U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

WESTERN MONTANA RESOURCE ADVISORY COUNCIL

CHARTER

1. **OFFICIAL DESIGNATION:** Western Montana Resource Advisory Council (Council).

2. **AUTHORITY:** The Council is a statutory advisory committee established under section 309 of the Federal Land Policy and Management Act (FLPMA), as amended (43 U.S.C. 1739). The Bureau of Land Management (BLM) is subject to standards and procedures for the creation, operation, and termination of BLM resource advisory councils. Refer to the 1995 amended BLM regulations (43 CFR 1784) for specific regulations regarding composition (1784.6-1(c)); avoidance of conflicts of interest (1784.2-2); calls for nominations (1784.4-1); notice of meetings (1784.4-2); open meetings (1784.4-3); records (1784.5-3); course of instruction for members (1784.6-1(f)); and quorum requirements (1784.6-1(h)). The Council is regulated by the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. Appendix 2). Pursuant to section 804(d)(1)(D) of the Federal Lands Recreation Enhancement Act (FLREA) (16 U.S.C. 6803(d)(l)(D)), the Council is authorized to make recommendations on BLM and U.S. Forest Service (FS) recreation fee proposals.

3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Council will serve in an advisory capacity concerning the issues relating to land use planning or the management of the public land resources located within the BLM's Western Montana District, which includes all of BLM Montana/Dakotas' portion of Interior Region 9.

4. **DESCRIPTION OF DUTIES:** Council duties and responsibilities, where applicable, are as follows:

   1. Upon the request of the Designated Federal Officer (DFO), develop recommendations for BLM with respect to the land use planning, classification, retention, management, and disposal of the public lands within the area for which the advisory council is established and such other matters as may be referred to it by the DFO.

   2. Upon the request of the DFO, the Council may make recommendations regarding a standard amenity recreation fee or an expanded amenity recreation fee, whenever the recommendations related to public concerns in the State or region covered by the Council regarding:

      (a) the implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site;

(b) the elimination of a standard amenity recreation fee or an expanded amenity recreation fee; or

(b) the expansion or limitation of the recreation fee program.

The Council may make these recommendations to BLM when BLM's amenity recreation fees are at issue and it would facilitate the effective implementation of the FLREA. With the concurrence of FS when its amenity recreation fees are at issue, the Council may also make these recommendations to BLM and/or FS if doing so would facilitate the effective implementation of the FLREA.

3. Provide recommendations for implementation of Secretary's Order 3347, Conservation Stewardship and Outdoor Recreation, and Secretary's Order 3356, Hunting, Fishing, Recreational Shooting, and Wildlife Conservation Opportunities and Coordination with States, Tribes, and Territories. Recommendations shall include, but are not limited to:

   (a) assessing and quantifying implementation of the Secretary's Orders and recommendations to enhance and expand their implementation as identified;

   (b) policies and programs that:

      (1) increase outdoor recreation opportunities for all Americans, with a focus on engaging youth, veterans, minorities, and other communities that traditionally have low participation in outdoor recreation;

      (2) expand access for hunting and fishing on BLM land in a manner that respects the rights and privacy of the owners of non-public lands;

      (3) increase energy, transmission, infrastructure, or other relevant projects while avoiding or minimizing potential negative impacts on wildlife; and

      (4) create greater collaboration with States, Tribes, and/or Territories.

4. Provide recommendations for implementation of the regulatory reform initiatives and policies specified in section 2 of Executive Order 13777, Reducing Regulation and Controlling Regulatory Costs; Executive Order 12866, Regulatory Planning and Review, as amended; and section 6 of Executive Order 13563, Improving Regulation and Regulatory Review. Recommendations shall include, but are not limited to:

   (a) identifying regulations for repeal, replacement, or modification considering, at a minimum, those regulations that:

      (1) eliminate jobs or inhibit job creation;

      (2) are outdated, unnecessary, or ineffective;

(3) impose costs that exceed benefits;

(4) create a serious inconsistency or otherwise interfere with regulatory reform initiatives and policies;

(5) rely, in part or in whole, on data or methods that are not publicly available or insufficiently transparent to meet the standard for reproducibility; or

(6) derive from or implement Executive Orders or other Presidential and Secretarial directives that have been subsequently rescinded or substantially modified.

5. Provide recommendations for implementation of Secretary's Order 3354, Supporting and Improving the Federal Onshore Oil and Gas Leasing Program and Federal Solid Mineral Leasing Program. Recommendations shall include, but are not limited to:

   (a) supporting and improving the implementation of the oil and gas quarterly lease sale provision found in the Mineral Leasing Act;

   (b) identifying options to improve the Federal onshore oil and gas leasing program and the Federal solid mineral leasing program, as well as identifying additional steps to enhance exploration and development of Federal onshore oil and gas resources and Federal solid mineral resources; and

   (c) developing an effective strategy to address permitting applications efficiently and effectively as well as develop clear actionable goals for reducing the permit processing time.

6. Provide advice and recommendations for collaborative and innovative solutions to aggressively address wildland fires on public lands as guided by Executive Order 13855, Promoting Active Management of America's Forests, Rangelands, and other Federal Lands to Improve Conditions and Reduce Wildfire Risk, and Secretary's Order 3372, Reducing Wildfire Risks on Department of the Interior Land Through Active Wildfire Management.

All current and future Executive Orders, Secretary's Orders, and Secretarial memos should be included for discussion and recommendation as they are released. At the conclusion of each meeting or shortly thereafter, provide a detailed recommendation report, including meeting minutes, to the DFO.

5. **OFFICIAL TO WHOM THE COUNCIL REPORTS:** The Council provides advice to the Secretary of the Interior (Secretary) through the DFO.

6. **SUPPORT:** Administrative support and funding for activities of the Council will be provided by the BLM's Montana/Dakotas State Office.

7. **ESTIMATED ANNUAL OPERATING COSTS AND STAFF YEARS:** The annual operating costs associated with supporting the Council's activities are estimated to be $50,000 including all direct and indirect expenses and .30 Federal staff years support.

8. **DESIGNATED FEDERAL OFFICER:** The Montana/Dakotas State Director will designate the DFO, a full-time, Federal employee appointed in accordance with Agency procedures. The DFO will approve or call all Council and subcommittee meetings, prepare and approve all meeting agendas, attend all Council and subcommittee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the Secretary.

9. **ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** The Council will meet approximately two to four times annually, and at such other times as designated by the DFO.

10. **DURATION:** Continuing.

11. **TERMINATION:** The Council will be inactive 2 years from the date the charter is filed, unless, prior to that date, it is renewed in accordance with the provisions of section 14 of the FACA. The Council will not meet or take any action without a valid current charter.

12. **MEMBERSHIP AND DESIGNATION:**

1. Council members appointed by the Secretary will be representative of the following three interest groups:

GROUP 1 - PERSONS WHO:

(a) hold Federal grazing permits or leases within the area for which the Council is organized;

(b) represent interests associated with transportation or rights-of-way;

(c) represent developed outdoor recreation, off-highway vehicle users, or commercial recreation activities, including, for example, commercial/charter or recreational fishing;

(d) represent the commercial timber industry; or

(e) represent energy and mineral development.

GROUP 2 - PERSONS REPRESENTING:

(a) nationally or regionally recognized environmental organizations;

(b) dispersed recreational activities, including, for example, hunting and shooting sports;

(c) archaeological and historical interests; or

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

GROUP 3 - PERSONS WHO:

(a) hold State, county, or local elected office;

(b) are employed by a State agency responsible for the management of natural resources, land, or water, including, for example, state/local fire associations;

(c) represent Indian Tribes within or adjacent to the area for which the Council is organized;

(d) are employed as academicians in natural resource management or the natural sciences; or

(e) represent the affected public at large, including, for example, sportsmen and sportswomen communities.

b. The Council will be comprised of 15 members distributed in a balanced fashion among the three interest groups.

c. Members will be appointed to the Council to serve 3-year terms.

13. **ETHICS RESPONSIBILITIES OF MEMBERS**: No Council or subcommittee member will participate in any Council or subcommittee deliberations or votes relating to a specific party matter before the Department or its bureaus and offices including a lease, license, permit, contract, grant, claim, agreement, or litigation in which the member or the entity the member represents 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 BLM, or in any litigation related thereto. For the purposes of this paragraph, indirect interest includes holdings of a spouse or dependent child.

14. **SUBCOMMITTEES:** Subject to the DFO's approval, subcommittees may be formed for the purposes of compiling information or conducting research. However, such subcommittees must act only under the direction of the DFO and must report their recommendations to the full Council for consideration. Subcommittees must not provide advice or work products directly to the Agency. Subcommittees will meet as necessary to

accomplish their assignments, subject to the approval of the DFO and the availability of resources.

15. **RECORDKEEPING**: The Records of the Council, and formally and informally established subcommittees of the Council, shall be handled in accordance with General Records Schedule 6.2 and other approved Agency records disposition schedules. These records shall be available for public inspection and copying, subject to the Freedom of Information Act (5 U.S.C. § 552).

Secretary of the Interior

MAR 0 2 2020

Date

MAR - 5 2020

Date Filed