Lower Colorado River Multi-Species Conservation Program

Role of Steering Committee[1] (FMA 7.3.11)

- work with Program Manager to coordinate implementation of the LCR MSCP
- create committees, etc. as necessary
- "...except as otherwise noted ... the Steering Committee shall have no decision-making authority with respect to management and administration of the LCR MSCP." (FMA 7.3.11(C))
- shall review certain matters presented by the Program Manager
- appoint 1 rep from each state to represent permittees in any consultation, conference, or re-initiation pursuant to ESA Sec 7. [this is likely a rare event]

Review by Steering Committee (FMA 7.3.12)

- annual implementation report, work plan, and budget and contribution payment schedules
- additional or modified conservation measures proposed pursuant to adaptive management
- land and water acquisitions
- reports and responses to Congress and Federal and state regulatory agencies
- financial reports and accountings

Consensus (FMA 7.3.13)

- "...the Parties intend that every effort should be made to have each such matter [those matters that must be presented to the SC] approved by a consensus of the members. Consensus is reached when it becomes evident through deliberation that every member, at the very least, does not oppose a decision."
    - in absence of a consensus Chair to determine if there is sufficient opposition to constitute a Dispute. If there is a dispute, until dispute resolution process is completed, or dispute resolved, Program Manager shall not implement any action or decision subject to dispute.
    - in absence of a Dispute [as defined], decision of Program Manager shall be final

Existence of a Dispute (FMA 7.3.14)

- any one of the three state Participant Groups or an aggregate of at least 6 votes oppose a proposed action of the Program Manager
- if Dispute between Federal Parties... representatives shall meet to resolve
- each Participant Group shall have 5 votes. No representative shall have more than 1 vote. If more than 5 representatives in a Participant Group each representative is allotted a proportional vote. Alternate methods can be worked out within a Participant Group.
- For state participant group - Default for a dispute is that a majority of representatives of a state participant group present at a meeting oppose an action by the Program Manager.

Resolution of Dispute (FMA 7.3.15)

- Informal Dispute Process (Steering Committee and Program Manager)
- Formal Dispute Process (Regional Director of Bureau of Reclamation)
- Appeal Process (Secretary of the Interior)

B. Werner 04/24/05

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[1] Information herein is paraphrased from the Funding and Management Agreement, which contains greater detail. Refer to the FMA if additional information or clarification are needed.