U.S. DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250

DEPARTMENTAL REGULATION	NUMBER: 1043-37
SUBJECT: ADVISORY COMMITTEES TO THE PIECS	DATE:
	OPI: Forest Service

1. AUTHORITY

The charter for the four Provincial Advisory Committees (PACs), which provides advice to the Provincial Interagency Executive Committees (PIECs) is hereby re-established pursuant to the implementation of E-19 of the Record of Decision. The PIECs are areas set up under the Northwest Forest Plan. The PACs are in the public interest and are established in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. App II. The PACs are also in accordance with an Interagency Agreement established between the US Department of Agriculture's Forest Service and the US Department of the Interior Bureau of Land Management (BLM) which enables each agency to provide local forums and develop ways to better coordinate activities with non-Federal entities.

The PIECs facilitate the successful implementation of the Record of Decision for Amendments to the Forest Service and BLM planning documents within the Record of Decision of the Northwest Forest Plan (ROD) of April 13, 1994. They consist of representatives of some or all of the following Federal agencies: the Forest Service, BLM, U.S. Fish and Wildlife Service, National Marine Fisheries Service, Bureau of Indian Affairs, National Park Service, the Environmental Protection Agency, Natural Resources Conservation Service, U.S. Geological Survey Biological Resources Division, and U.S. Army Corps of Engineers.

The Secretary of Agriculture (Secretary) is re-establishing the following PACs to provide advice and make recommendations to promote better integration of forest management activities between Federal and non-Federal entities to ensure that such activities are complementary.

The PACs advising the PIECs are as follows:

(1) Eastern Washington Cascades Provincial Advisory Committee,
(2) Deschutes Provincial Advisory Committee,
(3) Yakima Provincial Advisory Committee, and
(4) Oregon Coast Provincial Advisory Committee.

This regulation supersedes DR 1043-37, June 5, 2008.

2. PURPOSE AND SCOPE

The purpose of the PACs is to advise the PIECs on coordinating the implementation of the ROD. Each PAC provides advice regarding implementation of a comprehensive ecosystem management strategy for Federal land within a province (provinces are defined in the ROD at E19).

The ROD provides direction to the Forest Service and the BLM for developing an ecosystem management approach that is consistent with statutory authority for land use planning, such as the Forest Rangeland Renewable Resources Planning Act, the National Forest Management Act, and the Federal Land Policy and Management Act. (See the ROD, page 5.) Ecosystem management at the province level requires improved coordination among governmental entities responsible for land management decisions and the public they serve.

3. DUTIES

a. The PACs shall be solely advisory in nature.

(1) The PACs, and any other committee that takes on the responsibility of providing advice to the PIECS, makes recommendations on the implementation of the ROD.

(2) The PACs provide advice on provincial level analyses and monitoring, provide a forum for information exchange, and encourage complementary ecosystem management among Federal and non-Federal land managers.

(3) Each PAC may create and operate subcommittees or working groups recommended by its members and approved by the Secretary or designated Federal officer. Working groups or subcommittees may include individuals who are not members of a PAC and may be community-based groups that would provide advice and recommendations to a PAC on land management issues related to the Adaptive Management Areas or other land-use classifications described in Attachment A of the ROD.

4. REPORTS

The PAC report to the Provincial Interagency Executive Committees and the Secretary through the appropriate Forest Service Regional Forester.

5. SUPPORT

Clerical and administrative support for the PACs will be provided by the Forest Service.

6. ESTIMATED ANNUAL OPERATIONS COSTS/STAFF YEARS

   a. Members of the PACS shall serve without compensation, but with reimbursement of travel expenses in accordance with Federal per diem rates for attendance at the meetings. All expenses will be subject to approval of the Designated Federal Officer. Subcommittee members will be reimbursed travel and per diem expenses for attendance at PAC meetings or subcommittee meetings called by the DFO in consultation with the Chairperson and with an agenda approved by the DFO.

   b. Annual operating costs are estimated at $600,000 and 6 staff years of support, based on subcommittee/working group meetings.

7. DESIGNATED FEDERAL OFFICER

   a. The Secretary of Agriculture shall appoint a full-time employee as the Designated Federal Officer (DFO) under Sections 10(e) and (f) of the Federal Advisory Committee Act, 5 U.S.C. App. The DFO will:

      (1) Approve or call all of the advisory committee's and subcommittee's meetings,

      (4) Prepare and approve all meeting agendas,

      (5) Attend all committee and subcommittee meetings,

      (6) Adjourn any meeting when he or she determines adjournment to be in the public interest; and

      (7) Chair meetings when directed to do so by the Secretary of Agriculture.

8. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

   a. The PACs are required to meet annually, but may meet as often as is necessary to complete their business.

   b. 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. Interested persons may attend meetings, appear before the committee as time permits, and file comments with the committee.

   c. A majority of the members of the advisory committee shall constitute a quorum for a meeting that will provide consensus direction. The Committee shall not

hold any meetings except at the call of, or with the advance approval of, the DFO.

d. Notice of each meeting shall be provided in the Federal Register within 15 to 45 days before a scheduled meeting. Committee members will be notified personally of the date, time, and place of each meeting.

9. DURATION AND TERMINATION

a. This regulation will expire in 2 years from the date of filing unless renewed by proper authority and appropriate action.

b. The functions of the Committee cannot be accomplished in less than 2 years. In accordance with the departmental regulations, unless renewed, the Committee will terminate 2 years from the date of filing the charter.

c. In the event that project proposals commit all funding and funding for new proposals is not available, then the committee's services may be terminated at the discretion of the Secretary.

10. MEMBERSHIP AND DESIGNATION

a. The Committee will be comprised of no more than 29 members approved by the Secretary of Agriculture. Committee membership will be fairly balanced in terms of the points of view represented and functions to be performed.

b. The Committee shall include representation in the following areas:

(1) One or more representatives of the Environmental Protection Agency;

(2) One or more representatives of the United States Fish and Wildlife Service;

(3) One or more representatives of the Forest Service;

(4) One or more representatives of the BLM in each province where lands administered by BLM occur in the province;

(5) One or more representatives of the National Park Service in each province where a national park occurs in the province;

(6) One or more representatives of the National Marine Fisheries Service;

(7) One or more representatives of the Bureau of Indian Affairs;

(8) Up to a maximum of three representatives of the government of each State

within whose boundaries all or a portion of the province is located (the State agencies/departments to be represented will be determined by the Federal officials described in Paragraphs 3a(1) through 3a(7));

(9) One or more representatives of each county government within whose boundaries all or a portion of the province is located, up to a maximum of three county representatives;

(10) One or more representatives of each tribal government whose reservation, ceded land, or usual and accustomed areas are within all or a portion of the province, up to a maximum of three tribal representatives;

(11) Up to a maximum of two representatives of environmental interests;

(12) Up to a maximum of two representatives of different sectors of the forest products industry;

(13) Up to a maximum of two representatives of the recreation and tourism sectors;

(14) Three to five representatives of the following interests when those interests are determined by the Federal officials described in Paragraphs 3a(1) through 3a(7) to be needed on the respective provincial committee: Fish, wildlife, or forestry conservation organizations; special forest products interests, mining interests, grazing interests, and commercial fishing or charter fishing boat industry interests; and other interests that help achieve the purpose of this charter;

(15) Up to a total of three representatives from the following Federal agencies when the jurisdiction or authority of those agencies are determined by the Federal officials described in Paragraphs 3a(1)(a) through 3a(1)(g) to be needed on the respective provincial committee: Bureau of Reclamation, United States Geological Survey National Biological Division, Forest Service Research, United States Army Corps of Engineers, United States Geological Survey, Bonneville Power Administration, Department of Defense, and Natural Resources Conservation Service; and

(16) Up to a maximum of three representatives representing the public at large affected by the ROD for the Northwest Forest Plan and concerned with the management of the national forests in the community.

c. The PACs may invite a representative of the State Community Economic Revitalization Team, or its equivalent, to participate as an ex-officio member. In the event a member is unable to attend a meeting of a PAC or a meeting of one of its subcommittees/working groups, that member may send a designee, or alternate, to represent him or her at the meeting.

d. The Chairperson of each PAC will alternate annually between the Forest Service representative and the BLM representative in provinces where both agencies administer lands. When the BLM is not represented on the PIEC, the Forest Service representative will serve as Chairperson.

e. The Chairperson, or designated agency employee, will serve as the designated Federal officer under Sections 10 (e) and (f) of the Federal Advisory Committee Act (5 U.S.C. App).

f. Appointments to the PACs will be made by the Regional Forester, Region 6, after recommendation(s) have been made by the PIEC and consultation with the BLM State Director, Oregon State Office, when appropriate (in provinces where the BLM administers land), and the Regional Interagency Executive Committee. The Regional Forester, Region 6, also shall consult with the Regional Forester, Region 5, when appropriate. The BLM State Director, Oregon State Office, shall consult with the BLM State Director, California State Office, when appropriate.

g. Equal opportunity practices in line with USDA policies will be followed in all appointments to the PACs. To ensure that the recommendations of the PACs have taken into account the needs of the diverse groups served by the Departments, membership should include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

11. RECORDSKEEPING

The records for the Provincial Advisory Committees 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.

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