

Final

GROUND RULES Sylvan Pass Study Group

1. Authority and Purpose. The purpose of the Sylvan Pass Study Group is to explore reasonable avalanche and access mitigation safety measures and costs to determine how to provide continued snowmobile and snowcoach motorized oversnow access to Yellowstone National Park through the East Gate via Sylvan Pass in the winter use seasons beyond 2007-2008.

The authority to convene this group comes from the following language regarding Sylvan Pass in the Record of Decision (ROD) that was signed on 20 November 2007, and in the preamble to the Winter Use regulations published in the Federal Register on 13 December 2007.

Sylvan Pass (pages 5, 9 and 23 of the ROD, and minor adjustments for consistency elsewhere):

This decision addresses Sylvan Pass in Yellowstone. For the winter season of 2007-2008 the pass will be managed continuing the combined program outlined in the 2004 Temporary Plan. After the winter of 2007-2008, in order to maximize risk reduction, the pass would be open and managed using full avalanche forecasting (as defined in the Sylvan Pass Operational Risk Management Assessment). When full forecasting indicates the pass is safe, the pass would be open to oversnow travel (both motorized and non-motorized access).

The National Park Service will, in good faith, work cooperatively with the State of Wyoming, Park County, Wyoming and the town of Cody to determine how to provide continued snowmobile and snowcoach motorized oversnow access to Yellowstone National Park through the East Gate via Sylvan Pass in the winter use seasons beyond 2007-2008.

The National Park Service will meet with representatives of the State of Wyoming, Park County, Wyoming and the town of Cody to further explore reasonable avalanche and access mitigation safety measures and costs. In order to provide adequate time to amend this Record of Decision reflecting a potential consensus of the parties and to promulgate a new regulation reflecting the amended decision for the 2008-2009 winter use season and beyond, consensus should be reached by June 1, 2008.

2. Timeframe. The group should complete its work before June 1, 2008.

3. Parameters/Givens/Exclusions.

(a) The legal and procedural rights or obligations of the National Park Service, the State of Wyoming, Park County, the town of Cody or any other stakeholders, will not in any way be affected by the Sylvan Pass Study Group's efforts to explore reasonable avalanche and access mitigation safety measures and costs to determine how to provide continued snowmobile and snowcoach motorized oversnow access to Yellowstone National Park through the East Gate via Sylvan Pass in the winter use seasons beyond 2007-2008.

(b) Neither the ROD nor the final rule gives the Sylvan Pass Study Group the authority to amend the ROD or the final rule with regard to the number of snowmobiles or snowcoaches permitted in the Park or whether the use of such vehicles should be guided.

4. Participants. The parties that have been invited to participate in the Sylvan Pass Study Group (and their lead member include:

The National Park Service	Superintendent of Yellowstone Nat'l Park Suzanne Lewis
City of Cody	Mayor Roger Sedam
Park County	County Commissioner Tim French
State of Wyoming	
State Legislature	Representative Colin Simpson
Office of the Governor	Ryan Lance, Mark Toft

Each governmental representative will be allowed to name one additional person to participate in the Sylvan Pass Study Group process, so long as they represent their government.

Final

5. Approach. The group will review and agree on ground rules, review and improve a historical timeline (relevant to the purpose of the group), decide on the issues that need to be considered to achieve the purpose (and what and how they need to learn about the issues; this is likely to include learning from experts knowledgeable about the issues), consider options for achieving the purpose, and reach consensus on the options most acceptable to the group.

A “parking lot” will be utilized to “park” ideas until the appropriate time for their consideration.

In preparation for the first full meeting of the group, it will be the responsibility of the facilitator to interview all group members to identify the issues and potential expert presenters who can help the group learn about the issues.

The group will meet next in Billings, MT 28-30 January 2008. The purpose of that meeting will be to learn together what experts know about the key issues. The following steps will be followed to determine the content and expert participants at the January meeting.

1. The facilitator will distribute revised Ground Rules.
2. The facilitator will interview each member of the group to determine what they believe are the issues (that the group needs to learn about) and who are the experts who can help inform the group.
3. The facilitator will prepare a proposal for what topics/issues to be considered and who to invite. A conference call will be conducted to refine and agree on the approach.

6. Roles

The responsibility of the facilitator (Carl Moore) is to conduct the meetings in such a way as to ensure that the meetings are productive and that a final recommendation is produced that is the consensus of the full group. The facilitator will prepare and distribute agendas (at least one week before each meeting) and reports for each of the meetings (within the week following a meeting). The facilitator will be assisted by Rick Frost of the NPS regional office who will be responsible for logistical arrangements.

Group members will be expected to attend all meetings in person and participate in “good faith.” That means they come to all meetings prepared to listen actively and participate fully. They will take seriously the definition of consensus (below) and reveal any reservations they have about decisions by the full group. When appropriate, individuals in the group will be polled to determine their individual agreement with decisions made by the group. Someone should participate only if they want to work toward the purpose of the group. No substitutions are permitted.

7. Consensus. The group will reach its conclusions based on consensus of the participants. The group will reach consensus on an issue when it finally agrees upon a single alternative and each participant can honestly say:

- I believe that other participants understand my point of view.
- I believe I understand other participants’ points of view.
- Whether or not I prefer this alternative, I support it because it was arrived at openly and fairly and it is the best decision for us at this time.

In instances where consensus cannot be reached, the pros and cons of the different alternatives will be presented in the succinct report of each meeting.

8. Rules of Procedure. It will be the responsibility of everyone participating – facilitators and group members – to enforce the following rules of procedure:

- Respect – for people and process. Deliberations can be hard on ideas so long as they are considerate of people.
- Fairness – equal time for speakers.
- Listening – listen to understand.
- Openness – to other points of view and to outcome.
- Commitment – be present and engaged. No cell-phones or pagers (except if required or an emergency, and then only on a silent signal).
- Timely – begin and end on time.
- Focus – no side conversations.

Final

9. Communications. A succinct report of each meeting will be prepared by the facilitator and distributed to all group members by means of e-mail (or regular mail if someone does not have e-mail). Members of the group will be given a limited time to respond to the draft and a final version of the report will be distributed to a distribution list and posted on web sites hosted by Yellowstone National Park, the City of Cody and Park County.

10. Media. Informational portions of meetings will be open to the public. Group deliberations will be closed to the public at large unless otherwise agreed to by the group. Group members are not authorized to speak to the media on behalf of the group. At the close of each meeting the group will decide what will be communicated to the press. The facilitator will prepare a press release, based on that decision, for distribution to the press.

11. Observers. Representatives of the three states' Congressional Delegations will be invited to observe the deliberations of the Sylvan Pass Study Group.