BOSTON HARBOR ISLANDS NATIONAL RECREATION AREA
ADVISORY COUNCIL

BY-LAWS

ARTICLE I

GENERAL PROVISIONS

1. Title. The official name of this organization shall be the Boston Harbor Islands National Recreation Area Advisory Council ("Advisory Council"). The informal or public relations name shall be the Boston Harbor Islands Advisory Council ("Advisory Council").

2. Official Address. The official mailing address and telephone number of the Advisory Council shall be: 15 State Street, Suite 1100, Boston, Massachusetts 02109. Telephone: 617/223-8666.

3. Official Depository. A certified copy of these by-laws and all amendments hereto as well as all records, reports, studies, documents, and other data duly adopted by, made available to, or prepared for or by the Advisory Council shall be deposited at the Boston Harbor Islands National Recreation Area office in Boston, Massachusetts, and shall be available for public inspection and use.

4. Other Depositories. State depositories for Advisory Council documents shall be established in Boston, Massachusetts. The Advisory Council as needed shall establish local depositories for Advisory Council documents.

The Advisory Council may in its discretion create other public depositories. Copies of meeting minutes and all documents and reports duly adopted by the Advisory Council shall be provided to each depository created pursuant to this paragraph and shall be available for public inspection and use.

ARTICLE II

LEGISLATION; SEVERABILITY

1. Legislation. The Advisory Council was established by Public Law 104-333, November 6, 1996 ("P.L. 104-333"). The Advisory Council is subject to the provisions of the Federal Advisory Council Act hereinafter referred to as ("the Act"), 5 U.S.C.A. 1 et seq., except to the extent that the provisions of the Act were waived by P.L. 104-333.

2. Conformity to Legislation; Severability. These by-laws shall be consistent with P.L. 104-333 and the Act. The provisions of these by-laws are severable. If any provision of these by-laws is deemed to be in conflict with any portion of P.L. 104-333 or the Act, the conflicting provision shall be considered invalid and the portion of the legislation with which the conflict exists shall be controlling; however, the remainder of these by-laws shall not be affected by the conflict and shall remain in full force and effect.

ARTICLE III

PURPOSE

1. The purpose of the Advisory Council is to advise and make recommendations to the Boston Harbor Islands Partnership ("the Partnership"), created in accordance with P.L. 104-333, on matters pertaining to the development and implementation of the Integrated Management Plan ("the Master Plan") and ongoing operation of the Boston Harbor Islands National Recreation Area.

2. This Advisory Council shall be responsive to the environmental, recreational, educational, historical and cultural interests of the Boston Harbor Islands National Recreation Area islands, and advise the Partnership on issues related to the mission of the Park including:

- Preserving for public use and enjoyment the lands and waters that comprise the Boston Harbor Islands National Recreation Area;
- managing the recreation area in partnership with the private sector, the Commonwealth of

Massachusetts, the US Coast Guard, municipalities surrounding Massachusetts and Cape Cod Bays, the Thompson Island Outward Bound Education Center, the Trustees of Reservations, and with historical, business, cultural, civic, recreational, educational, environmental, conservation and tourism organizations;

- improving public access to the Boston Harbor Islands through the use of water transportation; and
- providing education and visitor information programs to increase public understanding of and appreciation for the natural and cultural resources of the Boston Harbor Islands, including the history of Native American use and involvement.

3. This Advisory Council shall, through its meetings and public hearings, make itself available and accessible to the general public. It shall, through reports and recommendations, convey and represent the Advisory Council categories and concerns to the Partnership.

ARTICLE IV

MEMBERSHIP

1. Composition of Advisory Council. The Advisory Council shall consist of 28 members nominated and appointed in accordance with Section 2 of P.L. 104-333.

2. Terms. The term of each member of the Advisory Council shall be three (3) years Members may serve after the expiration of their terms until their successors are appointed. The Advisory Council shall be made up of four members from each of the following categories: municipalities; educational and cultural institutions; environmental organizations; business and commercial entities, including those related to transportation, tourism and the maritime industry; Boston Harbor-related advocacy organizations; organizations representing Native American interests; and community groups.

3. Reappointment. Members can serve two consecutive terms. After a break of one year, a former member may be renominated.

4. Vacancies. Vacancies in the Advisory Council shall be filled in accordance with

Subsection 1029 (g) 2(c) of P.L. 104-333. When a vacancy occurs, the Advisory Council shall recommend candidates for appointment to the Director of the National Park Service.

5. When any member fails to attend three consecutive meetings, the Chair, in consultation with the relevant interest group and the DFO, may deem that member's position on the Council to have been vacated. Upon such determination, the DFO will inform the member, in writing, that the Council will seek another representative to fill the vacancy.

ARTICLE V

COMPENSATION

1. Compensation. Members of the Advisory Council shall receive no pay, allowances, or benefits by reason of their service to the Advisory Council.

ARTICLE VI

REIMBURSEMENT

1. General Expenses. Members of the Advisory Council may be paid or reimbursed for expenses reasonably incurred in carrying out their responsibilities to the Advisory Council subject to the availability of funds and the same travel regulations and allowances as National Park Service employees according to Travel Policies and Procedures NPS-31.

2. Travel Expenses. While away from their homes or regular places of business in the performance of services for the Advisory Council, members of the Advisory Council shall be allowed travel expenses, i.e., per diem, mileage, etc., in the same manner as persons employed in the Government service are allowed expenses under Section 5 U.S.C. 5703, United States Code.

3. Vouchers. Claims for payment or reimbursement shall be made on duly executed and signed vouchers to the Superintendent, Boston Harbor Islands National Recreation Area, Headquarters, Boston, Massachusetts. The Superintendent/Designated Federal Officer and the Chairperson of the Advisory Council shall also approve vouchers and authorizations.

ARTICLE VII

OFFICERS AND PARTNERSHIP REPRESENTATIVES

1. Officers. The Advisory Council shall, at its annual meeting, elect from among its members a Chairperson and a Vice-Chairperson. The Chairman and Vice-Chairman shall not be members of the same categories

2. Term. The term of each officer shall commence on the date he or she is elected or succeeds to office and shall terminate upon the election of new officers at the next annual meeting of the Advisory Council. The Advisory Council may, at a duly called meeting, reorganize and elect a new officer or officers, upon the happening of which the term of the current officer or officers shall be deemed terminated. Such new officer or officers shall serve for the balance of the term of the officer or officers being replaced.

3. Vacancies. If a vacancy occurs in the office of Chairperson, the Vice-Chairperson shall succeed to the office of Chairperson and a new Vice-Chairperson shall be elected. If a vacancy occurs in the office of Vice-Chairperson, a new Vice-Chairperson shall be elected. If a vacancy occurs in the Partnership representatives, new representatives shall be nominated. Elections under this paragraph shall be held at the first official meeting of the Advisory Council convened after the vacancy occurs.

4. Chairperson. The Chairperson shall manage, supervise, and preside over the Advisory Council and all of its activities in coordination with the Designated Federal Official. These duties include calling meetings, setting meeting agendas, conducting meetings and hearings and signing reports and other documents duly adopted by the Advisory Council, all in conjunction with the Designated Federal Official. In addition, the Chairperson shall act as official spokesperson for the Advisory Council.

5. Vice-Chairperson. The Vice-Chairperson shall perform the duties of the Chairperson in the absence of the Chairperson and may be designated such other duties as delegated by the Chairperson or Advisory Council.

6. Partnership Representatives. Two representatives and two alternate representatives shall be nominated to the Secretary of the Interior to sit on the Partnership as directed in the P.L. 104-333, by election of the Advisory Council. The two Partnership representatives and two Alternate representatives shall represent the views of the whole and not just the views of the representatives. The two representatives shall report back to the Advisory Council and seek advice and counsel as to how to vote. Nothing contained herein shall preclude a Partnership Representative or Alternate holding another position within the Advisory Council.

7. Other Officers. The Advisory Council may, in its discretion, create such other offices and elect such other offices, as it deems necessary.

ARTICLE VIII

MEETINGS AND HEARINGS

1. Definitions

(a) Official Meeting. The term "official meeting" as used herein means a duly advertised public meeting of the Committee at which both a quorum of the Advisory Council and the Designated Federal Official are present. Official meetings are designed to fulfill the meeting requirements of Section of P.L. 104-333.

(b) Public Hearing/Forum. The term "public hearing/forum" as used herein, means a meeting of Advisory Council members convened for the purpose of receiving information, testimony, or evidence from public or private persons and entities and/or disseminating information to such persons and entities. Public forums are designed to maximize interaction and exchange of information between the Advisory Council and the public.

(c) Study Session. The term "study session," as used herein, means a gathering of Advisory Council members, with or without others persons or groups, for the purpose of considering, discussing, or being educated on issues and matters pertaining to the park and the

purposes for which the Advisory Council was established.

(d) Official Business. The term "official business", as used herein, includes but is not limited to: the election of officers; all official votes of the Advisory Council; the adoption or amendment of by-laws, rules and regulations; the adoption of official reports or recommendations of the Advisory Council; the creation or abolition of committees; and the creation of depositories for Advisory Council materials.

2. Official Meetings. The Advisory Council shall hold at least four (4) official meetings per year, one of which must be held in March. Meeting dates and times shall be established by a majority vote. The Chairperson in his or her discretion may, in consultation with the Designated Federal Official or upon written request of at least six (6) members of the Advisory Council call additional official meetings.

3. Annual Meeting. The March meeting shall be considered the annual meeting of the Advisory Council for purposes of electing officers and adopting the Advisory Council's annual report to the Director of the National Park Service.

4. Agenda. A written agenda shall be established for each official meeting of the Advisory Council. The agenda for each meeting shall be developed by the Chairperson and the Designated Federal Officer and shall be included in the published notice of each meeting. Advisory Councilors with proposals for inclusion in the agenda shall notify the Chairperson in sufficient time for them to be included in the published notice of the meeting at which they wish the proposals to be considered. Matters not on the agenda set forth in the notice may be added at the meeting by majority vote.

5. Public Participation. The Advisory Council shall at all times encourage and accept public input, opinions and participation at all official meetings. Public or private persons and entities interested in addressing the Advisory Council may avail themselves of the procedures provided in the public notice of the meeting or request the Chairperson to include their interests in the formal agenda. Such persons and entities shall be given the opportunity to address the Advisory Council both before and after the Advisory Council considers agenda items and conducts new business. The Chairperson, in his or her discretion shall set an overall limit of time for public

involvement at Advisory Council meetings; within that time, each speaker shall be allowed to make a five minute presentation, comment, or question. The five-minute time period may be extended at the discretion of the Chairperson. The purpose of this paragraph is to provide an avenue for public input within the parameters of an orderly meeting.

6. Public Advertisement. Official meetings of the Advisory Council shall be advertised and noticed in accordance with Section 10 of P.L. 104-333. In addition, press releases approved by the Chairperson and the Designated Federal Official shall be sent to radio stations, television stations, and newspapers of general at least one (1) week prior to the meetings and will be published in the Federal Register.

7. Quorum. One half of voting members of the Advisory Council shall constitute a quorum for official meeting and voting purposes. A quorum must be recognized before any official meeting may be convened or any official business of the Advisory Council may be conducted or adopted.

8. Absence of Quorum. In the absence of a quorum, the Advisory Council may, in its discretion, hold public hearings/forums or study sessions.

9. Voting. Each member of the Advisory Council shall be entitled to one (1) vote, which shall be equal to the vote of every other member of the Advisory Council. Unless otherwise specified in these by-laws, all matters considered by the Advisory Council shall be decided by an affirmative vote of a majority of the members present. Votes by email, web meeting or telephone conference call will be accepted.

10. Public Hearing/Forums. The Advisory Council may, in its discretion, hold public forums. The purpose of public forums shall be to provide an opportunity for the free exchange of information and education pertaining to the park. Public forums shall, at a minimum, be advertised by sending press releases to radio stations, television stations, and newspapers of general circulation in each of the counties represented on the Advisory Council. No official business may be conducted at public forums unless the forum has been advertised in the Federal Register and a quorum is present.

11. Open Meetings. All official meetings and public forums shall be open to the public and shall be held at such times and in such places to encourage public participation.

12. Minutes. Official meetings and public forums shall be recorded. Minutes shall be taken and distributed to all Advisory Council members at least seven (7) days prior to the next official meeting or public forum. Minutes shall be approved at the beginning of the next meeting. Those members of the Advisory Council present at the meeting or public forum may, by majority vote, waive the requirement that the minutes be distributed at least seven days prior to that meeting.

13. Study Sessions. The Advisory Council may, in its discretion, hold such study sessions, as it deems necessary to effectuate the purposes for which it was created. The purpose of study sessions shall be to insure that those problems and issues addressed to, or by, the Advisory Council will receive the utmost internal exposure. No official business may be conducted at study sessions. Reports of study session activities shall be given at the next official meeting or public forum. Study session reports, recommendations, and findings shall not be binding on the Advisory Council unless formally adopted by a majority vote at an official meeting.

14. No meeting of the Advisory Council will be held without the concurrence and attendance by the Designated Federal Officer or his/her designee.

15. The Advisory Council will have representation on the standing committees of the Partnership. Advisory Council members who participate in partnership committees will be responsible to represent Advisory Council interests and report findings back to the Advisory Council as a whole.

ARTICLE IX

RULES OF PROCEDURE

The Advisory Council shall conduct its official business in accordance with federal legislative law, the Charter, Bylaws, and Roberts Rules of Order Newly Revised. The Advisory Council may vote to suspend Robert's Rules of Order for special considerations.

ARTICLE X

BY-LAWS

1. Adoption. These by-laws shall be adopted upon the affirmative vote of a majority of the Advisory Council.

2. Amendment. These by-laws may be amended by an affirmative vote of a majority of the Advisory Council. Proposed changes must be submitted to the members of the Advisory Council at least twenty-one (21) days prior to the next official meeting. The By-laws Advisory Council shall review the proposed amendment and render a recommendation prior to voting.

These by-laws were adopted at a duly convened meeting of the Advisory Council on December 10, 2014.

3/11/15

Elizabeth Solomon, Chair Date