

BYLAWS OF KACHEMAK BAY STATE PARKS CITIZENS ADVISORY BOARD

I. DEFINITIONS

1. The term “Board” as used in these bylaws means the Kachemak Bay State Parks Citizens Advisory Board.
2. The term “Director” means the Director of the Division of Parks and Outdoor Recreation within the Alaska Department of Natural Resources, or his or her designee designated in writing and delivered to the Board.
3. The term “Superintendent” means the manager of the Kenai Area of the Division of Parks and Outdoor Recreation.
4. The term “Division” means the Division of Parks and Outdoor Recreation within the Alaska Department of Natural Resources.
5. The term “Kachemak Bay State Parks” means those lands and waters designated under AS 41.21.131 and AS 41.21.140 known as Kachemak Bay State Park and Kachemak Bay State Wilderness Park, plus any other units of the State Park system within the Kachemak Bay area south of Anchor Point.
6. The term “State” means the State of Alaska.
7. The term “Bylaw” means the bylaws of this Board.

II. PURPOSES

The purposes for which the Board is organized are:

1. To provide a forum for the collection and expression of opinions and recommendation on matters relating to State Park units within the Kachemak Bay watershed.
2. To promote thereby the protection of the resources of the Kachemak Bay State Parks including its scenery, vegetation, wildlife, soils, waters, historic features, wilderness core, and outdoor recreational opportunities.
3. To promote communication between the public, local government, and the State with the administrators of the Kachemak Bay State Parks.

4. To inquire into matters of community interest relating to the Kachemak Bay State Parks; to bring matters of interest to the attention of the public; to appear and testify at public and legislative hearings as representatives of the Kachemak Bay State Parks' users and neighbors.
5. To make recommendations to the Director concerning, among other things, the following:
 - a) diverse public recreational uses;
 - b) mitigation of conflicts between user groups; promotion of interpretation and public presentation of the natural and human history of the parks;
 - c) promotion of interpretation and public presentation of the natural and human history of the parks;
 - d) increase public awareness and promote understanding of human impacts on the parks and their resources;
 - e) cooperation between the Director and other federal, State, borough, and city agencies, service organizations, homeowners' associations, community councils, adjacent residents, and users of the park's resources;
 - f) cooperative agreements, land acquisitions or exchanges, and prudent federal, State, borough, and city zoning and subdivisions policies respecting inholdings and adjacent lands.
6. To enlist public and legislative support for the Kachemak Bay State Parks' policies and programs.
7. For educational, scientific, and charitable purposes.

III. PUBLIC ATTENDANCE

1. Meetings of the Board are open to the public. The Board may prescribe rules of procedure and decorum while specifying limits on, and the matter of, public participation in the meetings.
2. Individual members of the public will have a maximum of three (3) minutes to speak when the meeting's agenda moves to public comment. This time allotment may be increased by Board or Commissioner action when appropriate.

IV. NUMBER OF MEMBERS

The Board shall initially consist of nine (9) members. The number of Board members may be increased to, while not exceeding, fifteen (15) members without formal amendment of these bylaws by resolution of the Board.

V. CRITERIA FOR MEMBERSHIP

1. The Board membership shall be chosen so as to ensure representation of a broad spectrum of public interests consistent with the existence of the parks, so as to prevent domination of the Board by a single viewpoint not representative of broad reasoned consensus.
2. Representation is desired from all interested users inclusive but not limited to the following users:

Sport and commercial fisher-persons, hunters, off-road vehicle users, mountaineers, hikers, ski-tourers, wildlife and flora viewers, photographers, professional guides, tourist industry operators, and private land owners bordering the parks.

3. A member for the Board may be representative of more than one such interest. It is recognized that the membership of the Board cannot, on every issue, accurately reflect the various views of the interested population but there shall not be any deliberate creation of an imbalance. All Board members carry the responsibility to present the broad public interest and shall not consider themselves merely advocates of their group.

VI. NOMINATIONS AND APPOINTMENTS

1. The Commissioner shall appoint the public members of the Board. Terms will be for three (3) years, with at least three (3) seat terms expiring every year. All terms shall expire on June 30 of the appropriate year
2. Any agency with pertinent interest in Board proceedings shall have an open seat at Board meetings. Each agency may select its representative for its position. One alternate may be appointed by each agency. The Commissioner retains the right to approve or reject the agency's nominations for representative and alternate.
3. No later than January 15 of each year, the Board shall solicit applications from: the public, user groups, area communities, and the Commissioner to fill anticipated vacancies. Notice of vacancies and the application procedures shall be published in local newspapers. The voting Board members, except Board members being considered for reappointment, and the Director shall discuss the applications and no later than one (1) month prior to expiration of the term of office, nominate to the Commissioner individuals for each vacancy. The Commissioner shall within thirty (30) days, appoint to each vacancy one member from among those nominated, the appointment to be effective upon expiration of the term of office of the incumbent. A Board member may be reappointed by the solicitation and nomination process specified in this paragraph.

4. If a Board vacancy occurs before the expiration of a members term, the Board shall make nominations from the current application list at any regular or special meeting. Any interested member of the public may be placed on an application list by submitting a formal application to the Board. Such nominations shall be immediately forwarded to the Commissioner for appointment, which shall be made fifteen (15) days following submission of the nominees to the Commissioner. An appointee to a vacant Board position shall serve the unexpired term of the person whose vacancy has been filled.
5. Any member desiring to resign from the Board shall submit his or her resignation in writing to the Chairperson.

VII. MEETINGS

1. Regular meetings of the Board shall be held at least six (6) times a year and shall be advertised by public notice. Special meetings may be called by the Chairperson, or in his or her absence, any two (2) members of the Board, or the Superintendent.
2. Written notice of all special meetings shall be handed, mailed, or emailed by the Superintendent to each Board member five (5) days before the date thereof. All notices of special meetings shall state the purpose thereof.
3. A quorum for the transaction of business at any regular or special meeting of the members shall consist of a majority of the members of the Board, however meeting with less than a quorum may postpone the meeting to a time and place where a quorum is expected.
4. The Board shall elect officers of the Board to serve without salaries, such election to be held at the September meeting.
5. Vacancies in the Board may be filled with the approval of the Director at any regular or special meeting of the members until the September meeting, at which time, if any remaining unexpired term exists, the position shall be filled according to Bylaws section V and VI. A vacancy in the seat of any member may be declared to exist by the Board if that member has, without previously been excused, failed to attend three (3) regular meetings of the Board within any twelve (12) month period or three (3) consecutive meetings.
6. The Board may appoint such standing and special committees as they deem appropriate and in a manner to further the efficient conduct of Board business and maximize active participation by the public. Each committee shall have at least one (1) member of the Board on the committee.

7. No person shall represent anything to the State (other than in ordinary resolutions for the attention of the Division), the federal government, the city, or the public as the position of the Board, except when authorized by the Board to do so.

VIII. OFFICERS

1. The officers of the Board shall be a Chairperson, Vice Chairperson, and any other officer the Board deems necessary, each of whom shall be elected by the Board.
2. The officers shall be elected annually by the Board. Each officer shall hold office until his successor has been duly elected and shall have qualified or until his death or until he or she shall resign or shall have been removed in the manner hereinafter provided.
3. Any officer or agent elected or appointed by the Board may be removed by a majority of the full Board whenever, in its judgment, the best interests of the public would be served thereby.
4. A vacancy in any office because of death, resignation, removal, disqualifications, or otherwise may be filled by the Board.
5. The Chairperson shall, in general, supervise and coordinate all of the affairs of the Board and shall, when present, preside at all meetings of the Board.
6. From time to time the Board may designate one or more persons to attend and report on designated meetings of the city, borough, and state assembly, boards, commissions, and committees.

IX. WAIVER OF NOTICE

Whenever any notice is required to be given to any member of the Board under the provisions of these bylaws or under the provisions of the statutes of the state of Alaska, a waiver thereof, in writing, signed by the person or persons entitled to such notice, whether before or after the time stated herein, shall be deemed equivalent to the giving of such notice.

X. AMENDMENTS

The power to adopt, alter, amend or repeal the bylaws is vested in the Board, provided that written notice (such as shown under XI (c)) is given to the public thirty (30) days before such action is taken, with the advice and concurrence of the Director.

XI. SPECIAL PROVISIONS

1. The Superintendent shall furnish the following staff and services to the Board:
 - a) A designee to act ex officio as Secretary of the Board;
 - b) A meeting room, upon request;
 - c) A mail-out service for notices of meetings and provide notices of meetings by at least purchasing a display ad in the classified section of the Homer newspaper;
 - d) The preparation, circulation, and minutes of the meetings;
 - e) Necessary maps, plans, and data for agenda items and as otherwise agreed upon from time to time
2. The Division shall affirmatively and without special Board request consult with the Board concerning the Kachemak Bay State Parks':
 - a) budget requests;
 - b) construction plans;
 - c) participation of other State agencies in the provision and maintenance of access routes;
 - d) land use plans;
 - e) regulation of uses;
 - f) wildlife management;
 - g) regulation of inholdings
3. The Division shall additionally report to the Board and consult with the Board upon any germane topic specially requested by the Board
4. The Division agrees to review and consider all recommendations of the Board and to report to the Board its decision upon such recommendation; that is, concurrence, rejection, or concurrence with modifications, together with an adequate explanation of the decision.

Approved:

Director

Date