

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

DEPARTMENTAL REGULATION		NUMBER: 1042-151
SUBJECT: Roadless Area Conservation National Advisory Committee	DATE: September 8, 2005	
	OPI: Forest Service	

1 PURPOSE AND SCOPE

This regulation establishes the Roadless Area Conservation National Advisory Committee in accordance with the Federal Advisory Committee Act (5 U.S.C. App. II). The purpose of the Advisory Committee is to provide advice and recommendations to the Secretary on the implementation of the final rule at 36 CFR part 294, subpart B, that sets out an administrative process for Governors to petition the Secretary of Agriculture to establish or adjust management requirements for inventoried roadless areas within their respective States. The opportunity to submit State petitions is available for 18 months following the effective date of the final rule. The Secretary will respond to a petition within 180 days of receipt of a completed petition. The Advisory Committee will review submitted petitions and provide advice and recommendations to the Secretary within 90 days of receipt of a completed petition. The Committee will also provide advice and recommendations to the Secretary on any subsequent State-specific rulemakings.

2 SPECIAL INSTRUCTIONS

- a This regulation will expire 2 years after the date of filing unless renewed by proper authority and appropriate action. This supersedes DR 1042-151 dated April 28, 2005.
- b The function of this Advisory Committee cannot be completed in less than two years.

3 OFFICERS AND MEMBERSHIP

- a This Advisory Committee shall consist of up to 15 members appointed by the Secretary of Agriculture or the Secretary's

designee. The Committee Chair will be elected by the members. Officers or employees of the Forest Service may not serve as members of the Advisory Committee.

- b The Advisory Committee shall consist of members who represent diverse national organizations interested in the conservation and management of National Forest System inventoried roadless areas. Committee members should have a demonstrated ability to work in a manner designed to establish a consensus of opinion in order to develop recommendations that reflect relevant needs and perspectives. Members will seek to reach mutual agreement on a course of action or issues, and will be expected to work together to draft recommendations that are representative of the diverse values and interests represented in the Committee.
- c Membership to the greatest extent possible, shall be selected from geographically diverse locations.
- d The Secretary of Agriculture shall appoint a designated Federal officer (DFO) under sections 10(e) and (f) of the Federal Advisory Committee Act, (5 U.S.C. App. II).
- e A vacancy on the Advisory Committee shall be filled in the same manner in which the original appointment was made.
- f Equal opportunity practices, in line with USDA policies, shall be followed in all membership appointments to the Advisory Committee. To ensure that the recommendations of the committee have taken into account the needs of the diverse groups served by the Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

4 DUTIES

- a The Advisory Committee shall review each petition in light of the requirements of the State Petitions for Inventoried Roadless Area Management Rule at 36 CFR part 294, subpart B, and provide advice and recommendations to the Secretary within 90 days of receipt of a completed petition regarding: the need for additional information from the petitioner; and the Secretary's response to a petition.
- b The Advisory Committee shall provide advice and recommendations to the Secretary on any subsequent State-specific rulemakings regarding: the nature and extent of appropriate National Environmental Policy Act documentation associated with

development of a State-specific rule; and the Secretary's decision on promulgating a State-specific rule.

5 ESTIMATED ANNUAL OPERATING COSTS

- a The members of the Advisory Committee who are not officers or employees of the United States, while attending meetings or other events held by the Advisory Committee, shall be provided per diem and travel expenses approved by the Secretary, or his designee.
- b The estimated cost of operating the Advisory Committee is \$50,000 annually for the term of this regulation. Federal staff support is estimated to be 0.25 FTE.
- c At the Advisory Committee's request, the Chief of the Forest service may make employees of the Forest Service available to the Advisory committee for technical and administrative assistance.

6 NUMBER AND FREQUENCY OF MEETINGS

The Advisory Committee will meet as often as is necessary to complete its work.

7 REPORTS AND SUPPORT

- a The Advisory Committee shall review each petition and provide the Secretary and the petitioner advice and recommendations within 90 days of the receipt of an initial petition.
- b To the extent practicable, support for the Advisory Committee shall be provided by the Forest Service.

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