeoffs, socio-economic factors, decision support tools may be helpful
- There is gamesmanship in getting things tabled or ignored

### *Ideas for Improvement*

- Remove DOI from decision-making process and reduce the vote required to one-half from two-thirds
- All AMWG members should be required to vote or explain for the record why they are unwilling to
- Members should be trained in Roberts Rules of Order
- Need for professional/neutral facilitation
- Secretary needs to ensure there are no end-runs around the Committee
- Decisions should be made for long-term, not annual
- Stakeholders should be permitted to vote on any item in the budget or work plan then 2/3 vote should be required to approve that item
- Motions and recommendations made by representatives of entities that are suing DOI should not be entertained and representatives should recuse themselves from participation

## Summary of Views Regarding AMWG Decision Making

Although many interviewees and survey respondents indicate that the current AMWG decision-making process works well, they raised a number of issues regarding aspects of the decision-making rule, consensus and voting, as well as development of motions and amendments. Suggestions for improving the decision-making process include clarity about the consensus step, changes in voting process possibly accompanied by changes in composition of membership, and improvement in the process for developing and reaching decisions on recommendations, including the possibility of making no group decisions and instead sending a set of proposals to the Secretary for consideration and decision making.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>• If voting remains a common decision-making process, may need to revise composition to improve parity between the interests represented on the AMWG</li> <li>• Clarify import and use of group’s recommendations to Secretary</li> </ul>	<ul style="list-style-type: none"> <li>• Change decision-making rules to clarify if and when consensus should be sought and why, if and when voting is used – <ul style="list-style-type: none"> <li>○ If consensus is sought, define consensus and responsibilities for constructive participation in consensus discussions</li> </ul> </li> <li>• If Robert’s Rules continues to be used, clarify specifically how they will be used and what aspects of Robert’s Rules are used</li> </ul>

## Bureaus Voting

### DOI Bureaus as Voting Members of AMWG

Interviewees were asked their perspectives on the pros and cons about DOI Bureaus as voting members on AMWG and what changes should be made in the AMWG Charter regarding DOI roles. The interview responses fall into five general categories:

- Keep things as they are (Bureaus vote individually)
- DOI Bureaus vote as a bloc, not individually, with one or two votes
- Ex Officio (non- voting)
- No opinion
- Don’t know

A common view across interviewees is **the importance of AMWG members being able to hear Bureau perspectives on issues whether or not the Bureaus vote individually or as a bloc**. Motions in AMWG may impact Bureaus, positively or negatively, in light of their different/unique missions. There is an interest among interviewees in understanding these impacts, regardless of voting or non-voting of the Bureaus. Interviewees noted greater DOI Bureau coordination and vetting of policy issues under the leadership of the current Secretary’s Designee. For the most part, but not completely, the greater coordination was viewed positively.

Interviewees favoring an ex officio role posited that a single DOI voice sends clear messages and reduces confusion. The AMWG is a Federal advisory committee that reports to the Secretary of the Interior and the Bureaus as entities in the Department of the Interior have avenues to engage the Secretary on policy issues. Voting on the AMWG therefore offers the Bureaus ‘a second bite at the apple’. If the DOI Bureaus speak with ‘one voice’ there is no need for Bureaus to vote.

Concerns about DOI Bureaus voting as a bloc or participating as an ex officio to the AMWG are:

- Less engagement and accountability of the Bureaus in supporting or implementing a recommendation (if accepted by the Secretary of the Interior)

- Reduced discussion among the Bureaus and other AMWG members
- Reduced ability of Bureaus to provide input to decisions in ways that align with their missions
- Changes the nature of the alliances among Bureaus and other AMWG members
- Potential lessening of the strength of recommendation to the Secretary

It was suggested that the AMWG experiment with the DOI Bureaus not voting for a fixed period of time and assess how the change affects the process and progress of the group.

Several interviewees pointed out that the issue of concern to them is voting as a decision-making tool, not that the Bureaus take part in the voting.

### **Survey Results**

Pros for including DOI Bureaus as voting members

- Agencies are ultimate decision makers so need to be at the table
- They inform non-federal members of the AMWG of their positions on proposals and recommendations
- AMWG provides a forum for interactions and a diversity of opinions among the Bureaus
- Participation on AMWG forces Bureaus to face critical issues and makes DOI more responsive to public concerns
- Bureaus are not always on the same page and perhaps should not be required to agree
- Bureaus provide valuable technical expertise and information
- Absence of DOI Bureaus could lead to perceptions that the process is more political

Cons for including DOI Bureaus as voting members

- One DOI voice removes transparency or nullifies Bureaus votes
- Voting gives Bureaus advantage over stakeholders, since they have other opportunities for advising the Secretary
- Bureaus members vote on recommendations that they will implement
- Lawsuits affect Bureaus' ability to vote on recommendations
- Voting sets Bureaus against one another

Suggested changes to the AMWG Charter regarding the inclusion of DOI Bureaus

- Have Bureaus serve in an advisory role only
- Have Bureaus generate proposals for AMWG's consideration
- Separate Bureaus from AMWG and have them provide their own recommendations;
- Make Bureaus non-voting members and renegotiate decision-making process
- Have Bureaus vote as a single bloc (and other representatives as well)
- Weight the votes of various Bureaus based on their legal mandates and responsibilities
- AMWG makes no recommendations – compile results of discussion and send to DOI Secretary

### **Summary of Assessment Results on DOI Bureaus Voting and Corresponding Changes to the AMWG Charter**

Interviewees and survey respondents place a high value on the engagement of DOI Bureaus in AMWG and hearing the potential implications of AMWG recommendations on DOI Bureau missions. Changing how Bureaus participate in AMWG decisions may create a more consistent DOI voice and establish a 'purer' advisory committee (advice from non-DOI interests tribal, state, ngo interests, and DOE to DOI). If the Bureaus no longer vote, and voting remains the primary decision-making tool of the group, the perceived power imbalances within the AMWG may be reinforced if the decision-making structure and group composition remain unchanged.

### Options for Moving Forward

If the Bureaus become ex officio members of AMWG, it may be necessary to amend the Charter regarding their role. Furthermore, the Charter states that 15 members must be present at any meeting to constitute a quorum. The Charter does not make distinctions about voting and non-voting members. Changes to the current decision-making role of DOI Bureaus will also require a change in the AMWG Operating Procedures

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>Change Bureau member roles to ex officio (non-voting)</li> </ul>	<ul style="list-style-type: none"> <li>If Bureau members don't vote, changes to voting procedures might be needed (e.g., the 2/3 majority would be a higher bar to passage for motions)</li> </ul>

## Composition

### Interview Results

Interviewees were asked about their views of the composition of the AMWG, what works well, what needs improvement and what might be the reasons for these successes and less successful elements of the make-up of the AMWG. Interviewees were also asked if there are categories of interest groups or entities that are missing from the balance needed to accomplish the goals of AMWG as set out in the Grand Canyon Protection Act.

Most interviewees feel that the **current composition works well and is the appropriate mix and balance**. The long tenure of many AMWG members is viewed both positively and negatively. It is positive in that members have a wealth of knowledge and institutional memory that is helpful to new members. The long tenure of members is viewed negatively because over time members have become less willing to negotiate and carry with them past conflicts that may or may not be resolved. Some view the composition as working well because it allows members to form a variety of alliances on specific issues.

Although most interviewees feel that the current composition works well, interviewees made a number of suggestions for improvement in the composition of AMWG. There is a perception among many that the **composition of AMWG is skewed to power and water interests and that too many states are represented. The result is a voting bloc that keeps the substantive focus of the AMWG on power**. To others, the problem is not the composition of AMWG but that members fight for turf rather than try to collaborate.

**On-going litigation between AMWG members was frequently mentioned as an issue that limits the success of AMWG.** This issue is more related to the roles and responsibilities of members and is less related to composition of AMWG in that questions were raised about whether litigating parties should be active members of AMWG. For many interviewees the litigation changed the group dynamics, reduced trust, limited discussion of substantive topics among members, and had a chilling effect on the group discussion. Another perspective is that litigation is the only way for minority voices to have an influence over the program in the face of voting blocs.

### **Suggestions for Improvement**

Interviewees made a number of suggestions for improvement in the composition of AMWG. Many of the suggestions relate to composition as well as AMWG's purpose, structure and decision-making process. Suggestions from interviewees include:

- **Clarity about the Purpose of AMWG.** The composition of AMWG should be based on what interests need to be represented to achieve the Advisory Committee goals. If the purpose of AMWG is clarified, representation and composition may also need to be refined.
- **AMWG Structure:** The Charter could be revised to create a smaller AMWG, with representational seats for states, e.g., two upper basin two lower basin states. Some suggested Arizona, California, Wyoming not be on the AMWG. Alternatively create a separate panel of the states that comments on AMWG recommendations. Another idea was to create a smaller AMWG without the federal representatives.
- Reappoint members more regularly to adjust membership to ensure one voice per interest
- **Member Roles and Responsibilities.** Some suggest that DOI set clear expectations about the role of AMWG members with respect to the overarching goals of AMWG, clarify if members are sitting at the table to represent a constituency or broader interests of the Glen Canyon Dam, and have members pledge to work toward consensus. A few interviewees suggested that a litigating party step off of AMWG, and other interviewees suggested that litigating parties should recuse themselves from AMWG while litigating. Some suggested that there should be clarification from the Secretary about how members should interact with one another.
- **Decision-making Structure.** The composition of AMWG and its decision-making process are connected. To some, the decision-making structure, 2/3 majority voting, combined with the AMWG composition makes it difficult to change from the current status quo (perceived as power interests and the states have control over process). A few suggest that every motion include a majority and minority report that goes to the Secretary.

### **Categories of Interest Groups or Entities that May Be Missing**

Many interviewees feel that the AMWG is not missing any interest category. However a number of interviewees identified several categories that could be added.

- Academia
- Scientists, but not GCMRC science advisors
- At large or general public
- Local business owners such as those in Paige; greater Flagstaff area, Chamber of Commerce
- Local officials, county representatives

- Tribes: Southern Paiute, Havasupai Tribe, tribal organizations: Arizona Inter-Tribal Council
- Environmental, conservation, ecosystem-oriented groups:
  - American Rivers and/or The Nature Conservancy
  - National Conservation Parks Association
  - Sierra Club
  - Center for Biological Diversity
  - An environmental group who will be more satisfied with incremental progress than current environmental group members
- Irrigation districts
- Tribal groups that have seats on AMWG but are not able to participate

Tribal participation may be influenced by the fact the DOI meets with the tribes in a government-to-government meeting on the day before the AMWG meetings. These meetings may be the real vehicle for tribal participation in Adaptive Management. They do not substitute for tribal participation in the AMWG meetings, but they may be the reason that tribal representatives abstain from some decisions.

### **Survey Responses**

#### *Works Well*

- Having all members at the table
- Broad constituency of tribes and NGOs

#### *Does Not Work Well*

- Voting blocs / Consolidation of groups
  - Stymies progress and promotes status quo
  - Those in the minority are not able to have influence
- The absence of a shared vision among AMWG members means that some never achieve a 'positive' outcome and consequently there is resistance in the group
- Members at the table who are involved in litigation
- Conflicts among DOI bureaus
- Over representation by states and hydropower interests
- Too many members
- Other environmental groups should be given opportunities for representation
- Limited tribal participation

#### *Who is missing?*

- No one
- Recreational and environmental representatives
- Water and power users
- Native American tribes (Havasupai in particular)
- At-large representatives (public and governmental)
- Members of the scientific community
- Members of the academic community
- Businesses and communities working in and around the Grand Canyon
- Upper Colorado River Commission

### **Summary**

Interviewees and survey respondents feel the current composition of AMWG works well however if there are to be additions to the AMWG it would be among academia, Native American tribes, members of the public, scientific representatives. The composition of AMWG, in conjunction with the decision-making process of the group is a source of disagreement among assessment participants. To some the composition and decision-making process are fine whereas others see it as a source of undesirable voting alliances.

### **Options for Moving Forward**

The following options or combination of options address the concerns identified by assessment participants.

- Continue with current AMWG composition
- Add members to AMWG

### **Changes to the Composition of AMWG**

Section 1803(b) of the Grand Canyon Protection Act lists the entities with whom the Secretary shall consult in regard to the implementation of the Interim Operations. The categories are more clearly specified in the AMWG Charter and states "Members and alternate members of the AMWG to be appointed by the Secretary will be comprised of but not limited to...." thus additional representatives could be added to AMWG without a change in Charter or Operating Procedures.

Additions to the composition of AMWG might include environmental groups, representatives from academic and scientific community (as identified in Section 1803(b) of the Grand Canyon Protection Act, and local business/economic interests.

One alternative is to change the composition of AMWG to a representational format where each entity, that is DOI Bureau, State, Tribe, Energy have two representatives and thus mirror the number of representatives for environmental and hydropower consumer interests. This change would address those with concerns about 'winners and losers' as a result of the current decision-making process.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>Revise membership categories to add groups to address perceived imbalance (assumes decision making remains unchanged).</li> </ul> <p>Suggested additions:</p> <ul style="list-style-type: none"> <li>Environmental groups, representatives of academic and scientific communities, local business interests</li> </ul>	<ul style="list-style-type: none"> <li>None</li> </ul>

## Executive Director Position

### Interview Results

Interviewees were asked for their views on establishing a position of executive director for the AMWG and their opinions about possible sources of funding and potential roles and responsibilities for that position.

Support for a proposed Executive Director (ED) position was not overwhelming; **interviewees opinions were split fairly evenly overall**. This ambiguity may be due, in part, to concerns about where funding for the position would come from, particularly given current budget constraints. However, **many interviewees could see the benefits of an ED if new funding resources were available**.

### Potential Benefits of and ED position:

- Executive Director position could provide continuity from administration to administration
- Could provide more follow-through on AMWG tasks and assist with Technical Work Group management
- An ED could shoulder some of BOR's FACA management responsibilities
- Executive Director could provide support for implementation of policy actions

### Concerns about the Proposed Position:

- The position would add costs and require funding that could be used for other AMWG-related efforts (cited most often)
- Would distract from AMWG's focus
- Would add another layer of bureaucracy between the AMWG and the Secretary's designee; may slow down the process
- Could become political and compromise confidentiality between AMWG members and The Secretary's Designee

### Suggested Executive Director Roles and Responsibilities

- Similar to Assistant Secretary's role: Chair meetings, set agendas, prioritize issues, information gathering, etc.



- Prepare for meetings; follow up on tasks; support subgroups; integrate new members, etc.
- Assistant to the Assistant Secretary

**Suggestions for Who ED Would Report to:**

- DOI and/or the Assistant Secretary (cited most often)
- USGS
- AMWG

Interviewee views about possible funding sources varied widely. Some interviewees felt strongly that funding should not come from the science budget or the current AMWG program. Other suggestions:

- DOI Bureaus pooled resources or a single bureau such as Reclamation
- Power resources and rate payers
- WAPA

**Survey Results**

**What do you think about the option of establishing a position of Executive Director for AMWG?**

Again, **survey respondents were evenly split on this question: slightly more than half of respondents supported establishing a position of Executive Director and slightly less than half of survey respondents were not in favor of a position of Executive.**

**Potential Benefits of an ED position:**

- The sustained leadership and consistency that an ED would provide (cited most often)
- An ED would be one step removed from direct engagement with the Secretary (unlike the Assistant Secretary)
- An Executive Director would be “dedicated to all aspects/elements of program,” “provide single focus for management of the AMP,” and “reduce workload of the Secretary’s designee.”

**Concerns:**

- The lack of funding for the position (cited most often)
- Concern that an Executive Director would be “biased” toward a specific group of stakeholders (cited frequently)
- The need for a streamlined process because of the growing bureaucracy

**Suggested Funding Sources:**

- Office of Interior
- Operating revenue from the dam
- Other: Office of Energy, a federal appropriation; a combination of DOI and DOE funding; shared funding among all agencies

**Roles and Responsibilities**

- The respondents most often cited both the Executive Director’s responsibility to report results back to the Department of Interior, and also the Executive Director’s role as a meeting convener and organizer.
- Stakeholder communications
- Communicating with TWG and subcommittees
- Formulating ad hoc groups and disbanding them
- Managing and directing the AMP
- Ensuring compliance with FACA
- Handling policy issues that span agencies
- Drafting management documents and decisions
- Working with agency leads to provide proposed work plans, budgets, reports and other products

**Summary of Views Regarding Establishing an Executive Director (ED) Position for AMWG**

There was an even split in the opinions of the interviewees regarding the desirability of creating such a position. If funding was available that was not shifted or reallocated from AMWG’s scientific and management endeavors, the Executive Director position is viewed more favorably. Assessment participants were universal in specifying that impartiality and even-handedness of the person in this position would be essential.

Potential Changes to Charter	Potential Changes to Operating Procedures
<ul style="list-style-type: none"> <li>• None</li> </ul>	<ul style="list-style-type: none"> <li>• If hire an Executive Director, roles and responsibilities vis-à-vis the AMWG should be spelled out in the Operating Procedures</li> </ul>

**Decisions about Recommendations and Products from CAHG.**

Members of the CAHG, AMWG and the Department of the Interior have an opportunity to improve the AMWG’s capacity to fulfill the vision of the AMWG as laid out over a decade ago. Today a significant amount of scientific monitoring data is available to the AMWG to use in formulating recommendations regarding management actions below Glen Canyon Dam. Achieving the goals of AMWG hinge in part on the ability and willingness of the group to address and implement structural and operational refinements to AMWG. These refinements could be accomplished through revisions to both the AMWG Charter and Operating Procedures that incorporate how and when the group will work together collaboratively in order to make recommendations to the Secretary of the Interior.

The potential for achieving a positive outcome will depend on the procedural improvements and choices of the members of AMWG as well as leaders at the Department of the Interior. The CAHG is poised to grapple with these choices and AMWG members have supported them in that effort by contributing to this assessment.

## **From the Neutrals' Perspective: A Path Forward Based on Suggestions from Interviewees**

Sorting through the results of the assessment may be daunting for the Charter Ad Hoc Group (CAHG) and the AMWG. This section is an attempt to present a coherent vision and sequence of tasks for how things might be different in AMWG as a result of the work of the CAHG, including the assessment. Most of the suggestions below were made by one or more respondents in the assessment, and they also reflect the US Institute's experience as an independent neutral managing multiple FACA and other advisory committees.

5. The Secretary's Designee, in consultation with AMWG, should determine the goals for the Adaptive Management Program for the next five-to-ten years, and outline a plan for AMWG involvement in the development and implementation of those goals, including the assessment of progress toward each goal. If the current strategic plan is used for this purpose it should be reviewed and updated as needed.
  - a. Most assessment participants support an AMWG focus on management and policy recommendations that are informed by the robust scientific data gathered to-date and are within the legal sideboards of AMWG.
  - b. The roles and duties of AMWG outlined in the current charter should be revisited to determine if they match the future focus of the AMP. The CAHG should assist with that task.
6. The role of the TWG should be assessed and revised to meet the needs of the new ten-year plan. It should either be designed to be a staff-level working group that tees up issues for the AMWG, or a technical resource that works at the behest of AMWG to provide information to assist in the discussion and consultation in AMWG. Issues of neutrality of the science should be resolved if it will continue to provide scientific and technical support.
7. The duties and roles that are outlined for AMWG in the current charter or a revised charter should drive any changes to the composition of AMWG and to the decision making rules in the operating procedures. If consultation, as described below in item 4, is the desired process, "decision making" could occur much less frequently.
  - a. To improve the decision making process and address the issues of minorities who feel out voted, multiple proposals to the Secretary should be an option in any revised decision making rules for AMWG. This is an option now, but it is not always used after a divisive discussion.
  - b. The issue of Bureaus voting does not have a clear answer from the assessment. However it is clear that the perspectives of the Bureaus are a valued part of the AMWG and should continue to be heard. The CAHG should determine if a recommendation on that element is desirable, in that it helps the AMWG fulfill its vision, and develop one if feasible.
  - c. The roles and responsibilities of members, the Secretary's Designee, should be updated in the operating procedures to reflect the assessment participant interests in their perspectives considered in a meaningful and respectful manner.
8. Consultation may be the best description of the degree of effective interaction between the AMWG and DOI that is most possible going forward. Consultation means that the Secretary's Designee or a member proposes a topic for AMWG discussion and all views are heard and considered, but no decision is sought or required. The agencies each make their own decision on the action or topic discussed.

- a. Specific issues on which consensus may be desirable should be outlined in the five/ten year plan, and they should be very few in number. Some examples of issues that would benefit from consensus recommendations are key management actions, issues in which all entities need to take some management action together, and desired future conditions. The consensus process should be redefined in the operating procedures for use in the decision making situations that call for consensus. Consensus should be defined as “all can live with the decision.”
- b. Unless the AMWG meets much more frequently, the number of issues it can address should be scaled down to the most important policy questions that need consultation. The Secretary’s Designee should, develop criteria for what should be on the agenda in consultation with AMWG, and there should be a clear and transparent process for AMWG members placing items that fit the criteria on the AMWG agenda. The Secretary’s Designee should prioritize the issues that come to AMWG and prioritize issues proposed for any one meeting agenda to create more time for genuine deliberation.

## Bibliography

The following materials were reviewed as a part of the US Institute's assessment.

Berkley, James. "Stakeholder-Relevant Progress Evaluation in Adaptive Management: Glen Canyon Dam and the Colorado River Ecosystem." PhD. Dissertation, The University of Colorado, Denver, 2009.

Glen Canyon Dam Adaptive Management Work Group. "[Glen Canyon Dam Adaptive Management Work Group Operating Procedures](#)." Phoenix, AZ, April 2002.

[Grand Canyon Protection Act of 1992](#) (title: *Protection Act of 1992*). Title XVIII of P.L. 102-575, Government at Large, October 30, 1992.

Roles Ad Hoc Group of the Glen Canyon Dam Adaptive Management Work Group. "[Report and Recommendations to the Secretary's Designee](#)." Phoenix, AZ, December 2008.

Salazar, Ken. "[Glen Canyon Dam Adaptive Management Work Group Charter](#)." Washington, DC: United States Department of the Interior, July 2010.

Susskind, Lawrence, Camacho, Alejandro and Schenk, Todd. "[Collaborative Planning and Adaptive Management in Glen Canyon: A Cautionary Tale](#)." *Columbia Journal of Environmental Law*, 35:1 (2010)

---

### Documents Provided to the Assessment Team from the Charter Ad Hoc Group

Castle, Anne. J. to Jennifer Gimbel and Ann Gold. Co-chairs, AMWG Charter Ad Hoc Group. Memorandum regarding "Glen Canyon Dam Adaptive Management Work Group – Charter Ad Hoc Group," March 22, 2010, United States Department of the Interior.

Orton, Mary to Ann Gold to Ann Gold and Jennifer Gimbel, Co-chairs, AMWG Charter Ad Hoc Group. Memorandum regarding "Comments on Operating Procedures," May 11, 2010, The Mary Orton Company, LLC.

## Appendix A. Assessment Interviewees

### Interviewees (25):

Name	Affiliation
Archuleta, Deanna	Department of the Interior
Benemelis, Perri	Arizona Department of Water Resources
Bulletts, Charley	Southern Paiute Consortium
Cann, George	Colorado River Commission of Nevada
Castle, Anne	Deputy Asst. Secretary for Water and Science, DOI
Downer, Alan	Navajo Nation
Gimbel, Jennifer	Colorado Water Conservation Board
Gold, Ann	U.S. Bureau of Reclamation
James, Leslie	Colorado River Energy Distributors Association (CREDA)
Jansen, Sam	Grand Canyon River Guides, Inc.
Jordan, John	Federation of Fly Fishers
Hueslin, Amy	Bureau of Indian Affairs
Kyriss, Laverne	Western Area Power Administration (WAPA)
Lash, Nicolai	Grand Canyon Trust
Lyder, Jane	Fish & Wildlife and Parks
López, Estevan	New Mexico Interstate Stream Commission
Martin, Steve	National Park Service/Grand Canyon National Park
Orton, Mary	The Mary Orton Company LLC
Rampton, Ted	Utah Associated Municipal Power Systems (UAMPS)
Senn, Michael	Arizona Game and Fish
Shields, John	State of Wyoming
Spiller, Sam	U.S. Fish & Wildlife Service
Stevens, Larry	Grand Canyon Wildlands Council
Strong, Dennis	Utah Division of Water Resources
Zimmerman, Jerry	Colorado River Board of California

**Survey Respondents (25):**

Former AMWG Members: 14

AMWG Alternates: 6

TWG Members: 4

<b>Affiliations</b>	
Western Area Power Administration (3)	EcoPlan Associates, Inc. for Colorado River Energy Distributors Association
Grand Canyon River Guides, Inc. (2)	Bureau of Reclamation
State of Utah (2)	State of New Mexico and Upper Colorado River Commission
Utah Associated Municipal Power Systems	Federation of Fly Fishers
National Park Service (2)	Colorado River Commission of Nevada (2)
Hopi Tribe	State of Arizona
Utah Division of Water Resources	U.S. House of Representatives
Gold H <sub>2</sub> O	South Metro Water Supply Authority

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

**CHARTER**

1. **Official Designation:** Glen Canyon Dam Adaptive Management Work Group (AMWG).
2. **Scope and Objectives:** The Committee will provide advice and recommendations to the Secretary of the Interior (Secretary) 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 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 and research and experimentation to suggest appropriate changes to those operating criteria and plans.

The AMP includes an Adaptive Management Work Group (AMWG). The Secretary's Designee will chair 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 do not deter from the focus of the Act.

3. **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.



- 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 report will include 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.
  - f. Annually review long-term monitoring data to provide advice on 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 Act.
  - g. Facilitate input and coordination of information from stakeholders to the Secretary to assist in meeting consultation requirements under Section 1804 (c) of the Act.
  - h. Monitor and report on all program activities undertaken to comply with applicable laws, including permitting requirements.
4. **Duration:** It is the intent that the AMWG will continue indefinitely, unless terminated by the Secretary, or the operation of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix 2.
5. **Agency or Official to Whom the Committee Reports:** The AMWG reports to the Secretary through the Secretary's Designee who will serve as the chairperson and Designated Federal Officer of the AMWG. In the absence of the Chairperson or the designated alternate, another designated senior level Department of the Interior representative will act as Chairperson for the AMWG.
6. **Bureau Responsible for Providing Necessary Support:** The logistical and support services for the meetings of the AMWG will be provided by the Bureau of Reclamation.
7. **Estimated Annual Operating Costs:** The estimated annual operating costs associated with supporting the Committee's functions are \$500,000, including all direct and indirect expenses. It is estimated that five FTE's will be required to support the Committee.
8. **Allowances for Committee Members (compensation, travel, per diem, etc.):** Members of the Committee serve without compensation. However, while away from their homes or regular places of business, members engaged in Committee business (including regular, Technical, and ad hoc meetings) approved by the Designated Federal Officer 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.
9. **Estimated Number and Frequency of Meetings:** The AMWG is expected to meet biannually. The Secretary's Designee, who will serve as the Designated Federal Officer, may call additional meetings as deemed appropriate. ~~Fifteen~~ Thirteen members must be present at any meeting of the AMWG to constitute a quorum.

**10. Termination Date:** The AMWG is subject to the provisions of FACA 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.

**11. Membership:** Members and alternate members of the AMWG to be appointed by the Secretary will be comprised of but not limited to:

a. Secretary's Designee, who will serve as Chairperson for the AMWG.

b. One representative each from the following entities:

- ~~(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 Southern Paiute Tribe
- (11) Southern Paiute Consortium
- (12) Pueblo of Zuni

c. 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 from:

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

e. One representatives from each of the following DOI agencies as ex-officio non-voting members:

- (1) Bureau of Reclamation

February 9, 2011

(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 representatives, and other stakeholders. These stakeholders may also recommend an alternate member for appointment by the Secretary. When the regular appointed member is not present, alternates will have authority to participate in AMWG business, including quorum and voting privileges. Members and alternates of the AMWG will be appointed for a 4-year term.

- 12. Ethics Responsibility:** No AMWG member or alternate member will 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.
- 13. Designated Federal Officer:** Secretary's Designee, Glen Canyon Dam Adaptive Management Work Group, Department of the Interior, 1849 C Street, NW, Washington, DC 20240.
- 14. Subgroups:** The AMWG may have workgroups or subgroups that the Committee and the Secretary's Designee deem necessary for the purpose of compiling information or conducting research. However, such workgroups may not conduct business without the direction of the Committee and must report in full to the Committee.
- 15. Authority:** The Grand Canyon Protection Act (Act) of October 30, 1992, Public Law 102-575, Sections 1802, 1804, and 1805, Federal Advisory Committee Act, 5 U.S.C. Appendix 2.

Ken Salazar  
Secretary of the Interior

JUL 08 2010  
Date Signed

JUL 23 2010  
Date Filed

GLEN CANYON DAM  
ADAPTIVE MANAGEMENT WORK GROUP  
OPERATING PROCEDURES

FOREWARD

The Grand Canyon Protection Act (Act) of October 30, 1992, (Public Law 102-575) directs the Secretary of the Interior (Secretary) to “establish and implement long-term monitoring programs and activities that will ensure that Glen Canyon Dam is operated in a manner consistent with that of section 1802” of the Act. “The monitoring programs and activities shall be established and implemented in consultation with the Secretary of Energy; the Governors of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming; Indian tribes; and the general public, including representatives of academic and scientific communities, environmental organizations, the recreation industry, and contractors for the purchase of Federal power produced at Glen Canyon Dam.” In order to comply with the consultation requirement of the Act, the Glen Canyon Dam EIS recommended formation of a Federal Advisory Committee. To fulfill this requirement, the Glen Canyon Dam Adaptive Management Work Group (AMWG) was established. The AMWG Charter imposes the following criteria: (1) the AMWG shall operate under the Federal Advisory Committee Act (Public Law 92-463); (2) the Chairperson shall be designated by the Secretary; (3) the Secretary’s Designee, shall also serve as the Designated Federal Official under the Federal Advisory Committee Act; (4) the Bureau of Reclamation will provide the necessary support in taking accurate minutes of each meeting; and (5) the AMWG shall continue in operation until terminated or renewed by the Secretary of the Interior under the Federal Advisory Committee Act.

OPERATION

1. Meetings. The AMWG is expected to meet semiannually. The Secretary’s Designee may call additional meetings as deemed appropriate. A minimum of one meeting will be held annually. All meetings shall be announced by notice in the Federal Register and by news release to local newspapers.

~~Thirteen~~Fifteen members must be present at any meeting of the AMWG to constitute a quorum.

Robert’s Rules of Order will be generally followed, except -some flexibility will be allowed as needs dictate.

The Bureau of Reclamation is responsible for arranging meetings and for other duties associated with operation of the AMWG. They will arrange for meeting location, provide staff for the Designee, prepare minutes and Federal Register Notices, and other operational requirements of the AMWG.

Meetings of the AMWG will generally be held in Phoenix, Arizona, to allow for better travel

accessibility for the members as well as provide greater opportunity for the public to attend. However, the Secretary's Designee may decide upon a different location as he/she deems appropriate.

The AMWG may make recommendations to the Secretary of the Interior in response to future legislation or appropriations that may affect or impact the Glen Canyon Dam Adaptive Management Program. This may be accomplished when an AMWG member requests to the Chair, an issue to be addressed either at a regular meeting of the AMWG, at a special meeting or during a conference call. AMWG members will discuss the issue and if appropriate, make recommendations on the issue to the Secretary of the Interior in a timely manner. When any other potentially controversial topics are identified by any AMWG member, they should notify the Chair so that this procedure can be implemented.

2. Chairperson. The Chairperson will be the Secretary's Designee, who will preside over the meetings of the AMWG. In the absence of the Chairperson, a senior level Interior representative will act as Chairperson for the AMWG. The Chairperson or designated alternate must be present before a meeting of the AMWG may convene. The Chairperson or his/her alternate is authorized to adjourn an AMWG meeting at any time.

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.

3. Members. Membership shall follow the guidelines in the AMWG Charter. Members of the AMWG will be designated by the Secretary of the Interior. They shall serve for a term of four years. Members may be re-designated to serve for more than one term.

4. Alternate Committee Members. Each AMWG member may designate an alternate to serve for the same term as the member. Alternates must be identified to the Chairperson in writing. Alternates must meet the same qualifications as the member. Alternates will have authority to participate in AMWG business, including quorum and voting privileges. ~~Representation by an alternate does not satisfy the minimum personal attendance requirement of the member as described in the Charter.~~ A list of members and alternates shall be maintained and made available to AMWG members.

5. Agenda. At least 30 days prior to any meeting of the AMWG, a draft of the proposed agenda and related information will be sent to the group members. Members shall review the agenda and return comments and proposed agenda items to the Designee within two weeks of the agenda mailing date. The final agenda will be sent to the members 15 days prior to the meeting. The Secretary's Designee shall approve the agendas.

6. Voting. The maker of a motion must clearly and concisely state and explain his or her motion. Motions may be made verbally or submitted in writing in advance of the meeting. Notice of motions to be made by any member of the AMWG should be announced in the Federal

Register and presented on the agenda. ~~Any~~ ~~M~~otions ~~may be~~ proposed by any member in meetings ~~must be where they are~~ related to an agenda topic, and will be considered only if a simple majority of members present agree to hear it. After a motion there should be presentations by staff followed by a discussion and a call for questions. The public will be given opportunity to comment during the question period as allowed by the Chairperson. Any member of the public who has asked to address the AMWG, shall have a minimum of two minutes to comment. The Chairperson can limit the total time allowed to the public for comments. Comments shall address the motion and not be repetitive to presentations, group discussions or other comments previously presented. The motion must be fully documented for the minutes and restated clearly by the Chairperson before a vote is taken.

The group should attempt to seek consensus but, in the event that consensus is not possible, a vote should be taken. Voting shall be by verbal indication or by raised hand. Approval of a motion requires a 60 percent two-thirds majority of members present and voting. The views of any dissenting member or minority group shall be briefly incorporated into the information transmitted to the Secretary along with the majority recommendation. In addition, at his/her discretion, the Secretary's Designee may ask any individual at the meeting for the rationale related to their vote. Voting shall occur only with the formal meetings of the group.

7. Minutes. Detailed minutes of each meeting will be kept. The minutes will contain a record of persons present and a description of pertinent matters discussed, conclusions reached, and actions taken on motions. Minutes shall be limited to approximately 5-15 pages. The corrections and adoption of the minutes will be by vote of the AMWG at the next subsequent meeting. The Secretary's Designee shall approve all minutes. The Bureau of Reclamation is responsible for recording and disseminating minutes to AMWG members, generally within two weeks 60 days of the subject meeting, but in no event longer than 30 days.

9. Public Involvement. No later than 15 days prior to each meeting of the AMWG ~~or any sub-group thereof~~, a notice will be published in the Federal Register. Meetings will be open to the public and advertised in local newspapers. Interested persons may appear in person, or file written statements to the AMWG. Public comments can be on any issue related to operation of the Glen Canyon Dam. A specific time for public comment will be identified in the agenda. Advance approval for oral participation may be prescribed, and speaking time may be limited. Minutes of the AMWG meetings and copies of reports submitted to the AMWG will be maintained for public review at the Bureau of Reclamation's Upper Colorado Regional Office in Salt Lake City, Utah, and at the Library of Congress in Washington, D.C. They will also be posted to the Bureau of Reclamation web site ([www.uc.usbr.gov/amp](http://www.uc.usbr.gov/amp)).

10. Payment of Travel. 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. Alternates representing the official committee member may also receive compensation for travel expenses.

11. Open/Closed Meetings. If any member proposes discussion of a sensitive issue felt to require a closed session, he or she should so state in a proposal submitted to AMWG members in sufficient time to include it in the agenda published in the Federal Register Notice announcing the next meeting. A closed executive session may be held during a regular meeting, but should be used rarely. Any sensitive cultural issues will require consultation with Native Americans prior to meeting.

Telephone conference meetings must have a notice in the Federal Register 15 days prior to the call. There must be adequate opportunity for the general public to listen to the conference call.

The AMWG may conduct business outside of formal meetings through telephone polls conducted by the Chairperson or his/her designee. In emergency situations, telephone polls can be requested by the AMWG member to act on clearly defined written motions for AMWG approval. Following approval by the Chairperson, a telephone poll will be conducted within seven working days. During a telephone poll, all members will be contacted and requested to vote. Approval of a motion requires 60 percent ~~a two-thirds~~ majority of all members voting. The Chairperson is responsible for documenting in writing how each member voted and distributing the record to all AMWG members.

12. Reports and Record Keeping. The Annual Report (AR) required by the Grand Canyon Protection Act shall be reviewed by the AMWG. The State of the Natural and Cultural Resources in the Colorado River Ecosystem report developed by the Grand Canyon Monitoring and Research Center will be attached to the AR and shall contain information on the condition of the resources impacted by the operation of Glen Canyon Dam. The AR shall be concise, containing critical resource issues and recommendations to the Secretary on future dam operations.

Bureau of Reclamation staff will supply GSA the required information to complete the summary report for Federal Advisory Committees.

13. Committee Expenses and Cost Accounting. An accounting of the expenses for operation of the AMWG shall be maintained by Reclamation. Expenses and other information will be submitted to GSA as required by FACA. Committee expenses are limited to approximately \$5200,000 annually.

#### SUB-GROUPS

1. Formation. The AMWG may form sub-groups in order to facilitate the mission of the AMWG as identified in the Act and the AMWG Charter. Sub-groups will be formed for completion of specific tasks or for specified periods of time. Sub-group members will be named by the members of the AMWG for their own organization, or by the Secretary's Designee. ~~Upon~~

February 9, 2011

Formatted: Right

~~formation of a sub-group, the Chairperson of the AMWG, with the advice of AMWG members, will approve nominated members to serve on the sub-group.~~ Effort shall be made to keep sub-groups small. Sub-groups will be formed or dissolved by a vote of the AMWG.

2. Requirements. Sub-groups may choose their chairperson from among the AMWG named sub-group members. The chairperson of any sub-group may convene group meetings at his or her discretion. Sub-groups may develop their own operating procedures. ~~Sub-group meetings must follow requirements of FACA, except they need not be chartered and members need not be appointed by the Secretary.~~ One standing sub-group of the AMWG will be the Glen Canyon Dam Technical Work Group (TWG). The TWG membership shall consist of one representative from each organization represented in the AMWG, with the exception that two members from the National Park Service representing the Grand Canyon National Park and the Glen Canyon Recreational Area, and one representative from the US Geological Survey. All sub-groups will elect their own officers. Names of all sub-group members will be announced to the AMWG at regular meetings and will be attached to the minutes. Sub-group members may designate alternates ~~subject to approval of the Designee and the AMWG.~~

3. Charge. Sub-groups will receive their charges from the AMWG. Sub-groups will work only on issues assigned them by the AMWG. They will not be empowered to follow other issues on their own. They are encouraged to submit issues to the AMWG they feel worthy of consideration and discussion, but the AMWG must approve work on all new issues. The AMWG may require the sub-groups to develop plans and direct them to come to a consensus or majority opinion at their discretion. Sub-groups shall determine their own operating procedures, which must be reduced to writing and included with the AMWG and sub-group records.

4. Reporting. Sub-groups will report at least annually to the AMWG at the request of the Chairperson. Sub-groups shall report only to the AMWG. They shall provide information as necessary for preparing annual resource reports and other reports as required for the AMWG.

5. Ad Hoc Groups. Ad hoc groups ~~may be created by the Secretary's Designee or as a subcomponent of a sub-group shall consist of members of the sub-group only.~~ These groups may meet to discuss assignments from the AMWG or sub-group. Ad hoc meetings will not require Federal Register notices. Minutes are recommended but, not required. Ad hoc groups shall report ~~only to the AMWG or~~ the main body of the sub-group, depending upon which gives the assignment. ~~On a case-by-case basis, the AMWG will provide direction to the subgroups on the flexibility they have in forming Ad hoc groups.~~

Adopted by vote of the AMWG on January 17, 2002 in Phoenix, Arizona.



Approved: Michael R. Gabaldon  
Chairperson

April 24, 2002  
Date

rev. 1/17/02

DRAFT

# RECLAMATION

*Managing Water in the West*

## **Glen Canyon Adaptive Management Work Group Report of the Charter Ad Hoc Group**



U.S. Department of the Interior  
Bureau of Reclamation

# CAHG Members

- Jennifer Gimbel (State of Colorado)- Co-Chairperson
- Ann Gold (Bureau of Reclamation) – Co-Chairperson
- Perri Benemelis (State of Arizona)
- Leslie James (Colorado River Energy Distributors Association)
- Rick Johnson/Nicolai Lash (Grand Canyon Trust)
- Steve Mietz/Palma Wilson (National Park Service)
- McClain Peterson (State of Nevada)
- Ted Rampton (Utah Associated Municipal Power Systems)
- Sam Spiller (Fish and Wildlife Service)
- Kurt Dongoske (Pueblo of Zuni)
- John Shields (State of Wyoming)

# Assignment

Review the AMWG Charter and Operating Procedures and make recommendations for improvements in the effectiveness of the AMWG.

# Specific Issues for Review

- Composition of the membership of the AMWG.
- Inclusion of the DOI bureaus as voting members on the AMWG.
- Establishment of the position of Executive Director for the AMWG, and the source of associated funding.
- Procedure for approval of Technical Working Group (TWG) members and alternates, and subgroup and ad hoc group members.
- Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.).



## Process Employed by CAHG

- Held planning meeting in Phoenix, AZ April 2010.
- Engaged U.S. Institute for Environmental Conflict Resolution (USIECR) to conduct impartial assessment.
- Distributed the USIECR report to CAHG for review and analysis.
- Conducted weekly conference calls through November and December 2010 to discuss issues.
- Distributed draft report and Operating Procedure changes to CAHG for review and comment in January 2011.
- Presented final report to AMWG February 2011.

# Findings and Recommendations

Issue: Composition of the membership of the AMWG.

## Findings:

- The current composition of the AMWG adequately represents appropriate interest groups
- Adding members is likely to hinder already difficult communication
- The Grand Canyon Protection Act lists academic/scientific communities as those who should provide information to the Secretary

## Recommendations:

- Do not add any new members at this time
- Clarify, within DOI, the requirement for scientific/academic participation

# Findings and Recommendations

Issue: Inclusion of the DOI bureaus as voting members on the AMWG

## Findings:

- The purpose of the AMWG is to provide advice to the Secretary of the Interior
- DOI Bureaus provide input to the Secretary through their chains of command, making their votes in AMWG redundant, and potentially awkward.
- There are concerns that if the Bureaus don't have a vote, they will not actively engage in the process, and/or there may be other unintended adverse impacts.

## Recommendations:

- For a trial period designate DOI Bureaus as ex officio non-voting members
- At the end of the trial period, evaluate the operations of the AMWG
- If there are no significant adverse effects, leave DOI Bureaus as ex officio non-voting. If significant negative effects are identified, return the DOI Bureaus to voting status.



# Findings and Recommendations

Issue: Establishment of the position of Executive Director for the AMWG, and the source of associated funding.

## Findings:

- There is a benefit to having a person working full time on AMWG issues.
- There are issues that must be resolved prior to establishing the position:
  - obtain more specific direction of the AMP - continue experimentation and gathering scientific data, or change focus to active management / implementation of activities and programs
  - clarification of duties and responsibilities for the position – is it to be an executive director, or a program manager
  - determination of a source of funding for the position

## Recommendations:

- Do not establish the position of Executive Director until the concerns identified are answered.

# Findings and Recommendations

Issue: Procedure for approval of Technical Working Group (TWG) members and alternates, and subgroup and ad hoc group members

## Findings:

- Time required to obtain the Secretary's Designee approval of members slows the process of establishing subgroups, and provides no added value
- There are times when Ad Hoc committees/groups are needed at the AMWG level  
The current operating procedure only allows the formation at the subgroup level.

## Recommendations:

- AMWG members appoint TWG and subgroup members / alternates for their own organization
- Appointees need not be approved by the Secretary's Designee
- Subgroups and ad hoc groups can be established at both AMWG and TWG level

# Findings and Recommendations

Issue: Voting procedures of the AMWG (consensus, majority vote, super-majority, minority reports, etc.).

## Findings:

- Although the goal is consensus, it is rarely achieved
- Requiring consensus would greatly reduce, if not eliminate, the recommendations sent to the Secretary
- A required “Super” majority for approval ensures greater support for an issue
- Members that do not vote with the majority need a mechanism to have their ideas heard

## Recommendations:

- The primary goal for all decisions is to reach consensus if possible (Time should be allowed to have adequate discussion among parties with differing views.)
- When a vote is necessary, issue passes based upon a 60% approval (13 individuals based on current AMWG numbers w/Bureau’s non-voting.)
- Individuals may be given the opportunity to explain the rationale for their vote, at the discretion of the Secretary’s Designee. The information should be captured in the minutes and provided in brief to the Secretary.

# Findings and Recommendations

## Issue: Making Motions before and/or at AMWG Meetings

### Findings:

- To make the most efficient use of limited meeting time, members should be provided all relevant information prior to the meetings.
- Providing written copies of motions to each of the AMWG members prior to the meetings allows them to become aware of the issues involved and be better prepared for the ensuing discussion.
- There will be occasions in which parties wish to make motions, but were unable to prepare them for inclusion on the agenda and distribution to members.

### Recommendations:

- A general rule should be established that motions be identified in writing and included in the agenda before AMWG meetings
- If a member wishes to make a motion that has not been included in the agenda, the motion will be presented to the Secretary's Designee, and a simple majority vote of AMWG members be required to bring it to the floor

# Findings and Recommendations

## Issue: Location of Meetings

### Findings:

- The current AMWG Operation Procedures limit the location of meetings to Phoenix.
- Although this location is generally suitable, there may be instances in which an alternative location is desirable.

### Recommendations:

- Although AMWG meetings should generally be held in Phoenix, Arizona, the operating procedures should be changed to allow the Secretary's Designee to select an alternate location for the meeting at his/her discretion.

# Findings and Recommendations

## Items for further consideration:

Although the CAHG made a good faith effort to evaluate the current AMWG operations, it believes the following issues would benefit from further analysis:

- Decide the actions to be taken, if any, for members who choose to file lawsuits on issues handled by AMWG.
- Clarify the strategic direction of the AMWG program.
- Identify the proposed duties for an executive director and identify a source of funding.
- Clarify the role of TWG compared to AMWG.
- Develop criteria for including items on the agenda to focus more on policy issues and recommendations.
- Identify the process for attempting to reach consensus on issues.