



GAME & FISH DEPARTMENT

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June 18, 1997

Dr. L. David Garrett, Chief
Grand Canyon Monitoring and Research Center
2255 N. Gemini Dr. Room 341
Flagstaff, AZ 86001

Dear Dr. Garrett:

I have read your recent letter regarding the Grand Canyon Monitoring and Research Center's (GCMRC) decision to use the competitive process exclusively to award research and monitoring activities. Although I understand your stance, I want to take this opportunity to reiterate a few points that we discussed when we met in March.

First, the Arizona Game and Fish Department has a trust responsibility to manage Arizona's fish and wildlife resources for Arizona's public. This responsibility is embodied both in statute and case law. This is a charge that we take very seriously. As a result, full involvement in research and monitoring activities is essential to successfully meeting our trust responsibility.

One concern that I have with the information in your letter is what appears to be the use of the term open, competitive process as a synonym for peer review. Since the inception of the Glen Canyon Environmental Studies, this Department has encouraged peer review. In fact, the work done under Cooperative Agreement with the Department has undergone considerable peer review and frankly the work we did was better for it.

In the Environmental Impact Statement, the GCMRC is charged on page 37 to "manage and maintain the GCES information database, monitoring, and research programs, and other data sources as appropriate." Also on page 37, you are charged to "administer research proposals through a competitive contract process, as appropriate." I have included these two references to illustrate that the authors of the EIS, and the Secretary, through his adoption of this language, recognize that flexibility may be necessary to have an effective research and monitoring program. Also, in the later reference, research activities are separated from monitoring, suggesting that the approach for awarding contracts for the two may be different.

WMD

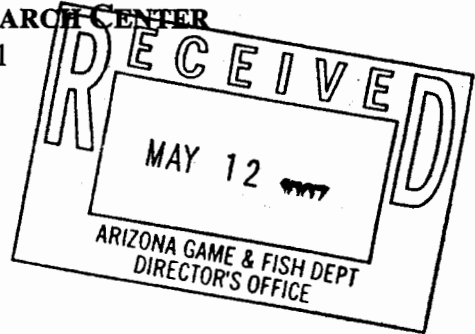
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United States Department of the Interior
GRAND CANYON MONITORING AND RESEARCH CENTER

2255 N. Gemini Dr., Room 341
Flagstaff, AZ 86001
520 556-7094



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May 6, 1997

*ce Grand Canyon Team
return to me
Done 5/16/97*

Mr. Duane L. Shroufe, Director
State of Arizona Game & Fish Dept.
2221 W. Greenway Rd.
Phoenix, AZ 85023-4399

Re: Implementation of the Competitive Review Process by GCMRC

Dear Duane:

I and our staff appreciate the time you and your staff spent with us last month to discuss the proposed competitive review process. (As I noted in my closing comments, the decision to use the competitive process was from stakeholders who drafted the EIS. My work with these same people over the past 12 months indicates this is still their preference.)

The GCMRC is trying to support both the Adaptive Management Process and the prominent role that Arizona Game and Fish has regarding wildlife and fish protection and management in the Grand Canyon. We have viewed the competitive process as a valuable approach to accomplishing these objectives.

In the following text, I have tried to document the setting in which we must accomplish our programs. As you can see, developing a sole source contract to any entity, government or private, is difficult for us to justify in this environment.

- ▶ (The open competitive process approach has been established as the standard in the science community for consistently developing the highest quality, objective and unbiased science. Both the National Science Foundation and the National Institutes of Health, two of this Nation's premier research institutions have consistently demonstrated the value of this approach.)

- ▶ The National Performance Review led by the Vice-President, as well as statements made by the President's Science Advisor, and the National Science and Technology Council all would support experimenting with an open competitive process. The process could remove artificial barriers which separate the federal science community from the academic and private sector communities in providing the public with the highest quality, cost-effective, science relevant to program goals.
 - ▶ The National Oceanic and Atmospheric Administration and the Environmental Protection Agency, in response to the President's National Science and Technology Council and Congress, have begun experimenting with the use of an open competitive process for applied research.
 - ▶ Dr. Kai Lee, an academic leader in adaptive management, in reviewing attempts to utilize the adaptive management process in the Columbia River basin has argued strongly that a key to a successful program is the use of an open competitive process. This approach ensures research is of the highest quality, is objective and unbiased, and perception of bias associated with sole source approaches. He recently presented these perspectives in a presentation to our stakeholder group.
 - ▶ In responding to the guidance provided in the Grand Canyon Protection Act and the Glen Canyon Dam Environmental Impact Statement which called for the establishment of GCMRC, the stakeholders made it clear the competitive approach was to be used wherever appropriate (page 37, attached).
 - ▶ The directive establishing the Center calls for use of the competitive process.
 - ▶ In my work this year with stakeholders on GCMRC's operating protocols, they insisted GCMRC use an open and competitive process in sponsoring the research and monitoring which is needed to fulfill GCMRC's mission (protocol attached). I find significant opposition among the AMWG members for "sole sourcing" work to specific parties.
 - ▶ In developing the above protocols with the stakeholders I requested, over considerable opposition, to have the right as GCMRC Chief to use cooperative agreements and interagency agreements if I found competitive approaches not to be appropriate. In support of USGS, I made a specific plea to the above group to consider USGS for a waiver due to its national prominence in water gauging. I was opposed. In the next month's meeting, Mark Anderson made the request and was opposed by the group.
-  Federal contracting law would suggest that GCMRC use an open competitive process wherever possible for all of the work it intends to support; 

- ▶ The National Research Council in its 1996 report reviewing the activities of the Glen Canyon Environmental Studies program strongly calls for the use of a "merit-based competition in the award of [research and monitoring] support and its continuation."
- ▶ In recent meetings with the staff for the House Committee on Resources, House Science Committee, the Senate Committee on Energy and Natural Resources, as well as staff for Senators Kyl and McCain, and Representatives Hayworth and Boehlert, we discussed the status of GCMRC and described our current plans and operating protocols. We explicitly described our intent to use an open and competitive process for sponsoring research. Only one staffer raised questions about this approach. The remaining staff were unanimously in support of this approach and indicated it was consistent with Congressional intent.

I wanted you to be aware of the environment GCMRC operates in regarding this issue. I have been and will continue to be supportive of ensuring the long term involvement of Arizona Game and Fish in this science program. However, the method used needs to give strong consideration to the environment in which this center was formulated.

Sincerely,



L. David Garrett, Chief
Grand Canyon Monitoring and Research Center