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

DEPARTMENTAL REGULATION	NUMBER:
SUBJECT: LAKE TAHOE BASIN FEDERAL ADVISORY COMMITTEE	DATE:
	OPI: Forest Service

1 AUTHORITY

The Charter for the Lake Tahoe Basin Federal Advisory Committee (Committee) is hereby re-established pursuant to Executive Order 13057, and the Federal Advisory Committee Act (5 U.S.C. App.2) (FACA)

This regulation supersedes DR-1043-44, dated August 5, 2008.

2 PURPOSE AND SCOPE

The purpose of the Committee is to provide advice to the Secretary of Agriculture and to the Federal Interagency Partnership (Partnership), established by Executive Order 13057, on how the Partnership can best fulfill its duties pursuant to that order to protect the extraordinary natural, recreational, and ecological resources in the Lake Tahoe Region, as defined by An Act To Grant the Consent of the Congress to the Tahoe Regional Planning Compact…of December 18, 1969 (Pub. L No. 91-148), an Act of December 19, 1980 (Pub. L. No 96-551) (Tahoe Regional Planning Compact), the Lake Tahoe Restoration Act (Pub. L. No. 106-506), and the Southern Nevada Public Land Management Act of 1998, as amended (Pub. L. No. 105-263).

The advice of the Committee shall consist of the consensus of its members, representing the broad array of local, regional, state, tribal and national interests concerned with the environmental, economic, and cultural health of the Lake Tahoe Basin.

3 DESCRIPTION OF DUTIES

a. The Committee shall be solely advisory in nature.

b. Provide periodic reports, prepared on a schedule to be established by the Chair of the Partnership, recommending specific Environmental Improvement Program (EIP) funding actions that should be taken by the agencies participating in the Partnership, individually and collectively, to assist the Tahoe Regional Planning Agency in

implementing its programs, to achieve and maintain the environmental threshold carrying capacities as mandated by the Tahoe Regional Planning Compact (Pub. L. No. 96-551) and identified in the EIP;

c. Advise and recommend actions that should be taken by the agencies participating in the Partnership to assist the Tahoe Regional Planning Agency to achieve its other goals, including economic goals for the Lake Tahoe Basin;

d. Respond to requests from the Partnership or its Chair for any other advice relating to the Partnership's fulfillment of its duties pursuant to Executive Order 13057;

e. Advise, as requested by the Partnership or its Chair, on the preparation of annual reports to the President on the implementation of Executive Order 13057; and

f. Advise on how to facilitate the integration and coordination of appropriate Federal programs and funds to help achieve the goals of the EIP.

g. In providing advice the Committee may:

(1) Conduct, as part of its review, public meetings to gather and review information relevant to EIP funding recommendations under Public Law 106-506 and Public Law 105-263; and

(2) Prepare work plans that outline planned activities and timelines for accomplishing tasks responsive to the purpose and scope of this charter.

4 AGENCY OR OFFICIAL TO WHOM THE COMMITTEE REPORTS

The Committee reports to the Secretary. The appropriate Forest Service Regional Forester and/or Lake Tahoe Basin Management Unit (LTBMU) Forest Supervisor, or designee serve as the Designated Federal Officer of the Committee.

5 SUPPORT

a. USDA shall provide the Committee with sufficient facilities in which to conduct its meetings and to provide a repository for its minutes and records.

b. Financial, administrative, and technical support for the Committee will be provided by the Forest Service.

6 ESTIMATED ANNUAL OPERATING COSTS/STAFF YEARS

a. Annual operating costs are estimated to be $170,000 with 1.8 full time equivalent staff support and direct costs. USDA shall provide such additional funding as reasonably necessary to achieve the purposes for which the Committee was created

and shall provide any further guidelines and management controls as may be necessary to further the objectives of the Committee.

b. Members of the Committee shall serve without pay, but with reimbursement of travel expenses in accordance with Federal per diem rates for attendance at the meetings approved by the DFO.

7 DESIGNATED FEDERAL OFFICER

The Secretary 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 subcommittees' meetings;

(2) Prepare and approve all meeting agendas;

(3) Attend all Committee and subcommittee meetings;

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

(5) Chair meetings when directed to do so by the Secretary.

8 ESTIMATED NUMBER AND FREQUENCY OF MEETINGS

a. The Committee shall meet at least bi-annually, but may meet as often as is necessary to complete its business.

b. As required by FACA, the Committee will hold open meetings unless the Secretary of Agriculture 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 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 or designee.

d. Notice of each meeting shall be provided in the Federal Register at least 15 days before each meeting. Committee members will be notified personally of the date, time, and place of each meeting.

9 DURATION

The Forest Service will review the accomplishments and activities of the Committee to determine whether, after two years, this charter should again be renewed and the Committee should continue as a Federal Advisory Committee.

10 TERMINATION

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

11 MEMBERSHIP AND DESIGNATION

a. The Committee will be comprised of no more than 20 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 members will represent a broad array of interests in the Lake Tahoe Basin. They include:

(1) Gaming;
(2) Environmental;
(3) National environmental;
(4) Ski resorts;
(5) North Shore economic/recreation;
(6) South Shore economic/recreation;
(7) Resort associations;
(8) Education;
(9) Property rights advocates;
(10) Science and research;
(11) California local government;
(12) Washoe Tribe;
(13) State of California;
(14) State of Nevada;
(15) Tahoe Regional Planning Agency;
(16) Labor;
(17) Transportation;
(18) Nevada local government;
(19) Member at large (2) positions.

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

d. A vacancy on the Committee will be filled in the manner in which the original appointment was made.

e. The Lake Tahoe Basin Management Unit Forest Supervisor, or designee, shall serve as the Designated Federal Officer (DFO) for the Committee.

f. Nominations for the Committee Chair will be submitted by the Committee and selected by the Secretary.

g. Equal opportunity practices, in line with USDA policies, will be followed in all appointments to the Committee. To ensure that the recommendations of the Committee 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.

12 SUBCOMMITTEES

Committee members may create and operate subcommittees recommended by a majority of the committee members and approved by the Secretary or the DFO.

13 RECORDSKEEPING

The records for the Lake Tahoe Basin Federal Advisory Committee shall be handled in accordance with General Records Schedule 26, Item 2 or other approved agency records disposition scheduled consistent with the General Records Schedule 26, Item 2. 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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