

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

<b>DEPARTMENTAL REGULATION</b>		Number: 1042-133
<b>SUBJECT:</b>  Opal Creek Scenic Recreation Area Advisory Council	<b>DATE:</b> May 1, 2008	<b>OPI:</b> Forest Service

1. PURPOSE

- a. This regulation renews the charter for the Opal Creek Scenic Recreation Area Advisory Council (Advisory Council) pursuant to Section 1023 of the Omnibus Parks and Public Lands Management Act of 1996 (Pub. L. No. 104-333) and the Federal Advisory Committee Act (FACA) (Pub. L. No. 92-463).
- b. The purpose of the Advisory Council is to advise the Secretary on a regular or periodic basis on matters relating to management of the Opal Creek Scenic Recreation Area.

2. SPECIAL INSTRUCTIONS

- a. Department regulation 1042-133, dated December 22, 2005 is hereby superseded.
- b. This regulation, in accordance with Departmental Regulations, unless renewed, will expire 2 years from the date of filing.
- c. The functions of the Advisory Council cannot be completed in less than 2 years.

3. MEMBERSHIP AND OFFICERS

- a. The Advisory Council shall consist of not more than 13 members as follows:
  - (1) One member shall represent Marion County, Oregon, and will be designated by the governing body of the county;
  - (2) One member shall represent the State of Oregon and shall be designated by the Governor of Oregon;
  - (3) One member shall represent the City of Salem and shall be designated by the Mayor of Salem, Oregon;
  - (4) One member shall represent a city within a 25-mile radius of the Opal Creek Scenic Recreation Area, to be designated by the Governor of the State of Oregon from a list

of candidates provided by the mayors of the cities located within a 25-mile radius of the Opal Creek Scenic Recreation Area; and

- (5) Not more than nine members shall be appointed by the Secretary of Agriculture from among persons who, individually or through association with a national or local organization, have an interest in the administration of the Opal Creek Scenic Recreation Area, including, but not limited to, representatives of the timber industry, environmental organizations, the mining industry, inholders in the Opal Creek Wilderness and Scenic Recreation Area, economic development interests, and Indian Tribes.
- b. Members of the Advisory Council shall serve three-year terms.
  - c. In the event a member is unable to attend a meeting of the Opal Creek Advisory Council, the member may send an alternate to represent him or her at the meeting, providing the alternate is predesignated in the same manner as the respective member was appointed.
  - d. Vacancies on the Advisory Council shall be filled in the manner of the original appointment. Any replacement member appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed for the remainder of such term.
  - e. On behalf of the Secretary of Agriculture, the DFO shall designate a member of the Advisory Council as Chairperson.
  - f. The Forest Supervisor of the Willamette National Forest or designee shall be the Designated Federal Officer for the Advisory Council.
  - g. Equal opportunity practices, in line with the Department of Agriculture (USDA) policies, will be followed in all appointments to the Advisory Council. To ensure that the recommendations of the Advisory Council have taken into account the needs of the diverse groups served by USDA, membership should include, to the extent practical, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.
4. DUTIES
- a. The Advisory Council will provide advice on project planning for and the general management of the Opal Creek Scenic Recreation Area as directed in Opal Creek Scenic Recreation Area Management Plan and in the Opal Creek Wilderness and Opal Creek Scenic Recreation Area Act of 1996.
  - b. The Advisory Council may recommend establishing such working groups or subcommittees as it may find necessary to the Secretary or the DFO for approval. If

appropriate, these working groups or subcommittees may include representatives from organizations other than Advisory Council members that have an interest in the planning and management of the Opal Creek Scenic Recreation Area.

#### 5. ESTIMATED ANNUAL OPERATING COSTS

- a. Members of the Advisory Council serve without pay, but with reimbursement of travel and per diem for attendance at Advisory Committee meetings called by the chairperson. Such expenses will be submitted on vouchers signed by the Designated Federal Official for the Advisory Council.
- b. The annual cost of the Advisory Council is estimated to be \$22,000 and 0.15 staff year.

#### 6. NUMBER AND FREQUENCY OF MEETINGS

- a. The Advisory Council will meet on a regular or periodic basis, as often as is necessary to complete their business.
- b. Notices of meetings will be published in the Federal Register and in local newspapers, which have a distribution generally covering the area in which the Opal Creek Scenic Recreation Area exists. Notices will be published at least 15 days prior to the meeting. The Advisory Council members will be notified personally of the date, time, and place of each meeting. Meetings will be held at a location which will facilitate attendance by the Advisory Council members and the public.
- c. All meetings will be open to the public.
- d. Seven (7) voting members of the Advisory Council will constitute a quorum for a 12- or 13-member council, or six (6) voting members for an 11-member council.

#### 7. REPORTS / SUPPORT

- a. The Advisory Council reports to the Secretary of Agriculture through the Forest Supervisor of the Willamette National Forest, the Regional Forester for the Pacific Northwest Region (Region 6), the Chief of the USDA Forest Service, and the USDA Under Secretary for Natural Resources and Environment.
- b. Financial and technical support for the Advisory Council will be provided by the Forest Service.

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