

BYLAWS AND STANDARD OPERATING PROCEDURES RIO GRANDE NATURAL AREA COMMISSION

Section I: Membership Selection and Appointment

a. General Requirements: Rio Grande Natural Area Commission (Commission) members are appointed by and serve at the pleasure of the Secretary of the Interior. To be eligible for appointment to the Commission, a person must be qualified through education, training, knowledge or experience to give informed and objective advice regarding the purposes for which the Rio Grande Natural Area was established; have demonstrated experience or knowledge of the geographical area under the purview of the Commission; have demonstrated a commitment to collaborate in seeking solutions to a wide spectrum of resource management issues; and have the ability to represent their designated constituency.

Commission members must be supported by letters of recommendation from the groups or interests they will represent.

c. Term Length: Except for the manager of the Alamosa National Wildlife Refuge, the term of office of a member of the Commission shall be 5 years.

e. Termination of Service: The Secretary or the Designated Federal Officer (DFO) may, after written notice, terminate the service of a member if, in the judgment of the Secretary or DFO, removal is in the public interest. Members may also be terminated if they no longer meet the requirements under which they were appointed; fail or are unable to participate regularly in Commission work; or have violated Federal law or the regulations of the Secretary. When a member fails to regularly attend meetings, the DFO will inform the member, in writing, that his or her service on the Commission could be terminated. When any member fails to attend two consecutive meetings, without good cause, the DFO or his/her designee may deem that member's position on the Commission to have been vacated. Upon such determination, the DFO will inform the member, in writing, that his or her service on the Commission is terminated.

f. Vacancies: Any vacancy on the Commission will be filled by the Secretary for the balance of the vacating Commission member's term in the same manner in which the original appointment was made. Such vacancies will be promptly reported to the DFO.

Section II: Subgroups

Membership in any subgroup formed for the purpose of providing general advice to the Commission should be constituted in accordance with paragraph 12a. of the Commission charter.

Section III: Meeting Procedures

a. Open Meetings: The Commission will meet as required. Meetings will be called by the DFO in consultation with the Chair. Unless otherwise determined in advance, in accordance with the Government in the Sunshine Act of 1976, all meetings are open.

b. Agenda: The Commission agendas must be formally approved in advance by the DFO or his or her designee. The agenda will be distributed to the Commission prior to each meeting and will be published with the notice of the meeting in the *Federal Register*.

c. Minutes and Records: Detailed minutes of each Commission meeting will be kept and will contain a record of the persons present; a complete and accurate description of matters discussed and conclusions reached; and copies of all documents received, issued, or approved by the Commission. The accuracy of all minutes will be certified by the Commission Chairperson. Copies of the minutes will be maintained in the office of the DFO, and will be available for public inspection and copying during regular business hours. Minutes are available online at: http://www.blm.gov/co/st/en/BLM_Resources/racs.html.

d. Meetings: The DFO or designee will attend all meetings of the Commission. Any organization, association, or individual may file a statement with or appear before the Commission or the Commission subgroup(s) regarding topics on the meeting agenda, except that the DFO may require that presentations be reduced to writing and copies be filed with the Commission. Regular Commission business activities will be conducted using standard rules of order.

A notice of each meeting of the Commission will normally be published in the *Federal Register* and distributed to the news media serving the jurisdictional area of the Commission, 30 days in advance of such meeting. However, if urgent circumstances prevent a 30-day notice, not less than a 15-day notice will suffice. The notice sets forth the purpose, time, and place of the meeting. If it becomes necessary to postpone or cancel a meeting, a notice will be published in the *Federal Register* and distributed to the local news media serving the geographic area as early as possible.

e. Voting Procedures:

(1) Majority Vote

The Commission must have a majority of affirmative votes to pass a recommendation/resolution. The Commission Chair signs the recommendation/resolution, with an enumeration of votes (for, against, and abstentions).

The Chair submits the recommendation/resolution to the DFO, who is the Front Range District Manager, within two weeks of signing.

In accordance with the BLM Resource Advisory Council Handbook, the DFO will review the recommendation/resolution, then transmit it by cover memo to the BLM Director in the Washington Office.

At his or her discretion, the BLM Director may in turn transmit the recommendation/resolution to the Assistant Director of the Program responsible for the subject matter.

(2) Unanimous Vote

If the Commission members develop a recommendation/resolution they think the Secretary of the Interior should see:

- The recommendation/resolution shall state in the text that the Commission wants the recommendation/resolution forwarded to the Secretary.
- The recommendation/resolution must be passed with a unanimous vote.
- The DFO will then transmit the recommendation/resolution, along with a briefing paper on the subject, to the BLM Director under a cover memo stating that the Commission desires its recommendation/resolution be submitted to the Secretary of the Interior.
- The transmittal is expected to occur within two weeks of receipt of the signed recommendation/ resolution from the Commission Chair.

(3) Where the Commission becomes concerned that its advice is being arbitrarily disregarded, the Commission may request that the Secretary respond directly to such concerns within 60 days of receipt. Such a request can be made only upon the agreement of all Commission members. The Secretary's response shall not constitute a decision on the merits of any issue that is or might become the subject of an administrative appeal, and shall not be appealable. [43 CFR 1784.6-1(i)].

(4) All recommendations/resolutions, briefing papers and cover memos will be forwarded by the DFO to the Commission Chair and Vice Chair at the same time the package is forwarded to the BLM Director through the BLM Colorado State Director.

(5) The BLM-Colorado Council Coordinator will coordinate the process and maintain copies of all incoming and outgoing correspondence associated with Commission recommendations/resolutions.

Section IV: Commission Roles

a. Chairperson: The Chairperson works with the DFO to establish priorities, identify issues that must be addressed, determine the level and types of staff and financial support required, and serves as the focal point for the Commission's membership. The *Federal Advisory Committee Act* stipulates that the Commission will elect its Chair and Vice-Chair from among its members annually, usually at the first meeting of each calendar year. The members of any subgroup formed by the BLM will be appointed by the Commission Chair with the concurrence of the DFO.

b. Designated Federal Officer: The DFO serves as the government's agent for all matters related to the Commission's activities. By law, the DFO or the DFO's designee must: (1) approve or call the meeting of the Commission; (2) approve agendas; (3) attend all meetings; (4) adjourn the meetings when such adjournment is in the public interest. [41 CFR 102-3.120]

In addition, the DFO is responsible for providing adequate staff support to the Commission, including the performance of the following functions: (1) notifying members of the time and place for each meeting; (2) maintaining record of all meetings, including subgroup, as required by law;

(3) maintaining the roll; (4) preparing the minutes of all meetings of the Commission deliberations, including subgroup activities; (5) attending to official correspondence; (6) maintaining official Commission records and filing all paper work and submissions prepared for or by the Commission, including those items generated by subgroups; (7) acting as the Commission's agent to collect, validate and pay all vouchers for pre-approved expenditures; and, (8) preparing and handling all reports, including the annual report as required by the Federal Advisory Committee Act of 1972. [DOI Federal Advisory Committee Administrative Guide]