

FOR DISCUSSION PURPOSES ONLY

EXHIBIT A

**Forest Service, Pacific Northwest and Northern Regions
Pacific Northwest National Scenic Trail Advisory ~~Committee~~Council**

CHARTER

1. Committee's Official Designation

Pacific Northwest National Scenic Trail Advisory ~~Committee~~Council

2. Authority

The Charter for the Pacific Northwest National Scenic Trail Advisory ~~Committee~~Council (~~Committee~~Council) is hereby established pursuant to the ~~[insert proper citation to applicable provisions of FSM Chapters 1300 – 1357]~~implementation of Section 5(d) of the National Trails System Act (Act) (Pub.L. 90-543), as amended, and the Secretary of Agriculture in accordance with the provisions of the Federal Advisory Committee Act (FACA) as amended, 5 U.S.C. App. 2. USDA reserves to itself all discretion required by FACA.

3. Objectives and ~~Purpose of the Committee~~Scope of Activities

The ~~objectives and purpose of the Committee are to provide public input into the process that forms the basis for decisions relating to the administration and management of the Pacific Northwest National Scenic Trail (Trail). Citizens asked to serve on the Committee are expected to share their knowledge, expertise and opinions with the Forest Service for the purpose of assisting and informing the Forest Service as it makes decisions and formulates policies related to the administration and management of the Trail. Committee will advise and make recommendations to the Secretary of Agriculture, through the Chief of the Forest Service, on matters relating to the Pacific Northwest National Scenic Trail, as described in the Act.~~

4. Description of Duties

The Committee will be solely advisory in nature. Advice or recommendations of the Committee will be given only with respect to the matters relating to the ~~Pacific Northwest National Scenic~~Trail. All activities of the Committee will be conducted in an open, transparent, and accessible manner. The Committee will be asked to provide advice on objectives and practices for the Trail, standards for the erection and maintenance of markers along the Trail, and other matters related to the administration of the Trail. ~~Per Section 5(e) of the Act, the Secretary will consult with the Committee on~~

~~the comprehensive plan for the Trail, which the Forest Service is responsible for preparing and, per court order, submitting to Congress no later than December 31, 2023.~~

5. Agency or Official to Whom the Committee Reports

The ~~Committee~~Council reports to the Secretary of Agriculture through the Chief of the Forest Service.

6. Support

Clerical and other administrative support will be provided by the USDA Forest Service, Pacific Northwest Region in coordination with USDA Forest Service, Northern Region.

7. Estimated Annual Operating Cost and Staff Years

Estimated annual operating costs of the Committee are between \$47,000 (if virtual meetings are held) and \$92,000 (if in-person meetings are held). Expenses will be borne by the Forest Service each year. Federal staff support is estimated at 0.20 full-time equivalent staff per year, including all direct and indirect expenses. [\[Any update needed?\]](#) Members of the Committee shall serve without compensation, but may, in performance of their duties away from home or regular places of business, be allowed reimbursement for travel expenses, including per diem in lieu of subsistence, as authorized in 5 U.S.C. 5703. All expenses will be subject to the approval of the Designated Federal Officer.

8. Designated Federal Officer

A permanent Federal employee is to be appointed in accordance with agency procedures and will serve as the Designated Federal Official (DFO). The DFO will approve the Committee's and any sub-committee's meetings, prepare and approve all meeting agendas, attend all ~~C~~committee and sub-committee meetings, adjourn any meeting when the DFO determines adjournment to be in the public interest, and chair meetings when directed to do so by the official to whom the ~~advisory C~~committee reports.

9. Estimated Number and Frequency of Meetings

The Committee will meet at least ~~twice~~once annually, or as often as is necessary to complete its business. ~~- It is anticipated that the Committee will hold one or two meetings in Fiscal Year 2022 (depending on when members are appointed), two or three meetings in Fiscal Year 2023, and one or two meetings in Fiscal Year 2024 (prior the Committee's termination May 24, 2024).~~ A majority of the Committee's members must be present to constitute an official meeting. The Committee and any subcommittee shall not hold any meetings except at the call of, or with the advance approval of, the DFO.

Attendance may be in-person or by telephone or other electronic means. All meetings will be open to the public, and all proceedings and relevant documents will be posted and made accessible to the public.

10. Duration

Continuing until termination [in accordance with the provisions of FSM Chapters 1350 et seq. May 22, 2024.](#)

11. Termination

~~Per 16 U.S.C. § 1244(d), the Council has a duration of 10 years from establishment and will terminate May 22, 2024.~~ The Charter will expire two years from the date filed, unless it is renewed prior to that date in accordance with [FSM Chapter 1352 and](#) FACA, Section 14. The Committee will not meet or take any action without a valid current charter.

12. Membership and Designation

12a. This 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.

12b. The Committee will consist of approximately 20 members (not more than 35) who provide balanced and broad representation within each of the following interest categories:

- (1) The head of each Federal department or independent agency administering lands through which the trail route passes, or his or her designee;
- (2) A member appointed to represent each State through which the trail passes, and such appointments shall be made from recommendations of the Governors of such States;
- (3) One or more members appointed to represent private organizations, including corporate and individual landowners and land users, which in the opinion of the Secretary, have an established and recognized interest in the trail. These members may represent social, environmental, or economic organizations; and
- (4) One or more members appointed to represent tribal interests.

Federal government members will serve as Regular Government Employees, appointed to provide the perspective of their agency or program. Non-federal members will serve as Representative members, appointed to provide the perspectives of a particular organization or interest.

12c. Of these members, one will become the chairperson who is recognized for his or her ability to lead a group in a fair and focused manner and who has been briefed on the mission of this Committee. A co-chairperson may be assigned, especially to facilitate his or her transition to become the chairperson in the future. The Chairperson will be selected by the [DFO Secretary of Agriculture](#).

12d. 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” (i.e., 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 the Department in which the member has a direct or indirect financial interest. This includes the requirement for Committee or Subcommittee 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, claims, grants, or agreements that involve lands or resources administered by the Forest Service, or in any litigation related thereto. For the 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. SGE’s 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) via the FDonline e-filing database system. 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.

12e. Equal Opportunity Statement

Equal opportunity practices, in line with USDA policies, will be followed in all membership 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 Department, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

The USDA prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, political beliefs, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA (not all bases apply to all programs).

13. Subcommittees

The USDA Forest Service has the authority to create subcommittees. Subcommittees must report back to the parent committee and must not provide advice or work products directly to the Agency.

14. Recordkeeping

The records of this Committee, formally and informally established subcommittees, or other subgroups of the committee, shall be handled in accordance with General Records Schedule 6.2 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 this Committee is available online at: <https://www.fs.usda.gov/main/pnt/working-together/advisory-committees>

15. Filing Date

[Insert new date August 16, 2022](#)