

United States Forest Service
National Advisory Committee for Implementation of the National Forest System
Land Management Planning Rule (Committee)

CHARTER

1. Committee's Official Designation

National Advisory Committee for Implementation of the National Forest System Land Management Planning Rule (Committee)

2. Authority

The Committee is established under the authority of the Secretary of Agriculture in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended (5 U.S.C. App. 2).

3. Objectives and Scope of Activities

The purpose of the Committee is to provide advice and recommendations on the implementation of the National Forest System Land Management Planning Rule (Planning Rule).

4. Description of Duties

The Committee will be solely advisory in nature. Advice or recommendations of the Committee will be given only with respect to the implementation of the planning rule and associated projects. All activities of the committee will be conducted in an open, transparent, and accessible manner. The Committee will be asked to perform the following duties or other requests made by the Secretary or the Chief:

- Offer recommendations on outreach efforts, public engagement, and stakeholder collaboration,
- Offer recommendations on broad scale and multiparty monitoring and other ways to engage partnerships in land management plan revisions,
- Offer recommendations on communication tools and strategies to help provide greater understanding of the land management planning process, and
- Offer recommendations on potential best management practices and problem solving resulting from early implementation of the 2012 Planning Rule.

5. Agency or Official to Whom the Committee Reports

The Committee will report to the Secretary of Agriculture, through the Chief of the Forest Service.

6. Support

Clerical and other administrative support for the Committee will be provided by the USDA Forest Service.

7. Estimated Annual Operating Costs and Staff Years

The estimated annual operating costs of the Committee are \$425,000. The Federal staff support is estimated to be 3 full-time equivalents. Committee expenses will be covered through the annual budget of the USDA Forest Service.

Members of the Committee will serve without compensation. Reimbursement for travel expenses will be made in accordance with Federal per diem rates for attendance at meetings. All expenses will be subject to approval of the Designated Federal Officer.

8. Designated Federal Officer

A permanent Federal employee will be appointed in accordance with agency procedures and will serve as the Designated Federal Officer (DFO). The DFO will:

- a. Call, approve and convene each meeting of the committee, including publication of notices of committee meetings as required by FACA.
- b. Attend all committee and subcommittee meetings.
- c. Chair committee meetings in the absence of the committee's elected chair or co-chair; or when otherwise directed to do so by the Secretary.
- d. Prepare and approve all meeting agendas in coordination with the committee chair.
- e. Maintain committee records consistent with FACA regulations.
- f. Adjourn meetings when determines adjournment to be in the public's interest.

9. Number and Frequency of Meetings

The Committee will meet approximately three to six times annually or as often as necessary to complete its work. The Committee or subcommittees shall not hold any meetings except at the

call of, or with the advance approval of, the DFO. Attendance may be in-person, by telephone, or by other electronic means.

Meetings of the Committee whether in person, by telephone or electronic means shall be announced 15 days in advance in the Federal Register.

As required by FACA, the Committee will hold open meetings unless the Secretary determines that a meeting or a portion of a meeting may be closed to the public in accordance with Subsection C of Section 522(b) of Title 5, United States Code. All proceedings and relevant documents will be posted and made accessible to the public.

10. Duration

Continuing.

11. Termination

In accordance with Departmental Regulations, unless renewed, the Committee will terminate 2 years from the date of filing the Charter.

12. Membership and Designation

12a. This Committee will be fairly balanced in its membership in terms of the points of view represented and the functions to be performed. Steps will be taken to encourage fresh points of view, such as establishing staggered membership terms and limiting the number of renewed memberships.

12b. The Committee will be comprised of not more than 21 members who provide balanced and broad representation within each of the following three categories of interests:

1. Up to 7 members who:
 - a. Represent the affected public at-large
 - b. Hold State-elected office (or designee)
 - c. Hold county or local elected office
 - d. Represent American Indian Tribes
 - e. Represent Youth
2. Up to 7 members who represent:
 - a. National, regional, or local environmental organizations
 - b. Conservation organizations or watershed associations
 - c. Dispersed recreation interests
 - d. Archaeological or historical interests
 - e. Scientific Community
3. Up to 7 members who represent:
 - a. Timber Industry

- b. Grazing or other land use permit holders or other private forest landowners
- c. Energy and mineral development
- d. Commercial or recreational hunting and fishing interests
- e. Developed outdoor recreation, off-highway vehicle users, or commercial recreation interests

Nominees will be sought through an open and public process that includes, but is not limited to, nominees submitted by tribal governments, county and state governments, organizations, and individuals who represent the interests of the public on National Forest System lands. Members may recommend substitutes to represent them at meetings they are unable to attend. The Secretary must approve and appoint substitutes before they attend meetings as Representatives or Special Government Employees.

12c. Of these members, one will become the Chairperson who is recognized for their ability to lead a group in a fair and focused manner and who has been briefed on the mission of this Committee. A Co-Chairperson may be assigned, especially to facilitate their transition to become the Chairperson in the future.

12d. Ethics Statement

To maintain the highest levels of honesty, integrity and ethical conduct, no Committee or subcommittee member shall participate in any “specific party matters” (i.e., matters are narrowly focused and typically involve specific transactions between identified parties) such as a lease, license, permit, contract, claim, grant, agreement, or related litigation with the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee members to immediately disclose to the DFO (for discussion with USDA’s Office of Ethics) any specific party matter in which the member’s immediate family, relatives, business partners or employer would be directly seeking to financially benefit from the Committee’s recommendations. As provided in 43 CFR 1784.2-2, members of the Committee shall be required to disclose their direct or indirect interest in leases, licenses, permits, contracts, claims, grants or agreements that involve lands or resources administered by the Forest Service, or in any litigation related thereto. For purposes of this paragraph, indirect interest includes holdings of a spouse or a dependent child.

All members will receive ethics training to identify and avoid any actions that would cause the public to question the integrity of the Committee’s advice and recommendations. Members who are appointed as “Representatives” are not subject to Federal ethics laws because such appointment allows them to represent the point(s) of view of a particular group, business sector or segment of the public.

Members appointed as “Special Government Employees” (SGEs) are considered to be intermittent Federal employees and are thus subject to Federal ethics laws. SGE’s are appointed due to their personal knowledge, academic scholarship, background or expertise. No SGE may participate in any activity in which the member has a prohibited financial interest. Appointees

who are SGEs are required to complete and submit a Confidential Financial Disclosure Report (OGE-450 form) and, upon request, USDA will assist SGEs in preparing these financial reports. To ensure the highest level of compliance with applicable ethical standards USDA will provide ethics training to SGEs on an annual basis. The provisions of these paragraphs are not meant to exhaustively cover all Federal ethics laws and do not affect any other statutory or regulatory obligations to which advisory committee members are subject.

12e. Equal opportunity practices in accordance with USDA policies will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee have taken into account the needs of the diverse groups served by USDA, membership shall include to the extent possible, individuals with demonstrated ability to represent all racial and ethics groups, minorities, women and men, and persons with disabilities.

13. Subcommittees

The USDA Forest Service has the authority to create subcommittees. Subcommittees must report back to the parent committee, and must not provide advice or work products directly to the Agency. Subcommittees activities, advice and work products must be reported in the minutes or other public records of the parent committee.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records 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.

Information about this Committee is available online at:

<http://www.fs.usda.gov/main/planningrule/committee>

15. Filing Date

February 3, 2016