

**BUREAU OF LAND MANAGEMENT
AND
U.S.D.A. FOREST SERVICE
RESOURCE ADVISORY COUNCIL**

CHARTER

1. OFFICIAL DESIGNATION: John Day-Snake Resource Advisory Council.

2. COUNCIL OBJECTIVES AND SCOPE: Provide representative citizen counsel and advice to Secretaries of the Interior and Agriculture through the Bureau of Land Management (BLM) and the U.S.D.A. Forest Service (FS) concerning the planning and management of the public land and national forest resources located in whole or in part within the Prineville, Vale, and Spokane Districts of the BLM, and the Umatilla, Wallowa Whitman, Malheur, and Ochoco National Forests. The actual jurisdictional boundary is described below:

The boundary begins at the Oregon-Idaho border and proceeds west along the hydrologic boundary between the Burnt River and Willow Creek drainages to the intersection of the John Day watershed boundary. The boundary then travels west along the John Day watershed boundary to the intersection of the Deschutes watershed and then follows the Deschutes-John Day watershed boundary north to the Columbia River. The boundary continues up the Columbia River to the intersection of the Snake River. From the Columbia-Snake confluence, the boundary follows the Snake River east to the Idaho-Washington border. From the Idaho-Washington border, the boundary goes south and includes the Hells Canyon National Recreation Area in Idaho administered by the Wallowa-Whitman National Forest. In Idaho, it includes parts of the Nez Perce and Payette National Forests.

In Oregon, this jurisdictional area includes all of Gilliam, Morrow, Umatilla, Union, Wheeler, and Wallowa Counties, most of Grant and Baker Counties, and part of Crook County. In Washington, this area includes all of Columbia, Asotin and Garfield Counties and parts of Walla Walla County. In Idaho, the area includes part of Nez Perce and Adams Counties.

The Middle Snake/Powder, Lower Snake, Middle Columbia, and John Day Hydrologic Units in Oregon, as described by the United States Geological Survey (USGS), are contained within this jurisdictional area. Parts of the Lower Snake, Walla Walla, and Middle Snake Water Resource Inventory Areas, administratively defined by the Washington Department of Ecology, are also contained within this jurisdictional area. The Lower Snake and Salmon Hydrologic Units in Idaho, as described by USGS, are also within this jurisdictional area.

3. PERIOD OF TIME NECESSARY FOR THE COUNCIL'S ACTIVITIES: Since its functions are related to continuing the BLM and the FS responsibility for the management of public and national forest lands and resources within the area of jurisdiction described above, the need for the Council is expected to continue indefinitely. However, Council continuation will be subject to period review and rechartering every 2 years as required by Section 14(b) of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix.

4. OFFICIAL TO WHOM THE COUNCIL REPORTS: The Designated Federal Officer (DFO) to whom the Council reports will be selected, in consultation with the Resource Advisory Council (RAC), from the Forest Supervisors and District Managers who participate in the RAC:
Pendleton, Oregon 97801

Bureau of Land Management
Vale District Manager
100 Oregon Street
Vale, Oregon 97918

Forest Supervisor
Ochoco National Forest
P.O. Box 490
Prineville, Oregon 97754

Bureau of Land Management
Prineville District Manager
P.O. Box 550 (3050 NE Third
Street)
Prineville, Oregon 97754

Forest Supervisor
Malheur National Forest
P.O. Box 909
John Day, Oregon 97845

Forest Supervisor
Umatilla National Forest
2517 SW Hailey Avenue

Forest Supervisor
P.O. Box 907
Baker City, Oregon 97814

5. ADMINISTRATIVE SUPPORT: Administrative support for activities of the Council will be provided by the office of the DFO.

6. DUTIES OF THE COUNCIL: The members of the Council will serve in an advisory capacity to the BLM and the FS officials within the Council's area of jurisdiction generally on the following matters:

- a. Develop recommendations regarding the preparation, amendment, and implementation of land use plans for the public and national forest lands and resources within the jurisdiction of the Council. This may require the Council to gather and analyze information, conduct studies and field examinations, hear public testimony, and ascertain facts relating to the issues.
- b. Except for the purpose of long-range planning and the establishment of resource management priorities, the Council shall not provide advice on the allocation and expenditure of appropriated funds or on personnel actions.
- c. Advise the BLM Oregon State Director and the FS Region 6 Regional Forester in identifying the geographic area for which standards and guidelines will be developed, and with the development and amending of standards and guidelines as necessary.
- d. Develop recommendations for implementation of ecosystem management concepts, principles and programs, and advise the BLM and the FS with establishing landscape goals and objectives.
- e. Advise the FS and the BLM's efforts to have local groups develop and achieve resource management programs.
- f. Make recommendations on future Council model(s) and areas of jurisdiction that would best serve the State(s) affected.

7. COUNCIL COMPOSITION:

a. Council members shall be representative of the following three general groups:

GROUP 1 – PERSONS WHO:

- (i) hold Federal grazing permits or leases and represent permittees or lessees within the area for which the Council is organized.
- (ii) represent organizations associated with transportation or rights-of-way;
- (iii) represent organizations associated with developed outdoor recreation, off-highway vehicle use, or commercial recreation activities;
- (iv) represent commercial timber industry organizations; or
- (v) represent energy and mineral development organizations.

GROUP 2 – PERSONS REPRESENTING:

- (i) nationally or regionally recognized environmental organizations;
- (ii) dispersed recreational activities users;
- (iii) archaeological and historical organizations; or
- (iv) nationally or regionally recognized fisheries and wildlife organizations (including wild horse and burro).

GROUP 3 – PERSONS WHO:

- (i) represent and are an elected official of State, county, or local government;
- (ii) represent and are employed by a State agency responsible for the management of natural resources, land and water;
- (iii) represent Indian tribes within or adjacent to the area for which the Council is organized;
- (iv) represent and are employed as academicians by a natural resource management or natural sciences organization; or
- (v) represent the public-at-large.

b. The Council will be comprised of 15 members distributed in a balanced fashion among the three general groups as specified in paragraph 7a. of this charter.

c. In appointing Council members from the three groups, the Secretary of the Interior (Secretary) shall provide for a balanced and broad representation within each group, and balance

with respect to social cultural, economic, and geographic composition of the population.

d. Pursuant to Section 309(a) of the Federal Land Policy and Management Act (FLPMA) of 1976, at least one Council member shall be an elected official of general purpose government serving within the jurisdiction of the Council.

8. MEMBER QUALIFICATION, SELECTION, AND SERVICE:

a. Council members are appointed by and serve at the pleasure of the Secretary. To be eligible for appointment to the Council, a person must be qualified through education, training, knowledge, or experience to give informed and objective advice regarding an industry, discipline, or interest specified in this charter; have demonstrated experience or knowledge of the geographical area under the purview of the Council; and have demonstrated a commitment to collaborate in seeking solutions to a wide spectrum of resource management issues. The BLM will consider nominations for Council membership from local government, organizations, and individuals. Council members must be residents of Oregon, Washington, or Idaho and be supported by letters of recommendation from the groups or interests the nominees will represent.

b. Council members will be appointed to serve 3-year terms, on a staggered term basis, with one-third of the Council subject to appointment or reappointment each year. The rotation will also be structured so that as close as possible to one-third of the representatives from each general group listed in paragraph 7a. of this charter will be subject to appointment or reappointment annually. At the end of the member's term, he or she may continue to serve at the discretion of the Secretary for an interim period, which will not exceed 120 days, in order to ensure continuity on the Council until a new appointment has been made.

c. The term of a Council member who has been appointed on the basis of his or her status as an elected official, will end upon the member's departure from elective office. When this situation occurs, the member will be replaced by another elected official in the same manner as the original appointment was made. At the Secretary's discretion, the former elected official may be permitted to complete his or her same term in another vacant position on the Council, provided that the member is qualified to represent an interest represented by the vacant position.

d. The Secretary or the DFO may, after written notice, terminate the service of a member if, in the judgment of the Secretary or DFO, removal is in the public interest. Members may also be terminated if they no longer meet the requirements under which they were appointed; fail or are unable to participate regularly in Council work; or have violated Federal law or the regulations of the Secretary. When a member fails to regularly attend meetings, the DFO will inform the member, in writing, that his or service on the Council could be terminated. When any member fails to attend two consecutive meetings, without good cause, the DFO or his/her designee may deem that member's position on the Council to have been vacated. Upon such determination, the DFO will inform the member, in writing, that his or her service on the Council is terminated.

e. Vacancies occurring for any reason, including resignation, death, moving out of the States of Idaho, Washington, or Oregon, failure to regularly attend Council meetings, or Secretarial removal, will be filled by the Secretary for the balance of the term. Such vacancies will be promptly reported to the DFO. Vacancies will be replaced using the same process for soliciting candidate nominations followed by Secretarial appointment that was used initially.

f. A Council member may not serve concurrently on more than one Council. Council members may serve concurrently on subgroups within the Council they represent.

g. Council members appointed to the Council serve without salary, but will be reimbursed for travel and per diem expenses when on Council business as authorized by Section 309 of FLPMA and 5 U.S.C. 5703.

9. ETHICS RESPONSIBILITIES OF MEMBERS: No Council or subcommittee member shall participate in any specific party matter including a lease, license, permit, contract, claim, agreement, or related litigation with the Department in which the member has a direct financial interest. As provided in 43 CFR 1784.2-2, members of the Council shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the BLM, or in any litigation related thereto.

10. SUBGROUPS: The Council may create local subgroups to provide input necessary to the successful functioning of the Council. Such local subgroups can be formed in response to a petition from local citizens or by a motion of the Council. Membership in any local subgroup formed for the purpose of providing general advice to the Council shall be constituted in accordance with paragraph 7a. of this charter. Input shall be provided directly to the Council for its deliberation and review. The specific requirements of local subgroups are as follows:

- a. Members of local subgroups must reside in Oregon, Washington, or Idaho;
- b. All members of local subgroups serve without salary. Members of the subgroup, who are also members of the local Council, will be reimbursed for travel and per diem expenses when on local subgroup business as authorized by 5 U.S.C. 5703. Members of subgroups who are not on the Council will not be reimbursed for expenses associated with the subgroup;
- c. Members of local subgroups shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, or claims that involve lands or resources administered by the BLM and/or the FS, or in any litigation related thereto. For the purposes of this paragraph, indirect interest includes holdings of a spouse or a dependent child. No local subgroup member shall participate in any matter before the Council in which the member has a direct interest; and
- d. The duration of service for a local subgroup will be determined by the Council but will not exceed the Council's charter period.

11. TECHNICAL REVIEW TEAMS (TRTs): Technical Review Teams may be formed by the BLM on an as-needed-basis to gather and analyze data and develop recommendations to aid the Council. The Council may request that a TRT be formed. The TRTs will be formed at the BLM's option. The TRTs will report directly to the BLM. Specific requirements of TRTs:

- a. Members of a TRT must be Federal employees or consultants paid by a Federal agency;
- b. TRTs report to the BLM and functions of the TRT will be limited to tasks assigned by the DFO;
- c. TRT members will be selected based upon their knowledge of resource management or familiarity with the specific issues for which the TRT is formed; and
- d. All TRTs will terminate upon completion of the assigned tasks.

12. COUNCIL OFFICERS: The Council will elect its own officers from among its members

annually, usually at the first meeting of each calendar year. Chairpersons and members of any subgroup formed by the BLM, except for TRTs, will be appointed by the Council Chairperson with the concurrence of the DFO.

13. MEETINGS:

a. The Council shall meet at the call of the DFO. The DFO shall attend all meetings of the Council. All Council and Council subgroup meetings, including field examinations, will be open to the general public and representatives of the news media. Any organization, association, or individual may file a statement with or appear before the Council or a Council subgroup(s) regarding topics on the meeting agenda, except that the DFO may require that presentations be reduced to writing and copies be filed with the Council.

b. A notice of each meeting of the Council will normally be published in the Federal Register and distributed to the news media serving the jurisdictional area of the Council 30 days in advance of such meeting. However, if urgent circumstances prevent a 30-day notice, not less than a 15-day notice will suffice. The notice will set forth clearly and precisely the issues or topics to be discussed and will provide specific times and places for the public to be heard. If it becomes necessary to postpone or cancel an announced meeting, subsequent notice will be published in the Federal Register and distributed to the news media serving the geographic area as early as possible, explaining the reason(s) for the postponement or cancellation.

c. Council meeting agendas will be approved in advance by the DFO.

d. The Council will normally meet from two to four times annually, but in no case less than once. Additional meetings may be called by the DFO in connection with special needs for advice.

e. Regular Council business activities will be conducted using standard meeting rules for internal administration.

f. A quorum of Council members must be present to constitute an official meeting of the Council. A majority of the appointed members from each general group listed in paragraph 7a. of this charter constitutes a quorum. In order to refer an issue to the DFO, the majority of members from each group (not a majority of the members of a group in attendance at a particular meeting) must vote in the affirmative. Unanimous agreement of all Council members will be needed to forward a request to the Secretary as provided for under 43 CFR 1784.6-1(c).

14. COUNCIL RECORDS: Detailed minutes of each Council meeting will be kept and will contain a record of the persons present; a complete and accurate description of matters discussed and conclusions reached; and copies of all documents received, issued, or approved by the Council. The accuracy of all minutes will be certified by the Council Chairperson. Copies of the minutes will be maintained in the office of the DFO, and will be available for public inspection and copying during regular business hours.

15. ESTIMATED OPERATING COSTS: Activities of the Council will require an estimated \$50,000, including .4 person years of Federal employee support annually.

16. EXPIRATION DATE: The Council's charter will expire 2 years from the date the charter

is filed, unless, prior to that date, it is rechartered by the Secretary in accordance with the provisions of Section 14(b) of FACA, 5 U.S.C. Appendix. The Council shall not meet or perform any functions without a valid current charter.

17. AUTHORITY: Section 309 of FLPMA, as amended, 43 U.S.C. 1739.

/s/ Gale A. Norton
SECRETARY OF THE INTERIOR

Oct. 13, 2005
Date Signed

Oct. 13, 2005
Date Charter Filed