



## **\*\*DRAFT\*\*:** IBMP PARTNER PROTOCOLS

*Version 28 August 2012*

### **BACKGROUND AND PURPOSE OF THE IBMP**

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The Federal and State Records of Decision in December 2000 for the Interagency Bison Management Plan (IBMP) for Montana and Yellowstone National Park were the result of extensive deliberation and legal proceedings that yielded an unprecedented agreement amongst federal and state agencies (the “Partners”).

Under the IBMP, the Partners harness their respective skills and operational resources to work cooperatively to achieve their shared goal: **conserve a wild, free-ranging bison population while concurrently protecting against transmission of brucellosis from bison to cattle.** To accomplish this goal the Partners generally meet 3-4 times yearly in public forum to consider prevailing conditions and review collected data, and, as necessary, develop and apply short- and long-term adaptive management adjustments to the IBMP.

The Partners are committed to employing an adaptive management framework, as signified by their signing and publication of an adaptive management plan on December 18, 2008. That plan, which serves as the basis for the IBMP Annual Report, is reviewed annually and updated as appropriate.

### **IBMP PARTNER COMMITMENT, APPROACH, AND OTHER RESPONSIBILITIES**

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**Commitment.**—Each Partner commits to the overall IBMP goal of conserving a wild, free-ranging bison population while concurrently protecting against transmission of brucellosis from bison to cattle.

**Approach.**—The Partners will work as a collaborative, problem-solving body seeking to produce consensus management actions that address, to the greatest extent possible, the needs and interests of all participants. As part of their collaboration, the Partners will work jointly to educate each other on their differing values and interests, plus develop the baseline information needed for shared decision making.

**Other responsibilities.**—Partners recognize that they each retain their own independent goals and responsibilities. They are not required to relinquish or subjugate those individual mandates to be part of the Partner group.

### **IBMP PARTNER ORGANIZATIONS AND LEAD PARTNER**

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**Makeup.**—Nine organizations constitute the IBMP Partners (note that the three tribal members—CSKT, ITBC, and NP—were invited to join the deliberative table as full Partners beginning at the November 2009 Partner meeting), as shown below. Each of the Partners is responsible for naming a lead that will represent their group at quarterly meetings, and also a second to act on their behalf should the lead not be available (with the exception of MDOL and MBOL, who act as second for each other). Leads followed by seconds as of August 2012 are shown:

- Confederated Salish and Kootenai Tribes (CSKT)—Ron Trahan, Tom McDonald
- Inter Tribal Buffalo Council (ITBC)—Ervin Carlson, Jim Stone
- Montana Board of Livestock (MBOL)—Christian Mackay
- Montana Department of Livestock (Montana State Veterinarian; MDOL)—Martin Zaluski
- Montana Fish, Wildlife and Parks (MFWP)—Pat Flowers, Andrea Jones
- Nez Perce Tribe (NP)—Brooklyn Baptiste, Larry Greene, McCoy Oatman
- National Park Service (NPS)—Dan Wenk, David Hallac
- USDA Animal and Plant Health Inspection Service (APHIS)—Don Herriott, Ryan Clarke
- USDA Forest Service (USFS)—Mary Erickson, Cavan Fitzsimmons

## LEAD PARTNER ROLE AND RESPONSIBILITIES

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**Lead Partner.**—Each year the Partners will select, on a rotating basis, a lead Partner, who has the following responsibilities:

- Creating agendas, arranging telecon meeting lines and meeting locations, and leading all telecons.
- Compiling a list of any and all adaptive management changes completed during that year.
- Acting as the lead compiler and then author for the IBMP Annual Report, to be completed by the end of each calendar year.
- Acting as the spokesperson for all IBMP-specific information to (a) the media, and (b) private, public, and non-profit entities outside the Partner group.
- *The Lead Partner is responsible for updating, getting consensus signatures on, and posting the Operations Plan by December 31<sup>st</sup> of each year.*
- Calling, organizing, and documenting Field Operations meetings.
- Paying for (a) a facilitator to work with the Partners through the year to facilitate meetings, manage the IBMP web information portal ([www.ibmp.info](http://www.ibmp.info)), and complete other such items as the Lead Partner desires to delegate; (b) meeting space for regular IBMP Partner meetings; and telecon access.
- All Partners agree to serve as the Lead Partner; tribal entities will act as a single Partner when acting as and taking on the financial obligations of the Lead Partner. Likewise, MDOL and MBOL will be considered a single Partner when acting as and taking on the financial obligations of the Lead Partner.

## GENERAL MEETING STRUCTURE, PROCESS, AND DECISION MAKING

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### Regular IBMP Partner meetings

- **Timing.**—Partners generally meet 3-4 times each calendar year with dates determined by consensus.
- **Agenda posting.**—Two weeks in advance of each quarterly meeting the Partners will post a draft agenda at [www.ibmp.info](http://www.ibmp.info).
- **Deliberative table.**—For quarterly meetings, each Partner provides one member at the deliberative table (i.e., nine deliberative Partners). Both Lead Partners and their supporting staff are allowed to provide input during the flow of the meeting.
- **Interaction with the public.**—All Partner quarterly meetings are open to the public. The public will have 30 minutes at the end of each session to present their ideas to the Partners (typically 3 minutes per person, though can be less or more depending on the number signed up to speak). While in general, the public does not participate in the general meeting, the Partners may choose to waive this stipulation at any time as done for many interactions with the Citizens' Working Group in 2011 and 2012.
- **Documentation of meetings.**—Meetings will be documented and posted to [www.ibmp.info](http://www.ibmp.info) within one month of each meeting. The Lead Partner shall approve the report before posting. The report as initially posted will be marked as DRAFT. Partners will vote to accept the meeting notes as is or with modifications at the beginning of the next quarterly meeting. Once accepted, the notes will be re-posted on [ibmp.info](http://ibmp.info) as FINAL.

### Decision making and quorum rules

#### ***Briefing statements for introduction of concept for Partner consideration ~~deliberation and decision~~***

- Partners seeking IBMP *consideration of new information related to science, policy, or as a precursor of an adaptive change*, ~~consensus decision on a specific issue~~ are required to introduce that topic via a "briefing statement", to be distributed to the Partners at least 4 weeks before the scheduled meeting. The lead time allows (a) adequate time for all Partners to review, and (b) sufficient time for Tribal Partners to consult with, ~~and obtain decision from the~~ tribal councils, as needed. The briefing statement should consist of
  - Agency proposing
  - Issue
  - Date
  - Contact
  - Background / situation appraisal / current state of knowledge

- Requested change and reasoning

### **Method of decision making**

Many decisions needed to implement the IBMP are connected directly to agency authorities and are the sole responsibility of individual agencies. However, broader strategies are developed by the collective group of agencies to accomplish the two IBMP goals. In cases where multiple agencies are responsible for making specific decisions, the following procedures describe the process.

- The Lead Partner is responsible for facilitating discussions and determining via vote if there is consensus regarding recommendations under consideration by the Partners.
- Each of the nine Partner organizations has one vote in multi-agency decisions. The Partners seek consensus (100%) for all decisions that they make as a group. For face-to-face meetings, votes are done with simple thumbs up or down, or in response to the question, “Are there any objections to the proposal on the table?” No objections equals consensus; i.e., consensus can be achieved if a Partner chooses to abstain from a vote. *If a Partner is not represented, then it is assumed that they have no objection and hence consensus can still be achieved.*

### **Quorum based on categories of decisions**

Three categories of decisions are recognized:

- **Multi-agency responsibilities:** All nine Partners should participate in these consensus building decisions. However, in some cases some Partners may be unavailable or uninterested in providing input. A minimum of six of nine Partners must be present to constitute a quorum for a decision to be represented as “an IBMP decision”. Each of the federal and state agencies represented by the signatories to their respective RODs must either (1) be present, or (2) have indicated that they do not wish to attend and will accept the decision of the other Partners. Otherwise, a decision could be made that affects an agency’s mandate or jurisdiction, without that agency having approved the action.
- **Operations Plan:** The five original (i.e., non-tribal) entities in the IBMP have agreed via the ROD to complete certain on-the-ground operations to manage bison and brucellosis. For decisions in this realm, only these five groups are involved in consensus decision making, though the three tribal entities may provide input during regular IBMP meetings, telecons, or other communication forums. The tribes do have a lead role, via treaty rights, in (a) how they implement their hunting programs, and (b) whether they participate in consignments to slaughter, distribution of meat and, possibly, quarantine.
- **Partner-specific:** The Partners recognize that while they act in concert under the guidance of the ROD, that each maintains its own mandates, responsibilities, and sovereignty. By definition, for decisions falling in this category no quorum is required.

### **Teleconferences**

- **Timing.**—As needed, between Partner quarterly meetings.
- **Participants.**—Each Partner provides a minimum of one member on the call (i.e., nine deliberative Partners).
- **Decision making.**—For telecons, the Lead Partner shall make a roll call vote of all Partners and record the vote. Decisions are made per the quorum mandates in the section previous to this.
- **Documentation.**—The Lead Partner is responsible for documenting telecons and having those summary notes posted to [www.ibmp.info](http://www.ibmp.info) within two weeks of each telecon.
- **Public participation.**—The general public may attend any telecons that includes MDOL, MBOL, or MFWP as dictated by Montana’s “sunshine law”. The public is not allowed to interrupt or participate in the Partner discussions unless explicitly invited to do so by the Partners. At the start of each meeting, the Lead Partner should ask that any members of the general public identify themselves.

## **PROCESS FOR MAKING ADAPTIVE MANAGEMENT CHANGES TO THE IBMP AND RELATED OPERATIONS PLAN**

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The Partners agree to a multi-step process for developing adaptive management (AM) changes:

1. **Proposed change introduced.**—Proposed AM changes can be brought forward by any Partners, under the following guidelines and expectations:

- a. The proposed change may arrive from many sources, for example from individual Partners, a group of Partners, or staff and/or subcommittees charged with suggesting AM changes.
  - b. Changes may often be expected at the fall meeting, *as collection of data for the annual IBMP report* is nearing completion at this time, meaning analysis of the past year’s data is possible per the standard AM cycle.
  - c. A Partner vote (*vote #1*) is required (may be at a regular meeting, by telecon, or via email) with consensus agreement to the AM change to move to the next step. If there is no consensus, the proposed AM change is modified to reach consensus or dropped from consideration.
2. **Sufficiency testing completed if needed.**—Initial Partner discussion will determine if there is a need for additional NEPA and/or MEPA (National and/or Montana Environmental Policy Act) compliance before the AM change can be implemented.
- a. If the federal and state agencies determine no additional NEPA and/or MEPA compliance is needed, then a NEPA/MEPA sufficiency statement should be completed and the Partners will go to Step 3.
  - b. If the federal and state agencies determine additional NEPA and/or MEPA compliance is needed, then a categorical exclusion (CE), environmental analysis (EA), or environmental impact statement (EIS) must be completed prior to deciding whether or not to implement the proposed AM change. *Partners will vote (#2) on the compliance document, and then affirm acceptance of the compliance document via signature loop (signature #1).*
3. **Endorsing the proposed AM change.**—By show of vote (may be at a regular meeting, by telecon, or via email), Partners express consensus on the proposed AM change (*vote #3*). ~~No signature loop is required.~~ **\*\*The adaptive management change is considered in effect *when all signatures (#2) have been received.* at the close of this consensus vote.\*\***
4. **Documenting AM change and communicating to the public.**—Once adapted, AM changes will be documented via:
- a. Meeting notes
  - b. Adaptive Management page of the IBMP website ([www.ibmp.info](http://www.ibmp.info))
  - c. An annual update of the AM plan (if changes have been made), which is published along with the IBMP Annual Report. *This annual update does not require signatures as the individual AM changes have already been signed off by the Partners. Each year, the annual update will highlight the changes from the previous year’s AM Plan.*
5. **Operations Plan.**—The yearly Operations Plan (*sometimes called “Winter Operations Plan”*) *is built upon the most recent Adaptive Management Plan, including changes signed off on that year but not yet incorporated in the year-end compilation of a new AM Plan. The draft Operations Plan is introduced and discussed during the late summer IBMP Partner meeting and finalized at the Fall meeting. The document requires signature of the five original ROD members.* The Lead Partner ~~agrees to update and get consensus~~ *is responsible for updating, getting consensus signatures on, and posting* ~~and on~~ the Operations Plan by December 31<sup>st</sup> of each year.

## ANNUAL REPORT TIMING / ANNUAL CALENDAR

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The Lead Partner is responsible for producing the Annual Report, meaning collecting and then compiling for report all pieces from the eight other Partners, as well as completing their own section. The IBMP Annual Report is a direct compilation and, as appropriate, analysis of policies and data gathered under the current Adaptive Management Plan. Partners who are shown as “lead” for each adaptive policy are responsible for reporting on the outcome of that policy for the year. The Annual Report is written using the current AM Plan as the framework for the report.

The Annual Report is scheduled for completion by December 31 of each year, with a general annual calendar as follows:

<b>Jan 1</b>	New Lead Partner assumes duties
<b>Jan - Jun</b>	Core season for IBMP field operations
<b>Spring meeting (generally May)</b>	Review of winter operations to date and begin collecting, if applicable, ideas for adaptive management changes for the following winter. Assign subcommittees as needed.
<b>Jun-Aug</b>	(1) All Partners compile yearly data they are responsible for in preparation for Annual Report (2) Partner or subcommittee discussions on proposed adaptive management efforts (i.e., operational changes) to be made for following winter given results of previous winter activities (3) Preparation of draft Winter Operations Plan for the following year
<b>Summer meeting (generally Aug)</b>	(1) Partner planning for completion of individual duties for Annual Report. (2) Reports of subcommittees, if applicable, on proposed new AM activities and continued collection of ideas for adaptive changes for the following winter. (3) Presentation and discussion draft Winter Operations Plan for the following year.
<b>Oct/Nov</b>	(1) Compilation of Partner write-ups of their sections of the Annual Report. (2) Draft Annual Report completed and circulated for review to Partners. (3) Partners discussions (potentially telecons) regarding issues under consideration in draft Winter Operations Plan for the following year.
<b>Fall meeting (generally Nov)</b>	(1) Partners review Annual Report status and commit to completion by Dec 31. (2) Partners review and potentially agree to proposed adaptive management changes for the upcoming winter (if applicable, not every year will have AM changes). (3) Final Partner discussion and signature of Winter Operations Plan for the following year.
<b>Dec</b>	Partners review and provide any modifications to Draft Annual Report
<b>Dec 31</b>	(1) Previous year's Annual Report completed and posted to IBMP.info (2) Lead Partner posts revised Operations Plan for the coming winter.

## FINANCIAL OBLIGATIONS OF PARTNERS

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As a member of the IBMP, Partners accept the following financial obligations:

- Lead Partner is responsible for paying for a facilitator to work with the Partners through the year to facilitate meetings, manage the IBMP web information portal ([www.ibmp.info](http://www.ibmp.info)), and complete other such items as the Lead Partner desires to delegate.
- Host Partner is responsible for acquiring meeting space for IBMP meetings.
- Lead Partner is responsible for paying for telecon access.
- Tribal entities will be considered a single Partner when taking on the obligations of the Lead Partner. Likewise, MDOL and MBOL will be considered a single Partner when taking on the obligations of the Lead Partner.
- All Partners are responsible for their own travel, lodging, and associated expenses for attending regular IBMP meetings.
- All Partners agree to periodically host regular IBMP meetings.

## RUNNING AND REPORTING ON FIELD OPERATIONS MEETINGS

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- The Lead Partner is responsible for calling, organizing, and documenting Field operations meetings.
- Field operations meetings will be called as needed, pending field status.
- Field operations meeting notes will be posted to [ibmp.info](http://ibmp.info) within two weeks of each meeting.

## METHOD OF DOCUMENT REVIEW AND SIGNATURE

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Periodically the IBMP Partners require the review of and signature on a document they have created. This structure can be timely, particularly when documents must be mailed. Instead, the Partners will use an online document sharing and electronic signing services to accomplish these tasks. **The facilitator shall be responsible to track the signing process, aid Partners in the electronic signing process, and inform the Lead Partner of any issues.**

***Electronic document review***

Document review will be accomplished via simple email and Word Track Changes. Facilitator or Lead Partner will send document to all Partners. Each Partner will use the TRACK CHANGES function in MS Word to add their changes and insert their comments, then return to the facilitator who will compile all edits into a single document. Depending on the requests of the Partners, that document will be resent out with changes made, reviewed at the next IBMP meeting, etc.

***Timeline for document review***

Document review and, as applicable, signing is expected to take one month or less. This timeframe can be modified (a) by the Lead Partner, or (b) by a Partner advising the Lead Partner of its inability to meet timelines for legitimate reasons (as determined by the Lead Partner). Partners desiring to halt consensus agreement to a document must record their objection in writing (email acceptable) to the Lead Partner within the one month period. Partners who do not record their objection to the document during the one month period forfeit their right to stop Partner consensus agreement on that document and the document can be accepted as officially representing IBMP Partner policy or decree. For documents that require signing, a Partner not complying with the time stipulation shall have their signature recorded by the Lead Partner as “No objection stated as provided for in Partner Protocols”.

***Electronic document signing***

Document signing will be accomplished using [www.Signnow.com](http://www.Signnow.com). The process, which requires each Partner to create a user name and password on Signnow.com, is as follows:

- (1) Facilitator uploads document to Signnow.com
- (2) Partner logs into Signnow.com
- (3) Partner opens document with a click
- (4) Partner draws, types, or uploads his/her signature
- (5) Partner may download signed document, as desired
- (6) Facilitator or Lead Partner retrieves document once all signatures have been made
- (7) Facilitator or Lead Partner informs Partners signature loop is completed
- (8) If requested by Partners, Facilitator posts document to ibmp.info

**AMENDMENTS TO THE PARTNER PROTOCOLS**

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These Protocols may be amended at any time by the Partners following the guidelines set forth in the section titled, “General Meeting Structure and Process/Decision Making and Quorum Rules”.

**RESPONSIBILITIES OF ROD VS NON-ROD SIGNATORIES TO THE IBMP**

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~~SB—Do the Partners want such a section? If so, should it also describe a set of principles about how the Tribes and agencies interact. Or is what we have above already sufficient?~~

**ROLE OF CITIZENS’ WORKING GROUP AND HOW THEY BRING RECOMMENDATIONS TO THE PARTNERS**

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# The Life on an IBMP Adaptive Management Change

