

United States Department of Agriculture California Recreation Resource Advisory Committee

BYLAWS or OPERATING PROCEDURES Template

Section I: Purpose

The purpose of the California Recreation Resource Advisory Committee (Recreation RAC) is to provide recommendations to the Secretaries of Agriculture and Interior on recreation fees on lands and waters managed by the Forest Service and Bureau of Land Management.

Section II: Authority

The Secretaries, in accordance with Section 4 of the Federal Lands Recreation Enhancement Act (REA), established the California Recreation RAC. The Recreation RAC is subject to the Federal Advisory Committee Act (FACA) and the current Recreation RAC Charter, as filed with Congress.

Section III: Membership Selection and Appointment

Members of the Recreation RAC are appointed by the Secretary of Agriculture as described in the Charter. Each member shall serve without compensation and shall not be considered an employee of the United States Department of Agriculture. Initial appointments will be for either two or three years. Subsequent appointments will be for three years.

Alternate members for each Recreation RAC position are identified. Alternates will be asked to fill vacancies in primary membership; however alternates will not sit in for members in their absence. If a position becomes vacant and an alternate is unable to serve, the Secretary shall appoint a new member following the requirements outlined in the Charter.

Appointments are final when notification of the appointment is received by the Designated Federal Official (DFO). Members appointed to fill vacancies will complete the term of the original member.

Membership includes the responsibility to personally attend Recreation RAC meetings, and members will be expected to show commitment to the Recreation RAC by their attendance. If a member misses 2 consecutive meetings, the Chairperson may recommend their termination as a member to the DFO.



Section IV: Meeting Procedures:

The Recreation RAC will meet at least once a year as required. Meetings will be called by the DFO in accordance with the following considerations:

A. Agenda

The DFO will initiate and approve the agenda for all meetings in consultation with the Chairperson. Any member of the Recreation RAC may submit items for the agenda to the DFO and/or Chairperson. All agenda items must directly relate to the purpose of the Recreation RAC as described in the Charter. Copies of the agenda will be distributed to the members prior to each meeting, and an outline of the agenda will be published with the notice of the meeting in the Federal Register.

B. Pre-work

Where practical/applicable, the DFO will ensure that members receive fee proposals or other agenda item pre-work at least two weeks in advance of meeting to ensure members have opportunity to consult with groups they represent.

C. Quorum

REA requires that eight members be present to constitute a quorum for the conduct of business.

D. Meeting Access

All meetings of the Recreation RAC will be open to the public for the duration of the meeting.

The need of an executive session would be addressed after the consultation of legal counsel.

Each meeting will have a public comment period where members of the public may address the Recreation RAC. The Chairperson may propose a time limit to address the Recreation RAC. These comments will be received by the Recreation RAC and not be addressed unless the comments can be handled in the time limit.

Prior to asking the Recreation RAC for a motion to vote on a proposal, the Chairperson may request additional comments from public in attendance at the meeting.

Written statements from the public may also be submitted to the Recreation RAC at any time through the DFO; however, written statements received less than one week prior to the meeting may not be available to the members until after the meeting.



Time will be reserved on the agenda at each meeting for the Recreation RAC members to discuss comments received prior to that meeting from members of the public. If the individual submitting the comment is present at the meeting, the Recreation RAC may ask questions for clarification while the comment is being reviewed. If the comment falls within the purpose of the Recreation RAC and if the Recreation RAC determines that more detailed clarification is required, a time will be scheduled on the agenda at an upcoming meeting for the individual to provide more detailed clarification pertaining to the original comment.

The individual will be required to provide a written copy of the presentation, and any handout they will use, to the DFO two weeks prior to the meeting date so copies can be sent to members for their review before the meeting.

The meeting announcement published in the Federal Register and made available to the public media will note if a clarification from a member of the public is scheduled during the meeting.

E. Minutes and Records

The DFO will ensure minutes of each meeting are prepared, submit them to the Chairperson for certification, after review and approval by committee and distribute copies to each member. The DFO will ensure that that the draft minutes will be prepared and distributed within 30 days.

Minutes will include a record of the members and Agency staff present, the names of members of the public who make oral presentations, a complete and accurate description of the matters discussed and conclusions reached, and copies of all reports received, issued or approved by the Recreation RAC. Additionally a cumulative listing of Recreation RAC recommendations will be maintained by the DFO.

Documents, reports, or other materials prepared by, or for the Recreation RAC constitute official government records and will be maintained according to USDA and FACA policies and procedures. Materials will be available to the public for review subsequent to the meeting at either the Pacific Southwest Regional Office and/or web page as appropriate.

F. Meeting Location and Announcements

The DFO will ensure the coordination of meeting locations and dates. The DFO will also ensure a notice of upcoming meetings is placed in the Federal Register at least 15 calendar days prior to the meeting date and notices are distributed through local media a least a week prior to the meeting.



Section V: Voting

When a decision or recommendation of the Recreation RAC is required, the Chairperson, or any member, will request a motion for a vote.

The election of a Chairperson requires a majority vote (six members). In addition, REA and the Charter state that a formal recommendation requires agreement by majority of members from each of the three member categories. This means that at least 3 of the 5 members in the recreation user category, at least 2 of the 3 members in the outfitter guides/environmental group category; and at least 2 of the 3 members in the state tourism, tribal & government official category must all agree to the recommendation.

If a member has a personal direct financial interest, the committee expects the member to request they excuse them from voting and discussing that item. If a quorum is not present for the vote the proposal will be deferred.

The By-laws may be adjusted/amended by a vote of the majority of the Committee.

Section VI: Proposals and Recommendations

A. Proposal Process

Recreation RACs will receive fee proposals from the Agency. Fee proposals will include a description of the recreation fee change and/or new recreation fee area; a financial analysis; an analysis of existing private and public facilities or services; services to be provided and expenditures; and a description of public involvement opportunities and results around the proposal.

B. Recommendation Process

Recommendations must also include documentation of general public support. Recommendations will be submitted to the DFO or BLM ex-officio official who will share the recommendation with the Regional Forester or State BLM Director respectively. The Secretaries have delegated the responsibility of accepting recommendations to the Regional Forester or State BLM Director. These officials may accept the recommendation or choose to continue working with the Recreation RAC on the proposal. For the Forest Service, any rejections of recommendations must come from the Chief of the Forest Service. For the BLM, rejections will come from the Secretary of Interior. These two officials shall issue a notice that identifies the reasons for rejecting the recommendation to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate not later than 30 days before implementing a decision pertaining to that recommendation.



If the Recreation RAC cannot agree to a recommendation under the terms of the Charter, the DFO will determine what issues are creating the lack of agreement. The recommendation will be tabled until the next meeting so that the following possible actions may take place:

- 1) Task a subcommittee or working group to further investigate the proposal.
- 2) The DFO may return the proposal to the agency with suggestions for refinement.
- 3) Members may consult with constituents/groups they represent.
- 4) More work will be accomplished to determine general public support.

If a recommendation still cannot be reached at the subsequent meeting the Recreation RAC may either table the proposal again for further review or may abstain from making a formal recommendation thereby enabling the agency to implement or not implement the proposal. The Recreation RAC may not table proposals for longer than one year.

Section VII. Subcommittees

The California Recreation RAC may elect to form subcommittees in accordance with Section 4c of the Charter. Only subcommittee members who are also Recreation RAC members will be reimbursed according to the reimbursement policy in Section IX of these Bylaws.

Section VIII: Role of Board Officials

Members: Members represent interests of appropriate groups. They should (1) generate information necessary from interest groups; (2) keep their constituency informed of progress; and (3) understand whether or not general public support exists for their recommendation. They also should review agency fee proposals prior to agency presentation, be prepared to discuss proposals and provide recommendations.

Chairperson: The Chairperson works with the DFO to establish priorities and identify issues which must be addressed. In addition, the Chairperson is responsible for certifying the accuracy of minutes developed by the Recreation RAC to document its meetings. The Chairperson typically acts as the spokesperson for the committee. Committee member are to coordinate with Chairperson before speaking to media for interest groups. After controversial fee proposals committee will develop talking points prior to leaving meeting.

Vice-Chairperson: In the absence of the Chairperson will fulfill the duties of the Chairperson.



Designated Federal Official: The DFO serves as the government's agent for all matters related to the Recreation RAC's activities. By Law, the DFO must: (1) approve or call the meeting of the Board; (2) approve agendas; (3) attend all meetings; (4) adjourn the meetings when such adjournment is in the public interest; and (5) Chair meetings of the Recreation RAC in the absence of a Chairperson.

In addition, the DFO is responsible for providing adequate staff support to the Recreation RAC, including the performance of the following functions: (1) Notifying members of the time and place for each meeting; (2) Maintaining records of all meetings, including subgroup or working group activities, as required by Law; (3) Maintaining the roll; (4) Preparing the minutes of all meetings of the Recreation RAC's deliberations, including subgroup and working group activities; (5) attending to official correspondence; (6) maintaining official Recreation RAC records and filing all papers, proposals and recommendations prepared for or by the Recreation RAC, including those items generated by subgroups and working groups; (7) making flight arrangements for Recreation RAC members (8) acting as the Recreation RAC's agent to collect, validate and pay all vouchers for pre-approved expenditures; and, (9) preparing and handling all reports, including the annual report as required by FACA.

Ex-officio BLM Official: The BLM official will be present at all meetings where BLM recreation fees are on the agenda and give or coordinate all BLM presentations. All recommendations to the BLM will be given directly to this official. The BLM official will also work with the DFO on agenda items and presentations as appropriate.

Section IX: Expenses and Reimbursement

Expenses related to the operation of the Recreation RAC will be borne by the USDA. Expenditures of any kind must be approved in advance by the DFO.

USDA will pay travel and per diem for non-government members at a rate equivalent to that allowable for USDA employees. Members will be required to submit a travel voucher to the DFO with required receipts for out-of-pocket travel and per diem expenses attached. Completed and signed travel vouchers for expenses should be submitted to the DFO within 30 days after each meeting.

