

**United States Department of Agriculture, Forest Service
Pacific Northwest National Scenic Trail Advisory Council**

DRAFT BYLAWS

SECTION I: PURPOSE

The purpose of the Pacific Northwest National Scenic Trail Advisory Council (Advisory Council) is to provide recommendations to the Secretary of Agriculture, through the Chief of the Forest Service, on matters relating to the Pacific Northwest National Scenic Trail.

SECTION II: AUTHORITY

The Secretary, in accordance with the National Trails System Act (Pub. L. 90-543, as amended through Pub. L. 111-11) (16 U.S.C. §§ 1241 to 1251), established the Pacific Northwest National Scenic Trail Advisory Council. The Advisory Council is subject to the Federal Advisory Committee Act (FACA) and the current Advisory Council Charter, as filed with Congress.

SECTION III: MEMBERSHIP SELECTION AND APPOINTMENT

Members of the Advisory Council 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 (USDA). Appointments will be for 2 years. Members may be reappointed, but may not serve for more than 6 consecutive years without prior approval of the Forest Service's Committee Management Officer. Appointments are final when notification of the appointment is received by the Designated Federal Officer (DFO).

If a position becomes vacant, the Secretary shall appoint a new member in the same manner as the initial membership. Replacement members serve the remainder of the term for which their predecessor was appointed.

Membership includes the responsibility to attend Advisory Council meetings, and members will be expected to show commitment to the Advisory Council by their attendance. Except for federal agency officials' designees, as identified in the Charter, members may not have other individuals participate in the meeting as proxies or alternates in their stead. If a member misses 2 consecutive meetings, the Chairperson may recommend their termination as a member. The DFO may replace any member who has missed a substantial number of scheduled meetings or performed in an unethical manner, and will make a final decision of any membership removals.

SECTION IV: MEETING PROCEDURES:

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

A. Meeting Location and Dates

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 regional media at least a week prior to the meeting.

B. Agenda

The DFO will initiate and approve the agenda for all meetings in consultation with the Chairperson. Any member of the Advisory Council may submit items for the agenda to the DFO. All agenda items must directly relate to the purpose of the Advisory Council 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.

C. Pre-work

The goal will be to distribute pre-work materials at least 2 weeks in advance of the meeting to ensure members have opportunity to consult with groups they represent. The pre-work and meeting notes will be posted on the Advisory Council website:

<http://www.fs.usda.gov/main/pnt/working-together/advisory-committees>.

Members without web access will receive paper information via mail.

D. Quorum

The Charter requires that a majority of members be present to constitute a quorum for the conduct of business.

E. Voting

When a decision or formal recommendation of the Advisory Council is required, the Chairperson, or any member, will request a motion for a vote. No second after a proper motion will be required to bring any issue to vote. A decision or recommendation requires a majority of the total Advisory Council membership on that date. Consensus on decisions and recommendations is desirable. If the Advisory Council cannot agree to a decision or recommendation by consensus, the DFO will determine what issues are creating the lack of agreement. The discussion will be tabled so that the following possible actions may take place:

1. task a subcommittee to further investigate the issues or recommendation,
2. the DFO may have the Forest Service do further staff work and provide the Advisory Council with further information, and/or
3. members may consult with the interests/constituents they represent.

If a recommendation still cannot be reached at the subsequent meeting by an affirmative vote of at least a majority of the membership, the Advisory Council abstains from making a formal recommendation at that time. The DFO will document the lack of agreement and different positions on the issue in the minutes of the meeting.

F. Meeting Access

All meetings of the Advisory Council will be open to the public for the duration of the meeting.

Each meeting will have a public comment period. The Chairperson will receive requests from members of the public to address the Advisory Council, determine the order, and recognize speakers. Each person will have a maximum of 3 minutes to address the Advisory Council, and the total public comment period will last no longer than 30 minutes. The Chairperson will determine the extent to which the Advisory Council will respond to the statements during the meeting, and also the time allotted for clarification. If more time and discussion is needed, the Chairperson may defer deliberations to a subsequent meeting and the DFO will incorporate the topic in the next agenda.

Written statements from the public may also be submitted to the Advisory Council at any time through the DFO, and will be provided to the Council at the next scheduled meeting. Time will be reserved on the agenda for the Advisory Council members to discuss any written statements received. If the individual submitting the comment is present at the meeting, the Advisory Council may ask questions for clarification while the comment is being reviewed. If the Advisory Council determines that clarification of a written statement is required, the individual will be asked to provide more detail pertaining to the original comment, and time will be scheduled on the agenda at an upcoming meeting for a presentation and discussion.

All public comments and responses to comments will be included in the minutes of the meeting and available to the public for review at the Pacific Northwest Regional Office and the Advisory Council website (<http://www.fs.usda.gov/main/pnt/working-together/advisory-committees>) as appropriate.

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.

G. Minutes and Records

The DFO will ensure minutes of each meeting are prepared, submit them to the Chairperson for certification, and distribute copies to each member within 30 days of the meeting date. Minutes will include a record of the Advisory Council members and Forest Service 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 Advisory Council. Additionally a cumulative listing of Advisory Council recommendations will be maintained by the DFO.

All documents, reports, or other materials prepared by, or for the Advisory Council constitute official government records and will be maintained according to USDA and FACA policies and procedures. All materials will be available to the public for review subsequent to the meeting at the Pacific Northwest Regional Office and the Advisory Council website (<http://www.fs.usda.gov/main/pnt/working-together/advisory-committees>) as appropriate.

SECTION V: SUBCOMMITTEES

The Advisory Council may elect to form subcommittees in accordance with the Charter. Subcommittees may meet virtually through conference calls, web conferences, or other means, or in person with prior approval of the DFO. Any in-person subcommittee meetings should be planned so as to maximize efficiency of cost and travel. Only subcommittee members who are also Advisory Council members will be eligible for reimbursement of travel expenses incurred in carrying out their responsibilities.

SECTION VI: ROLE OF ADVISORY COUNCIL OFFICIALS

A. Members:

Members represent the interests identified in the Charter. Members should:

1. generate information necessary from their respective interest groups,
2. keep their constituencies informed of progress, and
3. understand whether or not general public support exists for proposed recommendations.

Members should review and complete any pre-work prior to the relevant Advisory Council meeting, play an active role in discussing and developing proposals, and make good-faith efforts to work with other members to contribute recommendations to the Secretary regarding long-term administration and management of the Pacific Northwest National Scenic Trail.

B. Chairperson:

The Chairperson will serve a 2-year term with an opportunity to serve an additional term. The Chairperson works with the DFO to identify issues to be addressed by the Advisory Council, track the work of the Council including the progress of any subcommittees, and ensure Advisory Council operating procedures are followed. The Chairperson is responsible for certifying the accuracy of the meeting minutes, recognizing members of the public who request to address the Advisory Council during the public comment period, and determining the extent to which the Advisory Council will respond to statements made during the public comment period. As described in the Charter, the Chairperson is a member of the Council with recognized ability to lead a group in a fair and focused manner who has been briefed on the mission of the Advisory Council and the duties of the office. For the first 2-year term of the Advisory Council, the DFO will select the Chairperson from among the members. Prior to the nomination of members for the second 2-year term of the Advisory Council, the DFO will consult with members on candidates for the office and provide a recommendation to the Secretary.

C. Designated Federal Officer (DFO):

The DFO serves as the Government's agent for all matters related to the Advisory Council's activities. As described in the Charter, the DFO is a permanent Federal employee appointed by the Forest Service. By Law, the DFO must:

1. approve or call the meeting of the Advisory Council and any subcommittees,
2. prepare and approve all agendas for meetings of the Advisory Council and any subcommittees,
3. attend all meetings of the Advisory Council and any subcommittees,

4. adjourn the meetings when such adjournment is in the public interest, and
5. chair meetings of the Advisory Council in the absence of a Chairperson.

In addition, the DFO is responsible for providing adequate staff support to the Advisory Council, including the performance of the following functions:

1. maintaining the roster of Advisory Council members;
2. monitoring member attendance and participation;
3. notifying members of the time and place for each meeting;
4. authorizing and arranging travel for Advisory Council members to attend meetings, including processing vouchers for reimbursement;
5. preparing minutes and maintaining official records of all meetings and deliberations, including subcommittee activities, as required by FACA;
6. distributing to members all papers, proposals and recommendations prepared for or by the Advisory Council, including those items generated by subcommittees;
7. maintaining a running list of all Advisory Council recommendations;
8. attending to official correspondence;
9. preparing the annual report as required by FACA; and
10. being fully knowledgeable of all Advisory Council activities and developments

SECTION VII: EXPENSES AND REIMBURSEMENT

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

USDA will reimburse travel and per diem for non-government Advisory Council members at a rate equivalent to that allowable for USDA employees. Members will be responsible for submitting a completed and signed travel voucher to the DFO, with all required receipts attached, within 2 weeks after each meeting.

SECTION VIII: AMENDMENTS

The Advisory Council can recommend changes or amendments to the bylaws not covered in Law or the Charter. At a minimum, the bylaws will be reviewed and any amendments made after the renewal of the Charter.