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

LAS CRUCES DISTRICT RESOURCE ADVISORY COUNCIL

CHARTER

1. **OFFICIAL DESIGNATION:** Las Cruces District Resource Advisory Council (Council).

2. **AUTHORITY:** The Council is a statutory advisory committee established under Section 309 of the Federal Land Management and Policy 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 conflict of interest (1784.2-2); calls for nominations (1784.6-1(e)); notice of meetings (1784.4-2); open meetings (1784.4-3); records (1784.5-3); and course of instruction for members (1784.6-1(f)). The Council is established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2.

   Pursuant to the BLM Implementation of Recreation Resource Advisory Committee Provisions of the Federal Lands Recreation Enhancement Act (71 FR 55510 (Sept. 22, 2006)) (2006 BLM Implementation Notice) and the Interagency Agreement between the U.S. Forest Service (FS) and the BLM entitled, "Interagency Implementation of the Federal Lands Recreation and Enhancement Act Requirements for Recreation Resource Advisory Committees regarding Recreation Fees" (Sept. 1, 2006) (Interagency Agreement), this Council is authorized to make recommendations on BLM and FS recreation fee proposals under Division J, Title Section VIII, Section 804(d) of the Federal Lands Recreation Enhancement Act (FLREA), as enacted by the Consolidated Appropriations Act of 2005, PL 108-447.

3. **OBJECTIVES AND SCOPE OF ACTIVITIES:** The Council will serve in an advisory capacity concerning the planning and management of the public land resources located within the geographic area of the BLM Las Cruces District Office in the State of New Mexico.

4. **DESCRIPTION OF DUTIES:** 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. This may require the Council, at the direction of the Designated Federal Officer (DFO), to gather and analyze information, conduct studies and field examinations, hear public comments, and provide advice on the issues presented.

   b. Advise the BLM in identifying the geographic area for which standards and guidelines will be developed, and in developing and amending standards and guidelines, as necessary.

c. Advise the BLM in developing recommendations for implementation of ecosystem management concepts, principles, and programs, and assist the BLM in establishing landscape goals and objectives.

d. Advise the BLM regarding working with local groups to develop and achieve resource management programs.

e. Make recommendations as to how future RACs might be organized to best serve the Las Cruces District.

f. Except for the purpose of long-range planning and the establishment of resource management priorities, the Council will not provide advice on the allocation and expenditure of Federal funds or on personnel actions.

g. Pursuant to Section 804(d) of the FLREA, the 2006 BLM Implementation Notice, and the Interagency Agreement, the Secretary may use the Council to make recommendations to the BLM and the FS on recreation fee proposals of the two agencies. The FS Regional Forester, or his or her designee, will serve as an *ex officio* FS official to the Council for meetings when FS recreation fee issues are on the agenda. Recreation fee recommendations concerning the FS will be presented directly to the *ex officio* FS official.

5. **OFFICIAL TO WHOM THE COUNCIL REPORTS:** The Council reports 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 Las Cruces District Manager's Office.

7. **ESTIMATED OPERATING COSTS:** The annual operating costs associated with supporting the Council's activities are estimated to be $40,000, including all direct and indirect expenses and .40 Federal staff years.

8. **DESIGNATED FEDERAL OFFICER**: The DFO is the BLM's Las Cruces District Manager who is a full time Federal employee appointed in accordance with agency procedures. The DFO will approve or call all Council and subcommittees' 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 official to whom the council reports.

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

10. **DURATION:** Continuing.

11. **TERMINATION:** The Council's charter will expire 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(a)(2) of the FACA. The Council will not meet or perform any functions without a valid current charter.

12. **MEMBERSHIP AND DESIGNATION:**

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

GROUP 1 - PERSONS WHO:

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

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

(3) represent developed outdoor recreation, off-highway vehicle users, or commercial recreation activities;

(4) represent the commercial timber industry organizations; or

(5) represent energy and mineral development.

GROUP 2 - PERSONS REPRESENTING:

(1) nationally or regionally recognized environmental organizations;

(2) dispersed recreational activities;

(3) archaeological and historical organizations; or

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

GROUP 3 - PERSONS WHO:

(1) hold state, county, or local elected office;

(2) are employed by a state agency responsible for management of natural resources, land, or water;

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

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

(5) represent the affected public-at-large.

b. The Council will be comprised of 10 members with at least three members in each of the three interest groups.

13. **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.

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. The Council Chair, with the approval of the DFO, will appoint subcommittee members. 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, formal and informal subcommittees of the Council, shall be handled in accordance with General Record Schedule 26, Item 2, or other approved Agency records disposition schedule. These records shall be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. 552.

Ken Salazar
Secretary of the Interior

JUN 11 2010
Date

JUN 15 2010
Date Charter Filed