

**UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
COLORADO STATE OFFICE
2850 YOUNGFIELD STREET
LAKEWOOD, COLORADO 80215**

In Reply Refer To:
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November 27, 2009

EMS TRANSMISSION 11/30/2009
Instruction Memorandum No. CO-2010-005
Expires: 09/30/2011

To: Deputy State Directors, District Managers, Center and Field Managers
and Field Public Information Officers

From: State Director

Subject: Resource Advisory Councils (RAC) and National Landscape Conservation
Systems (NLCS) Advisory Councils: Charters, Nomination Package Process, and
Other Reporting

Program Area: RACs and NLCS Advisory Councils

Purpose: To define process requirements and standard formats for initiation or renewal of Federal Advisory Council charters and/or member appointments and/or re-appointments under the direction of Bureau of Land Management (BLM) Colorado State Office.

Policy/Action: The Bureau of Land Management (BLM) Washington Office (WO) established requirements for submitting Advisory Council charter and member nomination packages to the WO through [WO Instruction Memorandum No. 2009-182](#). Following these requirements, BLM Colorado has outlined the process for all Colorado Advisory Council charters and member nomination packages. This process will be followed for all Advisory Council charters, charter renewals, member nominations and other reports. The Colorado State Director will ensure consistency with WO requirements and will promote efficiency throughout this process.

CO 912 State/Program Coordinator (Coordinator) Responsibilities: The Coordinator is responsible for coordination from the Designated Federal Officials (DFOs) to the State Director and to the WO-620 Group Federal Officer (GFO). The CO-912 Advisory Council Coordinator has primary responsibility for notifying DFOs of approaching deadlines and initiating the "Call for Nominations" *Federal Register* Notice for applicable Advisory Councils. Additionally, the

Coordinator ensures the charter and nomination packages meet all requirements outlined in this IM; are coordinated through the DFO, Communications Director and State Director; and are submitted to the WO-620 GFO with sufficient lead time to meet required deadlines.

DFO Responsibilities: The DFO for each Advisory Council, including NLCS units, works to ensure that charters, nomination packages, and reports meet all requirements described in this IM. The DFO is responsible for ensuring proper execution of the recruitment and vetting process prior to package preparation and submission to the Coordinator. For each term expiring in a given year, it is suggested that at least two qualified candidates be considered. The DFO is responsible for ensuring the updates to the Federal Advisory Committee Act (FACA) database are completed for their Advisory Council. The DFO may delegate administrative responsibilities to staff person(s), providing the appropriate supervisor approves that delegation. Such an arrangement will not include signature authority for documents.

Communications Director Responsibilities: The Communications Director oversees the Coordinator and is responsible for outreach regarding Advisory Council nominations, meetings, and other public notifications. The Communications Director will facilitate review of nominations by the State of Colorado and other participating Federal agencies as applicable. The Communications Director will review nomination packages prior to submission to the WO-620 GFO. The Communications Director is responsible for coordinating any required Colorado State Office review.

State/Program Charter Package Guidelines:

1. New charters: As new Advisory Councils are established, the DFO should collaborate with the Coordinator to develop a charter. Development of the charter and nomination of Advisory Council members may occur concurrently, but no Advisory Council may meet or take any action until a charter has been filed.
2. Existing charters: In accordance with FACA, all existing charters expire two years from the date a charter is filed, and will need to be renewed.
3. Charter package deadlines: The DFO should submit charter renewal packages and new charters to the Coordinator no less than 150 days before the targeted effective date to ensure ample time for the Coordinator, WO-620 GFO and Departmental review process. For new Advisory Councils, submit charter packages to the Coordinator no less than 150 days before the designated charter establishment deadline.

State/Program Charter Package Contents:

1. A transmittal memorandum drafted by the DFO. The memorandum, from the State Director to the BLM Director, explaining why the charter is being submitted (e.g., renewal, need for new council, etc.) and why the council is important;
2. The charter;

3. If changes are suggested for an existing charter, include a redline version of the charter;
4. A list of all current members and whether or not they are Special Government Employees (SGEs) or representatives. For representatives, also include the interest group represented based on that council's establishing authority; and
5. For a discretionary (non-statutorily mandated) council, a justification statement and the *Federal Register* notice announcing council establishment, renewal, or re-establishment; or for a non-discretionary council, a copy of the public law that establishes the authority for the Advisory Council.
6. Charter package delivery: The DFO must submit all of the above materials electronically and in hard copy to the Coordinator. If an electronic signature is not available for the transmittal memorandum, the transmittal memorandum may be sent in hard copy with original signature.

State/Program Office Nomination Package Guidelines:

1. New and re-appointed members: It is essential to recruit new council members or re-appoint existing council members before terms expire. State public outreach efforts are critical for attracting new nominees. Each DFO should work closely with their local PAO to coordinate outreach. The State Director and/or the Communications Director will consult with the Governor's office throughout the nomination process when applicable.
2. The BLM Director, Assistant Director, or State Director must publish a "Call for Nominations" in the *Federal Register* no less than 210 days before appointments are due to expire. These notices must provide general information about the councils, including their purpose, composition, and the procedures for submitting nominations. Notices must also include the BLM contact for providing specific information about vacancies and for receiving nominations.
3. The Communications Director must issue a press release announcing the publication of the "Call for Nominations" and execute other appropriate outreach efforts.
4. Nomination package deadlines: Completed State/Program Office nomination packages must be received by the WO-620 GFO no less than 120 days before appointments expire. It is recommended that the DFO and Communications Director convey to the Advisory Council nominee(s) that their application has been received and the nomination package has been submitted to the WO. Specific recommendations contained in the packages will be kept confidential.

State/Program Office Nomination Package Contents:

1. A detailed transmittal memorandum from the State Director to the BLM Director, drafted by the Coordinator, that provides the names of the recommended nominees;

2. A justification statement for any re-appointed members;
3. A list of the proposed new, re-appointed, continuing, or exiting members on each council, including appointed alternates if the charter permits, and whether or not they are SGEs or representatives. For representatives, include the interest group represented, based on that council's establishing authority;
4. Individual summary sheets for the primary and alternate nominees;
5. Background information;
6. For representatives, nomination support letters/documents specific to the interest group they will represent;
7. Nomination materials submitted for other candidates not selected as nominees;
8. If the charter specifies categories of interest to be represented for which there is no suitable nominee, an explanation of recruitment efforts for the position and whether the lack of representation affects the council's balance;
9. The current/existing charter;
10. For a non-discretionary council, a copy of the public law that establishes the authority for the Advisory Council; and
11. A one-page candidate summary memorandum for subsequent referral to the White House Liaison.

Timeframe: This IM is effective immediately.

Budget Impact: No budget impacts are anticipated.

Background: BLM Colorado currently maintains three RACs and one NLCS Advisory Council.

The Federal Land Policy and Management Act (FLPMA) generally requires the establishment of BLM Advisory Councils, and various other statutes require the establishment of Advisory Councils affiliated with specific geographic areas, e.g., certain National Landscape Conservation System (NLCS) sites. This list is subject to change based upon legislation as well as re-evaluation of discretionary Advisory Councils. Charter renewal and nominations for the various councils and has been handled in a de-centralized manner. The WO-620 GFO serves as the central point for processing all Advisory Council charter and nomination packages within the Washington Office.

Directives Affected: None at this time.

Coordination: This IM was coordinated with the Division of Resources and Fire and the Office of Communications.

Contact: Jim Sample, CO-912, BLM Colorado Advisory Council State Coordinator, 303-239-3861; Steven Hall, CO-912, Communications Director, 303-239-3672.

Signed by:
David Hunsaker
Acting State Director

Authenticated by:
Cathy Cooney
Branch of IRM & Access