

**Department of the Interior - Office of the Secretary
Natural Resource Damage Assessment and Restoration Program**

**Natural Resource Damage Assessment and Restoration Advisory Committee
Summary of Administrative Business Meeting**

November 30, 2005

The Department of the Interior's Natural Resource Damage Assessment and Restoration Advisory Committee convened their first Administrative Business Meeting at 1:20 PM at the US Fish and Wildlife Service National Conservation Training Center in Shepherdstown, West Virginia. Mr. Frank DeLuise, Program Manager of the NRDAR Program, introduced himself as the Committee Chair and Designated Federal Officer (DFO). He provided remarks regarding the role of the DFO. Mr. DeLuise then introduced Mr. Charlie Wooley, Deputy Regional Director for Fish and Wildlife Service Great Lakes-Big Rivers Region, as the Committee Vice-Chair. Mr. Wooley provided some personal background information and then asked each Committee member and the Department of the Interior staff present to introduce themselves.

In accordance with the provisions of Public Law 92-463, the meeting activities were closed to the public as the meeting was convened solely to discuss administrative matters and receive administrative information from the Department of the Interior.

Committee members present:

Frank DeLuise
Charlie Wooley
John Carlucci
Roger Helm
John Bascietto
Alex Beehler
William Brighton
Patricia Montanio
Robert Ricker
Sharmian White
Richard Seiler
Dale Young
Shannon Work

William Bresnick
Patricia Casano
Barbara Goldsmith
Barry Hartman
Thomas Jensen
J. Craig Potter
Michael Srnith
Ralph Stahl
Lynelle Hanson
Gregory Butcher (Alt. for Stephen Kress)
Jon Mueller
Stephen Polasky

Staff of the Department of the Interior present:

Steve Glomb, Assistant Program Manger for Restoration
Bruce Nesslage, NRDAR Fund Manager
Barbara Schmalz, NRDAR Regional Coordinator (Denver)
Robin Burr, NRDAR Regional Coordinator (Philadelphia)
Stephanie Yu, Attorney-Advisor, Office of the Solicitor, Division of General Law

Welcome from Director, National Conservation Training Center

Mr. Rick Lemon provided some Center history and noted the theme of Center activity is “Working with others” by being a learning center not just for the Fish and Wildlife Service but also for nationwide conservation issues or agencies. He further noted how the Center, when facilities are available, will host meetings of other US agencies and the Congress that build relationships and interest in conservation or environmental issues.

Designated Federal Officer’s Opening Remarks

Mr. DeLuise observed that the DOI NRDAR program has evolved into an integrated Departmental program and that after 25 years of conducting NRDAR and through interaction with the NRDAR stakeholders, he believes there is interest to explore coordination and cooperation in lieu of litigation to accomplish restoration. The Department has decided to use the FACA Committee, with a diverse group of stakeholders, to get consensus advice on appropriate reform of the Department’s NRDAR responsibilities and practices.

He emphasized that the work of the Committee would not address contentious case-specific issues or issues outside the control of DOI, and that DOI wanted positive consensus recommendations that can be implemented. Mr. DeLuise stressed that the Program goals were getting to cost effective restoration, reducing unnecessary contention, increasing certainty, and reducing litigation. With these goals in mind, DOI has developed four questions/issues for Committee input.

Without presenting the specific questions, which will be introduced during the December 1, 2005, open Committee meeting, Mr. DeLuise noted these questions encompass broad issues, which four subcommittees will work to flesh-out. The entire Committee will be involved in final consensus of which issue each subcommittee will pursue, how each subcommittee will proceed, and which subcommittee recommendations will be forwarded to the DOI as Committee recommendations. Thus, each Committee member will be deeply involved in each of the four questions/issues.

Mr. Ricker asked whether any of the members had experience with other FACA committees. Ms. Casano, Mr. Jensen, and Mr. Potter each provided a brief description of their previous involvement in another FACA committee and their thoughts on those experiences. Mr. Potter emphasized the need for staying focused and using the Committee structure in order to make progress.

Mr. Wooley concluded the discussion of the overall purpose of the Committee by reiterating four basic themes: everyone’s opinion counts, no case-specific discussions, drive to consensus, and constructive advice and recommendations to Secretary Norton.

FACA Overview and Ethics

Ms. Stephanie Yu presented a power point presentation overview of FACA. She reviewed several pertinent points of this law, passed in 1972: committees are advisory only; may be

set up by law, Presidential authority, or discretionary agency decision, this committee was set up by Charter on May 24, 2005, at the DOI's discretion; Committee meetings may be closed to the public under certain circumstances (preparatory work, drafting of position papers, administrative in nature); and FACA does not apply to any subcommittees that may be formed. Ms. Yu also stressed that Committee members should watch out for any ethical conflict of interest issue which requires avoiding Committee discussions and recommendations that may have a financial interest/consequence to them. Ms. Yu confirmed that all Committee records must be made publicly available, including subcommittee reports which the Committee decides to accept as their recommendation to the DOI Secretary. Finally, Ms. Yu addressed several FACA 'myths' by providing the following direction: No personal agendas, Committee agendas are set by DOI; Committee members can socialize but can not discuss issues before the Committee; personal notes need only be made publicly available if they are given to the Committee; and lastly, Committee membership is at the discretion of the Secretary, not a life time membership.

Ms. Young asked whether, during the December 1 Committee meeting, members of the public would be allowed a question/answer time or whether their participation would be in the form of making a statement. Ms. Yu responded that the Federal Register notice of the meeting stated that members of the public could make statements to the Committee.

Travel Reimbursement

Mr. Bruce Nesslage spoke to the Committee about the travel reimbursement process and provided appropriate forms for the Committee to submit to DOI for reimbursement of travel expenses related to this week's meetings.

Committee Bylaws

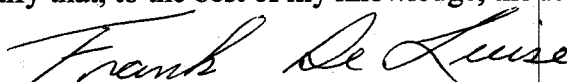
Mr. Wooley advised that the Committee Bylaws would be a major topic of discussion during the December 1 meeting, with emphasis on reaching consensus on a final version. Mr. John Carlucci provided a red line/strike-out edited version of the earlier draft for the Committee to consider prior to the next day's meeting. He then highlighted the main parts of each section and noted the changes suggested for each section.

Adjournment

Mr. Wooley ended the meeting at 4:00 with a reminder to the Committee members regarding the NCTC check-out procedures and a review of the agenda for the December 1 meeting.

Committee Chair's Certification

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

 02/09/06

Frank DeLuise, Committee Chair and Designated Federal Officer
NRDAR Federal Advisory Committee