

**BUREAU OF LAND MANAGEMENT  
STATE OF MONTANA  
RESOURCE ADVISORY COUNCIL**

**CHARTER**

- 1. OFFICIAL DESIGNATION:** Dakotas Resource Advisory Council.
  
- 2. COUNCIL OBJECTIVES AND SCOPE:** Provide representative citizen counsel and advice to the Secretary of the Interior (Secretary) through the Bureau of Land Management's (BLM) Designated Federal Officer (DFO) concerning the planning and management of the public land resources located within the geographic area of the North Dakota and South Dakota Field Offices.
  
- 3. PERIOD OF TIME NECESSARY FOR THE COUNCIL'S ACTIVITIES:** Since its functions are related to continuing the BLM responsibility for the management of public lands and resources within the geographical area of jurisdiction described above, the need for the Council is expected to continue indefinitely. Council continuation will be subject to periodic review and rechartering every 2 years as required by Section 14(b) of the Federal Advisory Committee Act (FACA), 5 U.S.C. Appendix.
  
- 4. OFFICIAL TO WHOM THE COUNCIL REPORTS:** The DFO to whom the Council reports, unless otherwise noted, is the BLM Montana/Dakotas State Director or his/her representative field managers:  

BLM North Dakota Field Manager North Dakota Field Office 99 23rd Avenue West, Suite A Dickinson, North Dakota 58601-2619	BLM South Dakota Field Manager South Dakota Field Office 310 Roundup Belle Fourche, South Dakota 57717-1698
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- 5. ADMINISTRATIVE SUPPORT:** Administrative support for activities of the Council will be provided by the North Dakota Field Office.
  
- 6. DUTIES OF THE COUNCIL:** The members of the Council will serve in an advisory capacity to the DFO. 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 to, at the direction of the DFO, 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 on future Council model(s) and areas of jurisdiction that would best serve the Dakotas.
- 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.

**7. COUNCIL COMPOSITION:** Council members appointed by the Secretary will be representative of the following three general groups:

a. **GROUP 1 - PERSONS WHO:**

- (i) hold Federal grazing permits or leases within the area for which the Council is organized;
- (ii) represent interests associated with transportation or rights-of-way;
- (iii) represent developed outdoor recreation, off-highway vehicle users, or commercial recreation activities;
- (iv) represent the commercial timber industry; or
- (v) represent energy and mineral development.

**GROUP 2 - PERSONS REPRESENTING:**

- (i) nationally or regionally recognized environmental organizations;
- (ii) dispersed recreational activities;
- (iii) archaeological and historical interests; or
- (iv) nationally or regionally recognized wild horse and burro interest groups.

**GROUP 3 - PERSONS WHO:**

- (i) hold State, county, or local elected office;
- (ii) are employed by a State agency responsible for the management of natural resources, land, or water;
- (iii) represent Indian tribes within or adjacent to the area for which the Council is organized;
- (iv) are employed as academicians in natural resource management or the natural sciences; or
- (v) represent the affected public-at-large.

b. The Council will be comprised of 15 members distributed in a balanced fashion among the three interest groups as specified in paragraph 7a. of this charter.

c. In appointing Council members from the three groups, the Secretary shall provide for a balanced and broad representation within each group.

**8. ALLOWANCES FOR COUNCIL MEMBERS:** Council members serve without salary, but may be reimbursed for travel and per diem expenses when on Council business as authorized by Section 309(a) of the Federal Land Policy and Management Act (FLPMA) of 1976, and 5 U.S.C. 5703.

**9. 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 of the Interior 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.

**10. SUBGROUPS:** The Council, in consultation with the DFO, may form subgroups to provide input necessary to the successful functioning of the Council. Such subgroups can be formed, subject to the DFO's approval, in response to a petition from local citizens or by the motion of the Council. Input by subgroups will be presented directly to the Council for its deliberation and consideration.

**11. RECREATION FEE RECOMMENDATIONS:** As required by Section 804(d)(1-2) of the Federal Lands Recreation Enhancement Act of 2004, the Secretary may use the Council to provide advice and recommendations to the BLM and the United States Department of Agriculture, Forest Service (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.

**12. QUORUM AND VOTING REQUIREMENTS:** A majority of the Council members of each interest group must be present to constitute a quorum. To refer an issue to the DFO requires an affirmative vote of the majority of the members from each interest group. Unanimous agreement of all Council members will be needed to forward a request to the Secretary as provided for under 43 CFR 1784.6-1(i).

**13. ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:** The Council will normally meet from two to four times annually, but in no case less than once. Additional meetings may be called by the DFO.

**14. ESTIMATED OPERATING COSTS:** Activities of the Council will require an estimated \$50,000, which includes 4 work months of Federal employee support.

**15. EXPIRATION DATE:** The Council's charter will expire 2 years from the date the charter is filed, unless, prior to that date, it is rechartered by the Secretary in accordance with the provisions of Section 14(b) of FACA, 5 U.S.C. Appendix. The Council shall not meet or perform any functions without a valid current charter.

**16. ADDITIONAL BLM REGULATIONS:** The BLM is subject to additional standards and procedures for the creation, operation, and termination of BLM resource advisory committees. 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)).

**17. AUTHORITY:** Section 309 of FLPMA, as amended, 43 U.S.C. 1739.

/s/ Dirk Kempthorne  
SECRETARY OF THE INTERIOR

October 5, 2007  
Date Signed

October 5, 2007  
Date Charter Filed