

# **Project Completion Report Rocky Mountains Cooperative Ecosystem Studies Unit (RM-CESU)**

**Project Title:** Science and Community Involvement for Yellowstone National Park Winter Use Environmental Impact Statement and Rulemaking.

**Project Code:** MSU-21/33/87/110/122/142, J1571050527 and MSU-218, J1571100503

**Type of Project:** Technical Assistance

**Funding Agency:** National Park Service

**Partner University:** Montana State University

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**Project Summary, including descriptions of products, work accomplished and/or major results. If the information is restricted (e.g. location of endangered species or cultural resources), indicate the title and location of the final report. Also add web sites where project-related information may be found.**

See below

**Lessons Learned from this project.**

See below

## **Stakeholder Engagement in Yellowstone Winter Use Planning**

The Cadence Team (Nedra Chandler (Cadence), Martha Bean (Collaborative Focus), and Nicholas Dewar (now with Public Policy Collaboration)), with assistance from John Sacklin, Yellowstone National Park

### **Background –**

Recreation allows for enjoyment of resources protected by parks, but can negatively impact resources if unmanaged. The appropriate relationship between enjoyment and resource protection is at the heart of the NPS mission. Many controversies occur over the management of motorized recreation in parks, including off-road vehicles, personal watercraft, and oversnow vehicles (OSV's, e.g., snowmobiles and snowcoaches). All of these management topics involve a wide range of stakeholders with diverse interests, relationships with agencies, and means of influencing decision makers. Winter use planning in Yellowstone National Park illustrates the ability of stakeholders to influence management, as well as the importance of actively seeking and incorporating stakeholder perspectives in management planning.

For more than three decades, snowmobiles and snowcoaches have been the primary forms of transportation that allow visitors' winter access to the park's interior. Winter use planning, which has been underway nearly continuously since 1994, has resulted in numerous environmental impact statements and environmental assessments. This project focused on the public participation efforts for one of the EIS processes, the 2007 winter use plan (and an initial step in a subsequent winter planning process). As the 2007 planning effort began in 2005, the public had already been involved in an interagency review of winter use in the Greater Yellowstone Area, two environmental impact statements and two environmental assessments. Process fatigue on the part of many stakeholders and the public at large was evident.

### **Stakeholder Engagement Overview –**

Important stakeholder engagement components of the 2007 EIS process included deciding on the level of stakeholder involvement by the NPS, determining who the key stakeholders were, determining how the stakeholders wished to be engaged, determining how the agency would meet those requests (in keeping with the level of stakeholder involvement), and following up with stakeholders to determine if the methods were working. These were accomplished through a number of stakeholder assessments and with developing and implementing (and revisiting) a public engagement plan.

### **Determining Level of Stakeholder Involvement –**

The NPS initially engaged the U.S. Institute for Environmental Conflict Resolution to discuss the overall public engagement possibilities. Then the NPS brought on a public engagement team from the company, Cadence, to advise the agency on the stakeholder engagement process. With assistance from the Cadence team, the NPS developed the level of stakeholder engagement, or its "promise" to stakeholders that seemed appropriate. For the 2007 EIS, the NPS promise to governmental and non-governmental stakeholders was to open information sharing. The NPS committed to actively listen to and acknowledge concerns. The NPS said it would let stakeholders know where timely agency and public input was incorporated in the EIS, and how it

did/did not influence NPS decisions. This promise is located between the “consult” and “involve” vectors of the International Association for Public Participation spectrum (see below).

### **Determining Stakeholders and Their Desire for Engagement –**

Because of multiple previous winter plans, the NPS had a long list of key and other interested stakeholders. In June 2005, Cadence made a series of approximately 60 individual and small group phone calls and visits to ask governmental and non-governmental interested parties their view of the situation and how they wanted to be engaged in the new NEPA process. These initial stakeholders were also queried about additional key stakeholders. The result was an assessment of the situation’s possibilities for participation and how those fit with the promise (which communicates both the limits and opportunities the agency and stakeholders had identified for the process). The other outcome was a public engagement plan.

### **A Public Engagement Plan to Meet Stakeholder and Agency Needs –**

Beyond normal notices and public review periods, the plan included:

- Roving team meetings (the planning team going out to groups). These 50-some meetings were a valuable tool for sharing information and receiving input.
- Media communication (news releases, news advisories and hundreds of interviews)
- Multiple outreach to Congressional delegation staff (locally and in Washington, D.C.)
- Project newsletters sent to full stakeholder contact list via surface mail
- Rounds of phone calls and/or emails to various stakeholders (from NPS and also via the Cadence team as part of their periodic assessments of the participation work)
- Translation task (NPS did ongoing tracking of how the agency used/did not use what stakeholders said)
- Web archive and PEPC updates. The winter use website <http://www.nps.gov/yell/planyourvisit/winteruse.htm>, was a project library/archive and a useful tool for disseminating information about the status of the plan to the public throughout the process. The NPS Planning, Environment and Public Comment website at <http://parkplanning.nps.gov> was used throughout the process to notify stakeholders of meetings and to receive written comments.
- Public meetings. In addition to the three full cooperating agency meetings (which were always open public meetings), NPS convened two large open meetings in the spring of 2006, a December 2006 technical information fair coinciding with the release of the preliminary DEIS for cooperating agency review (November 2006), and four public comment meetings during the formal public comment period in the spring of 2007 in Montana, Wyoming, Minnesota, and Colorado.
- Project contact lists. Participants were continually asked whether they would like to be added to the NPS contact list at face to face meetings and the Cadence team built and used an email contact list as the project developed through the initial interviews in the summer of 2005 and by asking, “who else do you think would appreciate being contacted?”
- Invitations to review and comment (technical review by cooperating agencies and stakeholders with relevant expertise) on scientific monitoring reports and other studies.

### **A Special Stakeholder Group: the Cooperating Agencies –**

The States of Wyoming, Montana, and Idaho, along with the U.S. Forest Service and the U.S. Environmental Protection Agency and five counties were invited to be cooperating agencies. All ten had been cooperating agencies on the past two EISs, and this role continued for the 2007 plan. Each were cooperating agencies based on the special expertise they brought to the project and their physical proximity to the park (portions of the five counties are included within the boundaries of the park). Memorandums of Understanding (MOUs) were signed with each agency, defining the cooperating agency and lead agency (NPS) roles and responsibilities. The NPS met with the cooperating agencies during scoping, requested information related to their special expertise, shared preliminary alternatives, shared modeling plans and modeling results, requested technical review of monitoring reports and special studies, and provided the cooperating agencies a pre-public review of the draft EIS. Specific responses were provided to the cooperating agency comments on the various documents. Although the NPS worked closely with the cooperating agencies in accordance with the MOUs and their participation was part of the Public Engagement Plan, the NPS “promise” was the same for the cooperating agencies and all other stakeholders. The NPS attempted to be clear about NPS and Cooperating agency roles, which probably improved the quality of the meetings. It may have been especially helpful to the county representatives in the Cooperating Agency meetings that their role was clearly distinguished from the role of members of the community.

### **Follow-Up to Determine Success of the Engagement Plan –**

Mid-way through the process, in Fall 2006, the Cadence team posed the following three questions via email to about 100 governmental and non-governmental interested parties. The questions were intended to help identify the salient themes of opinions about the public participation process held by participants, not to provide a statistical analysis of the predominance of any particular opinions:

- How well did the public and agency engagement methods used in the last year suit your needs?
- Do last year’s themes from participants (such as process fatigue and steering away from large meetings) still ring true? Are there new themes that ought to be acknowledged and responded to in the participation methods?
- What changes do you believe would improve the public and agency engagement process in the next year when the NPS expects to publish the Draft EIS and conduct the corresponding public comment period?

The follow-up allowed the NPS to adjust the emphasis on its public engagement plan mid-stream, for example engaging the Cooperating Agencies more through full group meetings rather than one-on-one roving team meetings.

### **Sylvan Pass -**

The benefits of the clarity given to the role and intentions of NPS in the public participation process were evident immediately following the 2007 winter planning process. The NPS, City of Cody, Park County, Wyoming and the State of Wyoming entered into negotiations over the future of Sylvan Pass, which extended from December 2007 through May 2008. Because the NPS had shown consistency and dependability by holding to its "promise," the parties were able

to see the potential benefits of a collaborative negotiation process, which resulted in a new decision as to how avalanche control operations would occur on Sylvan Pass.

### **Science Review for the 2011 Winter Use Plan –**

With the initiation of a new winter use planning process in 2009, one of the desired outcomes was to have a better understanding of the science related to winter use. A “Science Advisory Team” was created to have NPS and other federal government scientists guide the discussions about winter use and science. To that end, the Science Advisory Team brought NPS and university scientists and state resource managers together in a workshop format to discuss the state of the knowledge regarding wildlife and social science and Yellowstone winter use (other meetings discussed soundscapes and air quality). The facilitated social science and wildlife workshops were intensive discussion, review, and collaboration among the scientists sharing information. The end results were incorporated into a larger volume, “Scientific Assessment of Yellowstone Winter Use,” which helped inform the preparation of the 2011 winter use plan Draft Environmental Impact Statement.

### **Summary –**

In summary, any engagement process needs to address the substantive, procedural, and relational effects for both the agency and the stakeholders to be successful. In the case of winter use for Yellowstone in the 2007 plan, these effects were represented:

- in the particular mix of *elements and expectations* contained in the analysis;
- in the sometimes fragile but consistent efforts by all parties to *keep talking and working with one another* even while the politics, litigation, and legislative context has a tendency to mirror or reproduce adversarial modes of communication;
- in the commitment of NPS to *adaptive management*, and the agency’s willingness to keep explaining what that commitment was as they move ahead with winter use management in the parks;

To be meaningful, effective consultation needs to show how participation affected the NPS proposed decision. Winter planning is still underway, and the passage of time will be the surest way to show how participation has affected the long-term direction for winter planning – seeing what happens on the ground. In the meantime, written and verbal feedback from participants on the participation process itself – gathered during larger meetings and in each periodic participation assessment -- have indicated that the NPS accuracy and honesty regarding the various roles of governmental and non-governmental participants (that is, not shared decision making) is part of what has, perhaps ironically, made the participation process more meaningful.

### **Products and References –**

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# IAP2 Public Participation Spectrum

Developed by the International Association for Public Participation

INCREASING LEVEL OF PUBLIC IMPACT				
INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>	<b>Public Participation Goal:</b>
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
<b>Promise to the Public:</b>	<b>Promise to the Public:</b>	<b>Promise to the Public:</b>	<b>Promise to the Public:</b>	<b>Promise to the Public:</b>
We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
<b>Example Techniques to Consider:</b>	<b>Example Techniques to Consider:</b>	<b>Example Techniques to Consider:</b>	<b>Example Techniques to Consider:</b>	<b>Example Techniques to Consider:</b>
<ul style="list-style-type: none"> <li>● Fact sheets</li> <li>● Web sites</li> <li>● Open houses</li> </ul>	<ul style="list-style-type: none"> <li>● Public comment</li> <li>● Focus groups</li> <li>● Surveys</li> <li>● Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>● Workshops</li> <li>● Deliberate polling</li> </ul>	<ul style="list-style-type: none"> <li>● Citizen Advisory Committees</li> <li>● Consensus-building</li> <li>● Participatory decision-making</li> </ul>	<ul style="list-style-type: none"> <li>● Citizen juries</li> <li>● Ballots</li> <li>● Delegated decisions</li> </ul>

International Association for Public Participation spectrum (IAPP 2007).