

BUREAU OF LAND MANAGEMENT

STATE OF ARIZONA

RESOURCE ADVISORY COUNCIL

CHARTER

- 1. OFFICIAL DESIGNATION:** Arizona Resource Advisory Council.
- 2. COUNCIL OBJECTIVES AND SCOPE:** Provide counsel and advice to the Secretary of the Interior (Secretary), through the Bureau of Land Management's (BLM) Designated Federal Official (DFO) concerning planning and management of the public lands within the State of Arizona and those portions of Utah and California administered by the BLM in Arizona.
- 3. PERIOD OF TIME NECESSARY FOR THE COUNCIL'S ACTIVITIES:** The need for the Council is expected to continue indefinitely. Council continuation will be subject to periodic 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 DFO to whom the Council reports, unless otherwise noted, is as follows:

Arizona State Director
Bureau of Land Management
3707 North 7th Street
Phoenix, Arizona 85014
- 5. ADMINISTRATIVE SUPPORT:** Administrative support and funding for activities of the Council will be provided by the office of the DFO.
- 6. DUTIES OF THE COUNCIL:** Council duties and responsibilities are generally as follows:
 - a. Develop recommendations for the BLM regarding the preparation, amendment, and implementation of land use plans for the public lands and resources within the jurisdiction of the Council. Among these responsibilities are gathering and analyzing information; conducting studies and field examinations; and hearing public testimony.

- 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 Federal funds or on personnel actions.
- c. Assist the BLM in identifying standards for ecological health and sustainability and establishing guidelines for resource uses.
- d. Assist the BLM in identifying the geographic area to which standards and guidelines apply.
- e. Develop recommendations for implementation of ecosystem approaches to management by assisting the BLM in establishing landscape goals and objectives.
- f. Assist BLM in local efforts in developing and achieving ecosystem approaches to management.
- g. Recommend future Council model(s) and jurisdiction(s) that best serve the State(s) affected.

7. COUNCIL COMPOSITION:

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

GROUP 1 - PERSONS WHO:

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

GROUP 2 - PERSONS REPRESENTING:

- (i) nationally or regionally recognized environmental or resource conservation organizations;
- (ii) dispersed recreational activities;
- (iii) archaeological and historical interests; or

(iv) nationally or regionally recognized wild horse and burro interest groups.

GROUP 3 - PERSONS WHO:

- (i) hold State, county, or local elected office;
- (ii) are employed by a State agency responsible for the management of natural resources, land, or water;
- (iii) represent Indian tribes within or adjacent to the Council's jurisdiction;
- (iv) are employed as academicians in natural resource management or the natural sciences; or
- (v) represent the public-at-large.

b. The Council will be comprised of 10-15 members distributed in a balanced fashion among the three general categories of interest groups as specified in paragraph 7a. of this chapter.

c. In appointing Council members from the three groups, the Secretary shall provide for a balanced and broad representation within each category.

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 the people 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 the Council's 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. Council members must be residents of States within the geographic jurisdiction of the Council. The BLM will consider nominations for Council membership from local government, organizations, and individuals. Council nominees must 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 members subject to appointment or reappointment each year. In order to establish these staggered terms, beginning with this charter renewal, appointments begin on the effective date the charter is filed, with one-third of the members' terms to terminate in 1 year. One-third of the members' terms will terminate in 2 years after the effective date of the charter

and the terms of the remaining members will terminate after 3 years. Members appointed or reappointed each year thereafter, would be appointed to 3-year terms.

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 elected office. The Secretary must replace the member who leaves office by filling the vacancy using the same method by which the original appointment was made. However, at the Secretary's discretion, the member may be permitted to complete the same term in another vacant position on the Council, provided that the member is qualified to represent one of the other interests within the three groups listed in paragraph 7a. of this charter.

d. The Secretary or his authorized DFO may terminate, after a written notice, the service of a Council member if, in the judgment of the Secretary, 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 authorized DFO will inform the member, in writing, that his or her service on the Council could be terminated. Written notification will occur following the second consecutive missed meeting with a warning of termination if the member fails to attend the next meeting.

e. Vacancies occurring for any reason, including resignation, death, changing residency by relocating outside the State(s) in which the Council is located, failure to regularly attend Council meetings, or Secretarial removal will be filled by the Secretary for the position vacated and the balance of the vacating member's term in the same manner in which the original appointment was made. Such vacancies will be immediately reported to the DFO.

f. At the discretion of the Secretary, Council members may be reappointed to additional terms.

g. A Council member may not serve concurrently on more than one Council. Council members may serve concurrently on Council subgroups, e.g., Rangeland Resource Teams.

h. Council members 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. No Council member shall participate in any matter in which the member has a direct interest.

i. Council members shall be required to complete a course of instruction in the management of rangeland ecosystems and other appropriate and applicable topics that have been approved by the BLM Arizona State Director.

j. Council members 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. SUBGROUPS:

a. Local subgroups may be formed to provide input necessary to the successful functioning of the Council. Such subgroups can be formed in response to a petition from local citizens or by a motion of the Council. Membership in any subgroup formed for the purpose of providing general advice to the Council should be constituted in accordance with paragraph 7a. of this charter. Input from the local subgroups will be presented directly to the Council for its deliberation and review.

b. Specific subgroup requirements include:

(i) Members of Council subgroups must reside in Arizona or those portions of Utah and California

(ii) All members of Council subgroups serve without salary. Only members of subgroups who are also members of the Council may be reimbursed for travel and per diem expenses when on Council (subgroup) business; and

(iii) Members of Council subgroups will 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. No subgroup member shall participate in any matter in which the member has a direct interest.

10. TECHNICAL REVIEW TEAMS: Technical Review Teams (TRTs) can be formed at the motion of the BLM, or in response to a request by the Council or a subgroup. Members will be selected by the BLM based upon their knowledge of resource management or familiarity with the specific issues for which the TRT is formed, limited to Federal employees and federally paid consultants. TRTs will report directly to the BLM and will terminate upon completion of the assigned tasks.

11. COUNCIL OFFICERS: Pursuant to FACA, 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, except for TRTs, will be appointed by the Council Chairperson with the concurrence of the DFO.

12. MEETINGS:

- a. The Council shall meet at the call of the DFO. All meetings of the Council must be attended by the DFO. 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 or appear before the Council or the Council subgroup(s) regarding topics on the meeting agenda.
- 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. If urgent circumstances prevent a 30-day notice, not less than a 15-day notice will suffice. The notice shall set forth the purpose, time, and place of the meeting. If it becomes necessary to postpone or cancel a meeting, a notice will be published in the Federal Register and distributed to the local news media as early as possible.
- 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.
- e. Regular Council business activities will be conducted using standard rules of order.
- f. Quorum and voting procedures: At least a majority of the Council members of each interest group must be present to constitute a quorum. To refer an issue to the DFO requires an affirmative vote of the majority of the members from each interest group. Unanimous agreement of all Council members will be needed to forward a request to the Secretary, as provided for under 43 CFR Section 1784.6-1(i).

13. COUNCIL RECORDS: Detailed minutes of each Council meeting will be kept and will contain a record of attendance; 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.

14. ESTIMATED OPERATING COSTS: Annual activities of the Council will require an estimated \$50,000, including 6 Federal work months.

15. 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.

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

/s/ Gale A. Norton
SECRETARY OF THE INTERIOR

Sept. 20, 2001
Date Signed

Sept. 20, 2001
Date Charter Filed