USDA United States Department of Agriculture

Forest Service

CHARTER

1. Committee's Official Designation

Recreation Resource Advisory Committee

The federal advisory committees referenced in this charter are collectively known as Recreation Resource Advisory Committees (Recreation RACs). The official designation (title) of each committee and its estimated annual operating expenses and staff support are shown in an addendum to this charter.

Each Recreation RAC shall operate in accordance with this charter. This charter and its addendum shall be filed by the Committee Management Officer with the Secretary of Agriculture, the appropriate Congressional committees, the Library of Congress and the General Services Administration's Committee Management Secretariat and posted for each committee in the Committee Management Secretariat's Federal Advisory Committee Act (FACA) data base.

2. Authority

Each Recreation RAC is established pursuant to Section 4 of the Federal Lands Recreation Enhancement Act (Pub. L. No.108-447) hereafter referred to as the Act, in accordance with the provisions of the Federal Advisory Committee Act, as amended, 5 U.S.C., App.2.

3. Objectives and Scope of Activities

The purpose of the Recreation RACs is to provide recommendations to the Secretary on recreation fees on lands and waters managed by the Forest Service and Bureau of Land Management (BLM) in the state or regions covered by each committee.

4. Description of Duties

a. A Recreation RAC will serve in an advisory capacity to the Forest Service and BLM officials within the Recreation RAC's area of jurisdiction on matters including, but not limited to:

(1) The implementation of a standard amenity recreation fee or an expanded amenity recreation fee or the establishment of a specific recreation fee site;

(2) The elimination of a standard amenity recreation fee or an expanded amenity recreation fee;

(3) The expansion or limitation of the recreation fee program;

(4) The implementation or elimination of noncommercial, individual special recreation permit fees; and

(5) The implementation of fee-level changes (increases or decreases).

b. Recreation RACs do not have the authority to make recommendations on certain aspects of fee programs, including, but not limited to:

(1) Recreation fee sites operated by a concessionaire or contractor such as campgrounds or reservation fees assessed by the national recreation reservation system; and

(2) Commercial permits such as outfitting and guiding; and recreation group event permits, which are issued as either special use permits by the Forest Service or special recreation permits by the BLM, such as bike races.

c. The Recreation RACs may create and operate subcommittees recommended by a majority of the committee members and approved by the Designated Federal Officer (DFO) to facilitate the work of the Recreation RACs. Subcommittees, which may vary widely in structure, composition, and purpose, report directly to the Recreation RAC that formed it. The DFO, or designee, must attend subcommittee meetings. Subcommittees shall keep meeting minutes that include attendees, public comment, and recommendations that are presented to the Recreation RAC.

d. Consistent with applicable laws and United States Department of Agriculture regulations, the Recreation RACs may adopt such by-laws or rules of operation as they deem advisable.

5. Agency or Official to Whom the Committee Reports

The Recreation RACs report their recommendations to the Secretary of Agriculture or the Secretary of the Interior, if appropriate, through the appropriate Forest Service Regional Forester or BLM State Director.

6. Support

Administrative support for the Recreation RACs shall be provided by the Forest Service.

7. Estimated Annual Operating Costs and Staff Years

The estimated annual operating expenses and staff support for each committee are shown in the addendum to this charter.

In accordance with the Act, members of the committee and subcommittee shall serve without compensation. Recreation RAC members will be reimbursed travel and per diem expenses for attendance at Recreation RAC meetings or subcommittee meetings called by the DFO in consultation with the Chairperson and with an agenda approved by

the DFO. In the performance of their duties away from their homes or regular places of business, Committee members may be allowed reimbursement for travel expenses including per diem in lieu of subsistence, as authorized by 5 U.S.C. 5703. Reimbursement, if any will be consistent with procedures and rates applicable to Forest Service employees in travel status.

8. Designated Federal Officer

The Forest Service Regional Foresters, or designees, for each identified Recreation RAC, as appropriate, shall serve as the DFO of their respective Recreation RACs, in accordance with sections 10(e) and (f) of the FACA. The relevant BLM State Director, or designee, will serve as an ex officio BLM official to the Recreation RACs for meetings when BLM recreation fees are on the agenda. Recreation fee recommendations concerning the BLM will be presented directly to the ex officio BLM official.

The DFO will:

a. Call and convene each meeting of the committee, including publication of notices of committee meetings as required by FACA and the Act.

b. Attend each meeting of the committee.

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. Review and approve the committee's by-laws, operating guidelines or rules of operation.

f. Maintain committee records consistent with FACA regulations.

g. Adjourn any meeting when the DFO determines adjournment to be in the public interest.

h. Remove inactive members from the committee.

i. Call into service as a committee member an appropriate replacement member who has been vetted, approved and appointed by the Secretary.

j. Provide information to the committee about FACA, the Act and other laws, regulations and policies relevant to the committee's activities and the proposed projects under review by the committee.

k. Transmit the recommendations of the committee to the Secretary, through the Forest Service.

9. Estimated Number and Frequency of Meetings

a. The Recreation RACs, with the approval of the DFO, shall meet at least once annually or as often as is determined necessary to deal with the public's concerns about the recreation fee program in a timely manner.

b. The meetings of the Recreation RACs may be held in person, by telephone or electronic means.

c. Meetings of the Recreation RACS whether in person, by telephone or electronic means shall be announced at least 15 days in advance in the Federal Register. The meetings shall be open to the public with a clear process for the public's participation.

d. To achieve a quorum, a Recreation RAC must have eight members in attendance.

10. Duration

Continuing

11. Termination

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

b. If the Secretary, in consultation with the Governor of a State or each of the Governors of the States within the jurisdiction of a Recreation RAC, determines that insufficient interest exists to continue to ensure that participation on the Recreation RAC is balanced in terms of the points of view represented, the Secretary will terminate the Recreation RAC.

c. The Secretary will remove a State from the Recreation RAC's deliberations if a State's Governor requests that action based on the State's lack of interest in continuing its participation.

12. Membership and Designation

Each 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.

Nominees will be sought through an open and public process that includes, but is not limited to, nominees submitted by tribal governments, county governments, state tourism offices, outfitters and guides serving the appropriate region or state, and organizations and individuals who represent the interests specified in the Act.

Equal opportunity practices in accordance with USDA policies shall be followed in all appointments to the committee. To help 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 women, men, racial and ethnic groups, and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, political beliefs, genetic information, reprisal, or because all or part of an individual's income is derived from any public assistance program.

In accordance with the Act, each Recreation RAC shall consist of 11 members appointed by the Secretary of Agriculture. These members shall provide a broad and balanced representation from the recreation community as follows:

(1) Five persons who represent recreation users and that include, as appropriate, persons representing –

(a) Winter motorized recreation such as snowmobiling;

(b) Winter nonmotorized recreation such as snowshoeing, cross-country and downhill skiing, and snowboarding;

(c) Summer motorized recreation such as motorcycling, boating, and off-highway vehicle driving;

(d) Summer nonmotorized recreation such as backpacking, horseback riding, mountain biking, canoeing, and rafting; and

(e) Hunting and fishing.

(2) Three persons who represent interest groups that include, as appropriate –

(a) Motorized outfitters and guides;

(b) Nonmotorized outfitters and guides; and

(c) Local environmental groups.

(3) Three persons who are –

(a) State tourism official representing the State;

(b) A representative of affected Indian tribes; and

(c) A representative of affected local government interests.

The Chairperson of each Recreation RAC shall be selected by majority vote of the Recreation RAC from among its members for a period of time as determined by the

Recreation RAC. A co-chairperson may be assigned, especially to facilitate his or her transition to become the chairperson in the future.

In accordance with the Act members are appointed to three-year terms. The term begins on the date of the Secretary's decision to appoint the member or replacement.

The Secretary may appoint replacements for each of the three membership categories who may serve on the committee in the event a vacancy arises.

If an appropriate replacement is not available, nominees will be sought through an open and public process and submitted to the Secretary for vetting, approval and appointment or from a list of nominees received from the Governors and the designated county officials. The list of nominees submitted by the Governor or county officials may be the original list from which appointments were made or an updated list. The appointment will be made in the same manner as the original appointment and, if possible, the member appointed shall represent the same interest as that of the member who left the Recreation RAC.

If a Recreation RAC member fails to attend (in person or by telephonic or electronic means) two consecutive official meetings, the Secretary or the DFO may remove that member from the Recreation RAC.

The approval of a majority of the members of each of the three categories identified in the Act and documentation of public support for the recommendation shall be required to submit a recreation fee recommendation to the Secretary through Regional Foresters. The Recreation RACs shall determine whether there is general public support for the recommendation.

The Recreation RACs may create and operate Subcommittees recommended by a majority of the Committee members and approved by the DFO to facilitate the work of the Recreation RACs. Subcommittees, which may vary widely in structure, composition, and purpose, report directly to the Recreation RAC that formed it. Subcommittees shall keep meeting minutes that include attendees, public comment, and recommendations that are presented to the Recreation RAC.

Consistent with applicable laws and USDA regulations, the Recreation RACs may adopt such by-laws or rules of operation as it deems advisable.

13. 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" (e.g.,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 USDA in which the member has a direct or indirect financial interest. This includes the requirement for Recreation RAC 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. Members of the Committee 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 Forest Service, or in any litigation related thereto. For purposes of this paragraph, indirect interest includes holdings of a spouse or 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 intermittent Federal employees and are subject to Federal ethics laws. SGEs 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. The Recreation RACs do not have SGEs.

14. Subcommittees

The Recreation RAC may create and operate Subcommittees as deemed necessary. Subcommittees must report back to the parent Committee, and must not provide advice or work products directly to the Agency. Subcommittees shall keep meeting minutes that include attendees, public comment, and recommendations that are presented to the Recreation RAC.

15. Recordkeeping

The records of the Recreation RAC, 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 Recreation RACs is available online at:

http://www.fs.fed.us/passespermits/rrac.shtml

16. Filing Date

MAY 3 2013