

# **Clearwater Basin Collaborative** **Operating Protocols**

As Amended and Approved:  
May 25, 2016

## **I. Purpose and Vision**

The purpose of the Clearwater Basin Collaborative (CBC) is to provide recommendations for actions concerning the use and management of lands and waters within the Clearwater Basin in Idaho.

Our vision is to enhance and protect the ecological and economic health of our forests, rivers and communities within the Clearwater Basin by working collaboratively across a diversity of interests.

## **II. CBC Approach**

The Collaborative will approach its deliberations as a problem-solving body seeking to produce consensus recommendations that address, insofar as possible, the practical needs and interests of all participants. As necessary, the group will work jointly to educate and build understanding regarding the participants' values and interests related to the issues, while also developing a baseline understanding of essential information and identifying zones of agreement.

Collaborative problem-solving is most successful when parties agree that their major interests have been heard, considered meaningfully, that other participants have made every effort to address their interests in any final recommendations, and that the final recommendations accurately characterize any outstanding differences.

## **III. CBC Composition**

The Collaborative shall consist of the members listed in Attachment A.

The diversity of groups and interests achieved in the original composition of the membership will be maintained when replacing members becomes necessary.

## **IV. Participant Roles and Governing Structure**

### **Participants**

Collaborative members will be expected to:

- Attend all full collaborative meetings,
- Participate in a minimum of one Subcommittee,
- Adhere to the Operating Protocols adopted by the group,
- Engage in collaborative problem solving to address the range of interests brought to the table,
- Work with their own groups, organizations, and constituencies to understand and articulate their interests, to secure their on-going input and, as appropriate, to build support for final proposals,
- Elect two Co-Chairs and Steering Committee members who represent a balance of interests,
- Elect Chairs or Co-Chairs of Subcommittees for which the Collaborative member is an active participant, and
- Have decision-making authority.

### **CBC Co-chairs will be expected to:**

- Serve on and coordinate the Steering Committee,
- Ensure continued operation of the Collaborative,
- Serve as liaison for the Collaborative,
- Serve as point of contact with CBC's fiscal agent,
- Manage the meetings of the full Collaborative, in concert with the facilitator as appropriate.

Co-Chairs will serve staggered 5-year terms. Co-Chairs will be selected by consensus of the collaborative. If consensus is not possible, a majority of votes is required to serve as Co-Chair. The Co-Chairs will represent a balance of interests and will stand separately for election, one in October 2013 and one in October 2014. The Co-Chairs will be elected again, one in 2018 and one in 2019, or when a vacancy occurs. See Attachment B for Election Cycle Dates.

### **CBC Standing Subcommittees**

See Attachment C for current Co-Chairs and committee members.

## **Subcommittee (Co-) Chairs**

Subcommittee Chairs or Co-chairs will be expected to:

- Coordinate with the Steering Committee to define appropriate roles,
- Establish agendas, schedule meetings, distribute notes, coordinate presentations, and solicit expert opinion as appropriate,
- Delegate assignments and hold participants accountable, and
- Maintain a list of the current membership of the subcommittee.

Chairs or Co-Chairs will serve staggered 4-year terms, and may not serve more than 2 consecutive terms. Co-Chairs will be elected by consensus by active participants of the Subcommittee. If consensus is not possible, a majority of votes is required to serve as Co- Chair. One Co-Chair will stand for election in October 2013 and the remaining one in October 2014 and every 4 years thereafter. Vacancies and absences will be addressed on an as-needed basis.

## **Subcommittee Membership**

CBC Members should indicate to the CBC Co-Chairs their interest in serving on a particular subcommittee. Co-Chairs will forward this request to the Chairs or Co-Chairs of the appropriate subcommittee. Co-Chairs will maintain a list of the active members of each subcommittee. Where CBC members fail to attend and engage in three consecutive Subcommittee Meetings, Co-Chairs will remove these members from the list of active members. All CBC members will be considered de facto members of all subcommittees, however only a quorum of active members is required to make decisions. Prior to participating in a subcommittee vote, CBC members are encouraged to seek full understanding of the issues.

## **Steering Committee**

- The Steering Committee is made up of between 5 and 10 individuals from different sectors and interest groups. The membership may be expanded or contracted by consensus of the Steering Committee. Current Steering Committee members are listed in Attachment C.
- The Steering Committee will serve as the administrative guiding body of the Collaborative, will consider addition or removal of members, will review and comment on CBC agendas, and will conduct other administrative tasks as required.
- Steering Committee members will serve staggered two-year terms (i.e. half of the Steering Committee will be elected in October 2013 and half in October 2014). Steering Committee members will not serve more than 3 consecutive terms. Vacancies and absences will be addressed on an as-needed basis. Scheduling of staggered terms will be determined by the Steering Committee.

### **Congressional Liaisons:**

- Do not vote,
- Function as a resource to the CBC, and
- Work with the CBC Co-Chairs to facilitate advancement of collaboratively identified goals.

### **Federal Advisors**

- Do not vote, and
- Serve in a technical partnership capacity representing their agencies.

### **Forest Service Forest Supervisor or his/her designee:**

- Do not vote,
- Attend all full Collaborative meetings, or send a designee,
- Serve as a resource to the participants by explaining Forest Service process, budget and legal constraints and flexibilities, sharing information about the subjects of interest to the participants, and arranging for presentations by subject matter experts as requested by the group, and
- Answer questions or offer opinions as requested by the participants.

### **No Surprises**

CBC members will make good-faith efforts to inform the full Collaborative (including Technical advisors) of any imminent or likely legal actions that are within, related to the purpose of the CBC, or that may directly impact other members of the CBC. Based on the sensitivity surrounding legal actions, CBC members can inform the full Collaborative of their concerns and indicate that legal action may be pursued to achieve organizational or individual goals. This notification can occur via email or other method, but it is encouraged for members to disclose concerns and the potential for legal action during a meeting of the full Collaborative.

Where CBC members are involved in requests for administrative review of decisions (i.e. administrative appeals, protests, objections), CBC members will notify the Steering Committee of the filing and should make good-faith efforts to inform the CBC of concerns or issues in advance any formal request for administrative review.

### **Departure from Collaborative**

Prior to withdrawal, Collaborative members will provide written notice 30 days in advance to the Steering Committee, including the reasons for withdrawal. The Steering Committee will forward the resignation notice to all Collaborative members and will solicit nominations for a

replacement. The Steering Committee will make a final replacement decision and forward that recommendation to the full Collaborative as soon as possible.

If a member is not able to fulfill their organizational commitment to the Collaborative, or if concerns surrounding adherence to the protocols are raised, the Steering Committee will consider the evidence. Where the Steering Committee finds that a member is in violation of the protocols or unable to fulfill their commitment to the Collaborative, the

Steering Committee will notify the member, issue a time-based warning (i.e. 30 or 60-day review) of dismissal and provide an opportunity for a discussion with the member. If the situation does not improve within the specified time frame, the Steering Committee can vote to remove a member.

In cases of flagrant violation of the protocols, the Steering Committee can remove a member without a time-based warning (i.e. immediate removal from the Collaborative).

## **IV. Meetings**

### **Observers and Public Participation**

All meetings of the Collaborative will be open to the public.

The Collaborative will make available up to 30 minutes of oral comment at every meeting of the full Collaborative. Comments should focus on agreement/disagreement with the issues at hand, basis for agreement or disagreement, and a recommendation for an alternative. Upon the request of a collaborative member, the co-chairs will provide public comment opportunities prior to critical decisions. Co-chairs will make it clear at each full meeting that they welcome public comment. Time limits will be determined by Co-Chairs.

Subcommittee chairs will provide opportunities for engagement by members of the public. Agreements and consensus decisions will be deliberated and voted upon by Collaborative members.

The Collaborative will also accept written comments from the public. Co-Chairs or subcommittee chairs will ensure comments are distributed to all Collaborative members.

#### **Executive Sessions**

The Working Group may also opt to meet in Executive Session at Working Group Retreats. These may occur up to twice a year and will be primarily for the purposes of planning, team building and discussing sensitive matters.

The Steering Committee may meet in executive session to discuss sensitive matters.

### **Quorum**

A quorum is required for decisions and is defined as 50% of the active membership plus one. This requirement applies to meetings of the full Collaborative, Subcommittees, Steering Committee and any special committees. Active membership is defined as regular attendance and participation at meetings. Pursuant to the Subcommittee Membership section, Co-Chairs may remove members from the list of active members when absence at three consecutive meetings is noted.

## **Special Presentations**

Any special presentations (e.g., Forest Service, etc.) will be determined ahead of time by the Co-Chairs and the Steering Committee.

## **New Issues**

CBC members can make a request to the Co-Chairs to bring a new issue before the full Collaborative. Co-Chairs may request clarification or background information, and will forward the request to the Steering Committee for consideration. Steering Committee notes should reflect the discussion surrounding consideration of new issues. In the regular Steering Committee report at each full Collaborative meeting, the Co-Chairs, or their designee, will report on any determinations made by the Steering Committee with regards to any new issues. The Steering Committee is free to solicit feedback during meetings of the full Collaborative, before any final determinations are made.

## **Alternates**

Upon request of a CBC member, and where special circumstances warrant consideration (i.e. family and medical leave, armed forces deployment, contractual engagements, etc.), the Steering Committee will consider temporary replacements on a case-by-case basis.

Temporary replacements will have a seat at the table and be provided with the opportunity to fully engage in all subcommittee meetings and discussions. The temporary replacement must agree to all listed operating protocols and will be expected to not block consensus processes and will have the ability to vote.

## **Attendance**

Members should make every effort to attend each meeting. It is acknowledged that there will be circumstances that force a member to miss a meeting. Attendance through electronic means will be allowed on a case by case basis depending on availability of electronic capabilities and consent of the Co-Chairs. Additionally, ~~To accommodate for these circumstances, and~~ if requested by a member, a time will be set in a future agenda for that missing member to provide comments. In the rare circumstance where an entire interest block is unable to make a meeting, they can request a change in the agenda relevant to their concerns.

If a member who misses a meeting has an idea/concept, and can present it to the group before the official meeting notes are distributed, the Steering Committee can decide whether to consider that idea, and whether a follow-up conversation is required.

## Facilitation

Meetings of the Collaborative will be facilitated on an as-needed basis. Co-Chairs, in consultation with the Steering Committee will determine whether facilitation is warranted.

## Ground Rules

The Collaborative protocols and interaction assumptions are as follows. Participants will:

- Operate in good faith,
- Conduct themselves professionally and courteously,
- Work to find ways to resolve differences as they occur
- Work together to study process and substance of proposals,
- Be encouraged in discussions to “explore without committing,” (This further frees up the group to explore potential solutions without viewing those explorations as formal proposals),
- Neither initiate nor undertake any action outside of the Collaborative process intended to undermine the process,
- Not publicly represent the views of others present,
- Pertaining to specific discussions, Collaborative members agree to:
  - Disclose interests;
  - Listen fully to understand;
  - Look for ways to address not only your own interests, but those of others as well;
  - Participate, share the floor, be concise;
  - Look ahead—acknowledge the past but don’t rehash it; and
  - Be explicit and factual—ask for clarification if confused.

## Forming Consensus Decisions and Agreements:

For purposes of the Collaborative, members contribute to a shared proposal and shape it into a decision that meets the interests of all group members to the extent possible. Consensus is defined as, at a minimum, “no objections” or as being able to “live with” an outcome, perhaps in light of how it fits into a larger whole (“Lack of Sustained Opposition”). The goal is for support of consensus decisions. Votes will be conducted via thumb-raising, full support (thumb up), can live with (thumb sideways), opposition (thumb down).

Where participants vote thumb sideways they will be encouraged and provided the opportunity to explain their concerns or reservations, and they will be recorded in the meeting Notes. A sideways thumb cannot be interpreted as the intent to defer or delay a decision. When participants vote thumb down, they will be required to explain their vote and provide an alternative which allows the group to move forward as discussed below.

## **Consensus agreements will be built by those present:**

All decisions are considered final, unless significant new information surfaces requiring reconsideration. The Co-Chairs of the appropriate committee have the responsibility to determine if a decision is to be re-examined.

## **When consensus agreement is not possible:**

The Collaborative will work to accurately and respectfully understand and document the different perspectives on the relevant issue(s). A decision to attribute comments on the different perspectives shall be determined on a case-by-case basis.

If a member does not agree to the consensus recommendation they must present an alternative for discussion with the goal of reaching consensus. For the purposes of efficacy, such alternate proposals should be developed by the close of the meeting. If impossible, an extension will be granted to prepare alternate proposals by the next meeting, or by another timeframe determined by the subcommittee co-chairs.

If a member is not present during the formulation of a consensus recommendation, that member cannot subsequently block it. Skipping a meeting shall not be used as a blocking strategy. The principle is “play or pass.”

## **Characterizing Differences**

If unable to reach consensus, the Notes and Decisions will describe the level of agreement achieved as consensus or near-unanimous consensus. In the case of near-unanimous consensus, the description will document the specific vote count of members in one of three categories: thumbs up, thumbs sideways, or thumbs down “. Those voting with a thumbs down or thumbs sideways will have their comments captured in the Notes.

## **V. Logistics**

### **Meeting Notes**

All Clearwater Basin Collaborative Working Group, Subcommittee and Ad Hoc meetings will have Notes and Decisions/Action Items.

Meeting notes will not attribute comments to individuals or organizations. If a Collaborative member wishes for a comment to be attributed, they can request it.

Collaborative members will have a chance to review and edit meeting notes prior to finalization. Finalization will generally occur at the next full collaborative meeting.

Meeting notes will be circulated to Collaborative members one week before the next full Collaborative meeting, or as soon as practicable. Any edits or corrections must be identified prior to, or during the next scheduled Collaborative meeting.

### **Meeting Schedule and Location**

The Steering Committee will establish the meeting dates, times, and locations for all Collaborative meetings that will accommodate the majority of Collaborative members with as much advance notice as possible.

### **Financial Plan, Development, and Fiscal Agent Relationship**

Clearwater Basin Collaborative Financial Plan is available upon request.

The Collaborative will attempt to secure the necessary funds from various agencies and foundations in order to operate and achieve success.

The Clearwater Resource Conservation & Development Council (CRC&D) will act as the Collaborative Fiscal Agent at an 8% indirect rate cost, unless otherwise negotiated. For further details, see Challenge Cost Share Agreement (contact Co-Chairs ~~Attachment C~~). The CRC&D is responsible for all financial transactions and reporting requirements and all other financial matters.

The CBC will appoint one of its own members to serve as the CBC fiscal point of contact. That person shall assist in the preparation of the annual budget for approval by the CBC and will review financial reports prepared by CRC&D and report quarterly to the full Collaborative on the financial condition of the CBC.

### **Budget**

The annual operating budget for the Collaborative will be considered and subject to approval by the full Collaborative. At a minimum the budget will disclose operating costs, revenues and expenditures. The budget will be approved by July 31st of each year.

### **Membership and Operating Protocol Committee**

A standing committee of 3-5 people including at least one Co-Chair of CBC elected by the full committee will serve as the Membership and Operating Protocol Committee. The committee will provide for succession management by:

- Insuring original array of interests and organizations are represented,
- find nominees, who are willing and able to collaborate, committed to CBC mission and protocols,
- insure membership conforms to Senator Crapo's vision,
- solicit nominations when the Working Group determines there is a need for new members,

- solicit resume from nominees,
- interview nominees and make recommendations to the Steering Committee,
- Steering Committee will make recommendation to full CBC membership,
- assign a mentor and provide a workbook for new members, workbook will include list of CBC accomplishments,

The membership and protocol committee will look into ways to maintain vitality in CBC for the long term and look to other similar organizations for ideas.

An annual review of the operating protocols will be initiated and completed in the first of each year ~~by May 1 and completed by September 30 of each year~~ by the Membership & Protocol Committee. Any changes must be agreed to by the full Collaborative.

### **Building Support from Participating Organizations**

It is the responsibility of each Collaborative member to serve as a conduit for information and support with their respective organization or interest group. This includes sharing meeting information, CBC progress and garnering support for agreements and outcomes.

### **Media Relations and Outreach**

The Collaborative seeks to be the first and best source of information regarding significant decisions and achievements. The co-chairs will be responsible for issuing news releases when news worthy events occur. Additionally, all news releases will be posted on the CBC website.

Reporters may seek information and opinions from members in the Collaborative regarding news releases or other issues. It is incumbent upon the interviewee to: 1) notify the co-chairs about the contact (no surprises!), and 2) provide comments within the proper context (CBC vision, agreement and work plan, documented agreements, etc.) when presenting the CBC's position/perspective. It is appropriate for Collaborative members to speak about the interests and concerns of their respective organizations, and necessary for the interviewee to acknowledge the other interests and perspectives present in the Collaborative. Reporters should be referred to members who represent differing points of view. Interviewees should never attempt to speak for any of the other Collaborative members, and they should always avoid speculation.

Subcommittee co-chairs will inform the CBC co-chairs if they believe news releases or public outreach efforts are needed for a topic or initiative.

**Attachment A  
(Rev. 9/2014)**

**CBC Working Group Members**

Aaron Miles  
Alex Irby  
Bill Higgins  
Bill Warren  
Brad Brooks  
Dale Harris  
David Galantuomini  
David Cadwallader  
Don Ebert  
Greg Danly  
Holly Endersby  
Jerome Hansen  
Jonathan Oppenheimer  
Joyce Dearstyne  
Larry Jakub  
Leo Crane  
Norm Tomlinson  
Orville Daniels  
Randy Doman  
Robyn Miller  
Ron Aldrich  
Scott Stouder  
Skip Brandt

Count: 23 Members

**Attachment B**

**Election Cycle Dates**



**Attachment C**

**Subcommittee Assignments**

