

**MADISON RIVER NEGOTIATED RULE MAKING COMMITTEE MEETING  
MINUTES FROM MAY 2, 2019**

Eileen Ryce:           We'll go ahead and get started. I think this is pretty much, is everyone here?

COMMITTEE ANSWERING AT ONCE

Eileen Ryce:           Got everyone? So just to remind everyone since we've got members of the public here and the Committee as usual we will take public comment at the end of the meeting, whenever that is. We'll allow everyone the opportunity to talk. Myself and Mark Delray the Regional Supervisor, I'm Eileen Ryce the Fisheries Division Administrator for those of you who don't know me. Mark and I are here purely to help the Committee with anything the Committee needs. Mark and I will run the public comment period as normal. For the record we are recording the meeting as usual. We've got the recorder. Becky Hines mailed theirs so hopefully that picks everybody up. But just so the audience knows too

(unintelligible)

Eileen Ryce:           everything will be recorded and then we'll have a transcriptionist transcribe the meeting and then those notes go up on our web site. I think that you're all pretty much all familiar with that now. Other than that unless there's any questions for me from the Committee I will turn it over to Nedra who's going to introduce herself. Is there any other business stuff we need to cover? We're good? All right. Thanks Nedra.

Nedra Chandler:       Thank you. So I'm Nedra Chandler and we'll just get right after some self-introductions right here and (unintelligible) chance we had a talk earlier when you all came into the room but (unintelligible). We're going to just do self-introductions before we talk about purpose. We really need to start with a clear purpose in mind so we'll do that okay? But let's just do a 30 second kind of name, affiliation, and your relationship to the Madison River. It's right here if you forget. So I'll model it and then Maggie will go and we'll just go around the circle here. Just to get our voices in the room. Does everybody see that? So my name is Nedra Chandler. My affiliation is Cadence Inc. I also work with Triangle Associates and affiliations so I have a lot of affiliations so I have a lot of affiliations. My relationship to the Madison River, I oh, did you put one sentence? We can do 2 sentences. I did grow up in Bozeman. I feel very lucky to have grown up here but I wasn't a grown up here. I left in the 80's. I floated the river in the summers with my dad or my brother mostly on a raft or a canoe and I want to just really, I got a call yesterday and I want to honor something and that is my relationship to the Madison River is changing as I learn more and more about Indigenous People that took care of the river. Ancient relationship to the river, this land that we're on, it's originally Salish homeland. They have a name for the Madison, what's now the Madison especially at Three Forks where the Jefferson, you know this. And Blackfeet later came, Crow, lots of native Indian Tribes that

really called this their home and stewarded the river (unintelligible) my piece of that is just acknowledging them and starting to learn more and more about it as my clients from the last 29 years have been government, Tribal Government, Federal Government, State Government.

Maggie Chumbley: I'm Maggie Chumbley and my affiliation is I work as a facilitator and I know a lot about how groups process and think and my affiliation or my connection to the Madison is I am a lover of Yellowstone and I have fished in the Madison.

Tim Aldrich: I'm still Tim Aldrich. I am a Commissioner from District 2 here (unintelligible). As far as my relationship at this point in time is the Commission is a decision making body (unintelligible) Fish, Wildlife, and Parks agency and also sometimes by people who come with a petition. Ultimately the Commission will be looking at (unintelligible) a part of that whether I'll recuse myself because of my engagement (unintelligible).

Mark Odegard: I'm Mark Odegard. I own my own consulting business which does consulting in geophysics, geology, engineering for the oil, mining, and environmental vestments around the world. I'm also on the Board of Directors and Chief Technology Officer for Messinian Energy out of Denver Colorado. I've been fishing the river since about 1950 and I was born in Plentywood, raised in Glendive and now I live in Ennis.

Don Skaar: Don Skaar with Fish, Wildlife, and Parks in the Fisheries Division, Habitat for Access Bureau Chief and Board of Recreational Bureau so that's how I got tagged to be on this Committee (unintelligible).

Michael Bias: My name is Mike Bias I'm Executive Director of Fishing Outfitters Association of Montana. I live in Twin Bridges. I started guiding on the Madison in 1999 and became and outfitter (unintelligible) outfitter on the Madison.

Scott Vollmer: Scott Vollmer. I'm an outfitter on the Madison as well. Probably more importantly is I fished the Madison ever since I moved here. It's was of the first places that I fished 20 odd some years ago when I moved here. I've been a guide on the river for 12 years, an outfitter (unintelligible).

Julie Eaton: Hi, I'm Julie Eaton, I am an outfitter on the Madison. That's my home river. I've been fishing that river since probably 92. Talked to an outfitter one day when I hired him and said I'm going to do this. Showed up that fall with a boat and this is my 25<sup>th</sup> year down in the river. Raised my kids basically in and on that river and I'm happy to be a part of this group so that's me.

Jim Slattery: Jim Slattery, I own the Campfire Lodge. I have a restaurant, lodging, fly shop. We're right on the Madison River. Also just been elected as the Chairman of the Madison River Foundation. My affiliation with the river is I own a business on it and I love it and want to protect it.

Melissa Glaser: Melissa Glaser. My affiliation is with Shed Horn Sports, a business in town, in Ennis and I have a Scenic Tour operation as well on the Madison River. I fish and float and play on the Madison as much as I can.

Charlotte Cleveland: I'm Charlotte Cleveland. I moved to Bozeman to fish.

(unintelligible)

Nedra Chandler: Yeah let's do. We're going to get Mike on the line shortly. So

(unintelligible)

Maggie Chumbley: So a little more introduction of me and Nedra and to the whole room so Nedra and I are here to really act as a bridge. We haven't been in the long haul with you so that broaches an advantage that we haven't been in the long haul and yet we don't have the whole back story so we're really here to talk about process. I just want to open it up to like the public here (unintelligible) with the decision making body and we're going to invite you to also work (unintelligible) and some of those activities. We use a repertoire of strategies that come from compressing science and relational coordination. And that's a bunch of fancy words to mean how systems work, how systems change, where tipping points in systems happen and those all apply to human systems as well. So that's, we'd love to involve the public as well in what we're up to so you'll be noticing those invitations coming as we get going.

(unintelligible)

Nedra Chandler: We're a temporary resource to you is the way I put it in the e-mail to all of you and some of you may have seen that just you know as you're in transition right from something that was you convene into (unintelligible) right. And applied to be part of this in September I think and so it's been a process and before the end of the day I understand it's up to you to decide where you're going from here. Whether you're disbanding you might, you've got a lot of options. Probably more than you can image and that's part of why, I mean you've got good imaginations I'm not dissing your imagination. So we're going to, what you can expect from us is what Maggie said but also we're going to be attentive to not just the substance but you know every body's got an ice berg metaphor, people crash into the submerged parts of this process stuff that we do. The relationship part it goes with trust and the procedural part is where we get kind of hung up. It's totally human and I've done it a 1,000 times because I had lots of trial by fire and experiences working in public policy for so long. So there's no shame here, there's no blame, there's no reason to fret. We're here now right, we're here. And we're going to point out some of this stuff. So thing 1 is hear from Mike Mitchell. We've got him on the line it's so exciting, you'll see his face right here. We connected briefly with Mike, Maggie and I earlier this week to just connect about his part and we hope that what you get is his part of the transition from what was to what has become here. Thing 2 is to lean on me as your resource because I'm a process (unintelligible) through and through. I've been doing that for, I don't even want to say, well since 1990 really before when I worked for (unintelligible) so to find out how

to use, I want you to leave with some tools around how to figure out what people are ready for because this situations always ready for something right. So that's thing 2 and I hope that's something that you can bring into your future as people try to influence public policy. The 3<sup>rd</sup> thing is this piece that Maggie talked about that comes from complexity signs. We're going to get you talking with each other, you talking with each other, and learning and listening. Because people get so much satisfaction out of that and that's important to get satisfaction in this messy world of making public decisions. That's probably going to be a couple of hours of work and I want you to take breaks when you need to. Please try to keep, what I hope is that you'll fall into the structure and just role with it. If you resist that's okay but it's going to be a lot less fun. The 4<sup>th</sup> thing is to check for agreement on the next steps for this Committee so you leave with some clarity okay so now what, what, so what, now what. So there's that and listening again to public comments because we decided not to mess with that structure. Eileen just described it if it's clear to everybody in the room. So we'll check on these at the end. We'll check on these by 12:30 at the latest. I'm just going to leave it at that, just knowing that we could stick around if the whole Committee needs some assistance as a third party (unintelligible) we could hold that space for you (unintelligible). Know that until 12:30 you're going to be super engaged in here. In terms of just quickly we call it freedom and responsibility there's a lot of keep me moving here Maggie, I'm afraid I'm getting to wordy, (unintelligible) I don't want to do ground rules or norms with you and say this is how it is back and so on but I do want you to think about this as adult learners. And as adults involved in public policy right. On the freedom side you get to consider your best alternative to negotiated agreement. What that is is a term of art that some of you know, I know some of you are familiar with it, negotiation theory, but it's the real deal. So some of you want to shape, all of you want to shape the future of the river and how it's regulated so think about all the ways that you do that. So pay attention to the quality of your conversations that you're having today because I know that there's been strife. I haven't really read the paper. I'll tell you I've been in kind of a news blackout since December. So I don't know but you do and so be thinking about what behaviors you want to up regulate in terms of listening, learning, asking questions, real questions, authentic questions not phony charade questions. And play with theses insights you know by saying you know tell me more Jim, tell me more Scott. Tell each other more and Mike's looking frustrated but that's okay just hang on. And so in terms of just the responsibility expect to be a little irritable sometimes that's okay. Really it is because that's what it takes to keep kind of moving through this. Mike what's your question.

Michael Bias:           What does up regulate mean and what is down regulate, what is a quality of conversation. I don't know (unintelligible)

Nedra Chandler:        Okay sure so

Maggie Chumbley:    Can I answer on that one?

Nedra Chandler:        Yeah you jump in.

Maggie Chumbley: I, like I think, do you mind taking a wait and see on that one? Ultimately our theory is that the way that we speak together and the questions we choose to ask could be kind of a path forward and so we're just asking you to have some self-awareness ultimately is what point number 2 is about.

Nedra Chandler: I'll just get really granular.

Maggie Chumbley: Yeah

Nedra Chandler: So a behavior might be sort of barking at somebody or talking to long which I'm at risk right now. Talking over you. So doing that would be a behavior I want to down regulate. I want to do less of that. I want to do more of listening. Does that make sense? Okay. Thanks for asking because I'm sure you're not the only one that wondered what is that because you know every field has their language right? So now we're just going to go back to Mike.

Maggie Chumbley: How about Mike? Okay. (unintelligible) with calling Mike in the room is that he was the one that held your process from the beginning til now and we want the, what I'm going to do is I'm just going interview him. I'm going to ask him some questions, what the process is like, what are his insights now. We're going to talk to him for about 20 minutes. I'm going to call him on Zoom because he's in his office in Missoula and I might need to do a little sound techy stuff. If you can't see the screen or hear let me know and we'll get started here.

Nedra Chandler: And these slides will be part of this summary stuff. We're not taking minutes that we'll hand them over. How many people have been using Zoom? It's not a commercial for Zoom. I have no economic interest in Zoom. Instead of Adobe Connect or you know anybody?

Mark Odegard: I'm on Skype.

Nedra Chandler: Skype, it's a lot like Skype.

Maggie Chumbley: Here he is

Mark Odegard: There he is

Nedra Chandler: Oh, and Sara

Maggie Chumbley: Okay can you hear me?

Nedra Chandler: Tell me if I can help Maggie.

Maggie Chumbley: Okay say good morning to us.

Mike Mitchell: Good morning to you.

Nedra Chandler: Okay

Maggie Chumbley: Good morning Mike, good morning Sara. I'm a little back lit but so hi this looks like a familiar room. We're just going to have a conversation here and I'm going to ask some questions and I want you to respond to these questions. I might say things like tell me more about that, I might say I'm going to get to the next question (unintelligible). We'll talk for about 20 minutes does that sound good?

Mike Mitchell: Sounds good to me.

Maggie Chumbley: Okay

Mike Mitchell: Is there a way to tilt your camera I can only see about half the group.

Maggie Chumbley: Better?

Mike Mitchell: A lot better.

Nedra Chandler: That side gets the kicks.

Maggie Chumbley: So uh, Mike first question for you what were some high points that you'll remember from this Committee's meeting? So from your advantage point what are some of the things that you guys made progress on or that you feel like were high points.

Mike Mitchell: It was really interesting to see the conversation evolve over time and it really changed. And it was interesting because some things that were a point of contention early on stopped being a point of contention as we progressed and one of the things that happened from my perspective is folks found a lot of the things they have in common. And so I thought that was really interesting to have a diverse group of people in the room find out how much everybody cared about the river and its conservation and its use. And so the things that folks found in common were I thought high points.

Maggie Chumbley: So getting what the Committee did together and the purpose of their work what do you feel like is possible now?

Mike Mitchell: I think anything is possible if the right way to conduct the conversation can be found. I don't see any reason why the Committee couldn't come up with a Negotiated Rule based on consensus but the means of the conversation and getting to a point where people are advocating as much as they're listening and trying to find the middle ground. So now I know that I think that's going to be the operative.

Maggie Chumbley: Can you say more?

Mike Mitchell: I can say lots of things.

Maggie Chumbley: Okay

Mike Mitchell: But

Maggie Chumbley: The reason I'm asking Mike is we a big focus of our time together today is to talk about what might be possible given where we're at so if you want to comment more about the process that was used or what you think is kind of a way forward I'd be curious to hear more about that.

Mike Mitchell: Yeah sure as far as SDM goes folks might remember the bubble diagram we put up where there are times when it will work and times when it won't and so I think the group is wrestling right now with conflict resolution and joint fact finding so there are fundamental disagreements based on peoples values and fundamental disagreements about the data or the facts that can inform the discussion and so I think that it's going to be, I think, from my point of view the SDM process highlighting that those two things are going to have to be dealt with affectively before the group is going to be able to achieve consensus discussion.

Maggie Chumbley: Mike any other thoughts that you want to tell the group like what you hope can happen now. Any messages you want to tell who's here today?

Mike Mitchell: Sure one thing that Julie said at the last meeting that really resonated with me is let's try to get to at least one win. And so the example was banning glass because that seemed to be the low hanging fruit. But I totally agree with her. I think that if because they're really is a lot of common perspectives within the group if some rules could be based on what people have in common it might make it easier to deal with the things that people disagree about. One other thought I had was if discussions are going to continue about what alternatives people would like to see the group consider one of the things in the Committees rules was if you are questioning somebody else's alternative then your responsibility is to propose another one that cease to find some common ground. So it's not just I don't like your alternative it's okay I don't agree with your alternative, I hear what you're saying what do you think about this. So I saw a fair bit of people finding fault with other people's perspectives. I didn't see a whole lot of people volunteering something to try to find the middle ground so if you go forward I say I'd stick by that rule to the letter of the law.

Maggie Chumbley: Mike it makes me want to ask so we're really focusing on what is possible but could you tell us a little bit about what are things that happened that really screw up the process? Can really stand in the way?

Mike Mitchell: Which process? The SDM process?

Maggie Chumbley: SDM process, consensus process, yeah I mean you mentioned this behavior of shooting down someone else's thought but not offering an alternative what else would go on that list of kind of the list of things not to do?

Mike Mitchell: I think listening to each other. I saw a fair bit of when people were talking about their ideas I saw people not necessarily considering what the other person was saying. They were already calculating their counter argument. And so that just suggests to me that folks are really entrenched. I know there's a lot at stake in this. There are a lot of folks that are worried about what could come of it but that concern seems enough that people are kind of pulled back within their fortresses and it's, I don't know of any process that work until people are willing to come out from behind the walls and deal with each other in a way where it's not just protecting your own interest but it's respecting and hearing other folks interest and trying to find where the two intersect.

Maggie Chumbley: Thank you, are there more questions Nedra?

Nedra Chandler: Yeah, I guess, Sara you've been quiet, it's nice to see your face for the first time. Anything

Maggie Chumbley: I muted Sara, I wasn't sure, okay

Nedra Chandler: Yeah, anything you want to add from your perspective there. I love Maggie's questions and it was really great to hear Mike what came to your mind and heart there?

Sarah Sells: Gosh I don't know that I have anything much more to add than that.

Maggie Chumbley: Okay

Nedra Chandler: Okay and then I guess I would just, I love it that you're wrapping up are you going to give Committee members a chance to

NEDRA AND MAGGIE TALKING AT ONCE

Maggie Chumbley: So Committee members any questions that you'd like to ask Mike?

Nedra Chandler: Or thank you's

Melissa Glaser: about the process, or yeah, thank yous, yeah

Michael Bias: Yeah I have. Mike, this is Mike Bias

Maggie Chumbley: Mike can you hear him? Can you hear Mike?

PEOPLE TALKING AT ONCE

Maggie Chumbley: Yeah just have a seat at the little station there, yeah

Mike Mitchell: Oh now my computer screen is full of Michael Bias.

Michael Bias: It just broke, I just broke the camera. This is something that occurred to me, I was going to call you about it and talk to you. I talked to Tim Aldrich about it you

essentially did the same process for the West Fork and Upper Bitterroot to reach their negotiated rule and I've done some public hearings over, I've done Commission meetings with them over there, I met with those folks and from what I heard over there discussions were similar the walk wade issue, too many boats on the river issue. The theme seem to be the same but by the end of our meeting on the 26<sup>th</sup> of March you literally threw your hands up and said this process isn't working over here on the Madison. What was the big difference between here and the Bitterroot? And why did the process work over there and not work over here in the same time frame?

Mike Mitchell: I speculate every Committee's different. Committee Members are different, what strikes me as the big difference between that exercise and this one is people were able to focus more on what they had in common. And were more open to the middle ground and I'm not saying that in a judgmental sense.

Michael Bias: Right

Mike Mitchell: I'm not saying you should compromise the things you feel strongly about but that middle ground was achievable with that group where as I feel like this group struggled to find it and there are some similarities between the two but my perception is that the values and feelings that the different stake holder groups bring to their on the Madison River issue are very deeply, deeply held. And I don't know if that was less true on the Bitterroot or that Committee was able to deal with similar feelings in a different way I don't know. Did that answer your question Mike?

Michael Bias: Yeah, no it helped.

Nedra Chandler: Any other questions?

Maggie Chumbley: Do you mind coming to that little computer station? Thank you.

Mark Odegard: Hi Mike. Just a comment, I didn't feel we were at an impasse.

Mike Mitchell: Okay

Mark Odegard: At the end of the last meeting. I thought we were getting into the meat of the thing and we probably needed about two to three more meetings to really negotiate. The, what we're trying to negotiate is very difficult, very complex, multiple aspects to it. Probably I would guess I've fished the upper Bitterroot and I don't think that's as complex an issue. Just my comment.

Mike Mitchell: Okay.

Julie Eaton: I'm going to give it a shot here. Still formulating as you know that's how I work Mike. Hi there.

Mike Mitchell: Hi Julie.

Julie Eaton: Hi Sara. So one of the comments at the end of our looking at our second or final grid was this is from you I think I heard this is a really complex more complicated issue. This may not have been the right process and exactly what Mark just said the Madison is used throughout a much longer season and in a different way than an option kind of river might be if that makes sense. During some parts of the season you may choose a different option but your home river is way more complex in how it works. So my question after all of that is how do you prevent over laying a process from one of very different system onto a system like we tried, how do you change it, how do you prevent it, how do you vet that out before, because it was, we went through a lot and not that we didn't get some valuable information but it was a lot of time without us really getting together like we did at the end of the 2<sup>nd</sup> meeting or last meeting of actually talking together. So that's my question. How do we get that?

Mike Mitchell: That's a really good question and I want to be clear that I am not advocating that SDM was the right approach here. It's the approach that we decided to try.

Julie Eaton: Right

Mike Mitchell: And sometimes you find out that it's not the right approach and typically that happens when the conflict in values or disagreement over facts it just makes it hard to find the common ground. That isn't to say that SDM wouldn't have helped to get to a final place but this problem as complex as it is SDM has been applied to much more complex problems. And I don't think the complexity of the problem even though it's more so than with the Bitterroot, is what made the process difficult. I, in these other situations where I've seen SDM applied to really complex (unintelligible) problems it takes longer. So I think it would be fair to say that given the complexity of this problem six days of meetings weren't going to get it done with SDM. If to continue on the SDM process I think given the social conflicts, given the disagreements about facts, I think a longer more deliberative approach would be needed. And that might succeed but and I don't blame anybody. I saw some folks contemplating do we continue SDM for the longer haul and you know I say some folks look like they'd rather be shot and I totally understand. Anyway I think a longer process might actually work, a more deliberative process more than you can do in six days. But that's what the complexity poses on it. But the fundamental problem, we've tackled some really complex stuff in about the same time frame and done okay but it's the conflict in values and disagreement over facts that I think is a problem more so than the complexity. That's just my opinion.

Julie Eaton: Which actually leads me to a follow up do you mind?

Maggie Chumbley: Yeah we've got about four minutes left here

Julie Eaton: So a couple of times I was asking about should we delve a little bit deeper into the information that we have or the information that we hold before we get into the process

and kind of cement certain ideas in our head as we're putting them up there to rate, to do what we did. So I'm still having that gut feeling that we were given this packet of information, then this packet of information, not enough time to really go through that again vet that information as far as our minds were concerned so I guess in retrospect I'm still thinking that might have come first so that we weren't so entrenched. What do you think about that?

Mike Mitchell: It's possible and again that would argue for not starting off with an SDM process. If there were just fundamental disagreements about what the facts are, that are governing this decision then I agree. Those facts should have been sorted out before getting into a decision making process. Now sometimes what can happen is if you go through that SDM cycle once it will identify which facts are pertinent to be figured out and it can eliminate a lot of discussion about things that don't turn out to be important so it can be a way of identifying important facts but I agree with you Julie, you know if the facts themselves are the problem then yeah, you cannot go through a decision making process based on those facts.

Julie Eaton: Thank you.

Maggie Chumbley: Comments (unintelligible)

Tim Aldrich: A brief one

Maggie Chumbley: Oh, sure

Tim Aldrich: Good morning Mike and Sara

Mike Mitchell: Hi Tim

Tim Aldrich: The point where we go through with our consequence analysis of the alternatives and we had that multi colored screen up there that Sara built so beautifully it seemed to me that your direction and the direction was very common to what I remember from the Mountain Lion study that I was with, with you, that we instead of taking your suggestion to look at that and see, find the areas of commonality and try to build our alternative from what appeared to be showing good based on the variety of objectives, fundamental objectives and how they were ranked with the different alternatives. Seem like we took a different course at that point in time and I just wondered if maybe that was part of what you thought too.

Mike Mitchell: Help me understand what you mean by different course Tim?

Tim Aldrich: It got into the not doing what you suggested in terms of trying to optimize you know

Mike Mitchell: Oh, yeah

Tim Aldrich: custom fit based on the good things we had already identified together and instead we got, going into more and different alternatives and working in smaller groups and

really good input but it's taking away from the focus on what we'd already done with the problem statement and fundamental objectives and the alternatives and the consequence values.

Mike Mitchell: Yeah so just from what I've seen in that past. The real turning point for any group happens when the pretty colors go up on the screen. It will go one of two ways. One is the kumbaya will start. Because people see just how much they agree on things and it makes clear there are just some things we shouldn't be talking about because we all agree. And let's focus in on those things where, you got a red square and you'd really like a greener square. And that's where the compromise and negotiation starts. The other thing is though, the other possibility is that the pretty colors go up and that's when things blow apart and that's actually useful in a way because now you know exactly where the conflicts are at and where the disagreements are happening. But if things go in that direction it's really hard to pull it back to okay let's talk about the red squares and the green squares and what we can do about it.

Tim Aldrich: Thank you

Maggie Chumbley: Thanks Mike. Maggie here again. Any last comments before we say goodbye?

Mike Mitchell: Just thinking for myself I really enjoyed getting to know you. It was a privilege to work with you. I wish you the very best of luck in going forward and I can't wait to see how use of the Madison River is going to be improved by what you guys do.

Maggie Chumbley: Okay great. Thank you Mike.

#### COMMITTEE SAYING GOODBYE AT ONCE

Nedra Chandler: As Maggie's transitioning to our next segment thing 2 which is about situation assessment, I don't know whether folks knew SDM's, it's a process that this Committees used, Structured Decision Making. Just thought I'd show off that I know what it is. Okay, felt important.

Maggie Chumbley: Thank you for that and we are going to take a little bit of time now to connect one on one so I've got two questions for you. What do you think is possible now and what's the biggest challenge we're facing right now and why is it worth solving? So what's possible and what do you think is like the biggest challenge whether it's the process or the facts or about complexity, whatever's on your mind. The way this is going to work is in a moment we're all going to stand up and I'm going to ask the Committee Members to interact with one another and ask the public to interact with one another as well. You're going to find a partner and you're just going to stand with that partner and you're going to have four minutes to have this conversation. After four minutes you'll hear a bell and that means go find another partner and talk about it again with someone else. We're going to do that three times and then we'll come back together. Okay, any questions about what we're up to?

Don Skaar: Committee to Committee?

Maggie Chumbley: Committee to Committee please yes. I'd like to have the whole room doing what we're doing. So go ahead and stand up. Find a partner, find someone you didn't come with, someone you don't work with, and you don't agree with that would be awesome. We'll take four minutes.

#### COMMITTEE BREAKING INTO DISCUSSIONS

Maggie Chumbley: Okay so the question is what happened in those conversations that everybody in the group should hear. This is not a time for you to just shimmy up your opinion to the top of the pile but to consider what you heard, what kind of conversations you had and what kind of meeting you made together. Sometimes I invite like great insights only. Like big aha's or themes and what not so I'd like to hear from a couple of people. I'm going to ask the Committee first and then I'm going to ask the public as well because we're curious also on those conversations. How was conversation time for you? So from the Committee what feels like it needs to be said out loud from what you chatted about. Don it looks like you're getting ready to

Nedra Chandler: Or Mark

Maggie Chumbley: Or Mark yeah

Don Skaar: I mean I offer that maybe we spent a lot of our time in the very beginning talking about problems and maybe there's some future talking about shared vision of what we want the experience on the Madison to be in the future.

Maggie Chumbley: Okay

Don Skaar: Taking that approach

Maggie Chumbley: Okay

Don Skaar: rather than just, you know identifying the problems kind of gets people in their silos right away

Maggie Chumbley: So start by visioning. Did other groups, just nod to show me did you talk about visioning, long term visioning, any other groups talk about that? (unintelligible) other thoughts?

Mark Odegard: We talked about, several of us talked about not having enough time to digest all the data. We were thrown into a process and the process kept going but we didn't have time to breathe and uh, I'm not sure another approach is necessary. That's I think several people had that same thought.

Maggie Chumbley: But maybe time for digestion okay

Mark Odegard: Well we got down to the nitty gritty the last three hours of the final meeting. Three hours is not enough time to resolve any kind of conflict. So I think we're still arguing about what we think the data say.

Maggie Chumbley: What does another cluster of folks? What was discussed there?

Melissa Glaser: Charlotte and I had that same discussion to start with about the data and the presentation and we got it from one perspective to start and there's other perspectives out there and maybe a fresh approach in the data we're looking at.

Maggie Chumbley: Okay

Charlotte Cleveland: A fresh analysis

Melissa Glaser: analysis

Charlotte Cleveland: about you know

Julie Eaton: I think we also talked a little bit about what Don said, he said we were kind of um, the way things were organized we're kind of forced into corners and whether that happens all the time with that type of process or not that's what happened, I believe that that's when we did go to our silos (unintelligible).

Jim Slattery: I agree with that. Kind of what I'm saying, seems like we have two problems we have the outfitter problem and I'm not saying it's a problem and then we have the rest of this stuff. I think that put us in our silos. Exactly, right there. And that was like wedge points in negotiating tactics and this and that. I don't know how productive it was.

Mark Odegard: Now you say just a few minutes ago seemed to develop into an us versus them thing.

Jim Slattery: Yes

Mark Odegard: I don't feel it because I'm neither side necessarily. I could feel that developing (unintelligible). Some people felt picked on in some respects and some felt picked on in different respects.

Tim Aldrich: I think that we maybe are not looking at the things we agreed on and we spent too much time and energy dealing with things that may not in a month of Sunday's come up with agreement on what the answers, solutions what they might be. We've done some things I think were probably as meaningful as they could be the information and education and stuff like that. If we're going to change behavior you know it starts with good information you know and that and there's some oversight for the public (unintelligible). Right now I think with some of the latest developments from within the Committee and outside the Committee it's not a process question (unintelligible). We're here for the right reasons.

Maggie Chumbley: (unintelligible) okay any other comments from the committee about, any other thoughts about what needs to be said from what you guys talked about in your small groups? Okay, public is like I'll take like two or three shared or anybody get to a group of four where you feel like you have something to comment on from the questions, from the public and also agency folks please.

Unidentified Speaker: A quick observation that we had was we think there'd be a value for you to start picking off some of the low hanging fruit and agreeing on some of the issues that there seemed to be consensus on. That helps narrow your issues down and provides an opportunity for you to reach agreement and experience that little bit of tradeoffs that take place in that negotiating process.

Maggie Chumbley: Thank you. Other comments?

Unidentified Speaker: There did seem to be a number of people in agreement that the data from the start had a particular bias in the direction and needs. Maybe a new approach about the data or an additional analysis of the data that they're basing this process on.

Maggie Chumbley: Any of you want to comment about that? Any last comment from the public? Yes please.

Unidentified Speaker: Previously it seems that the Committee has been, one of the objectives was come up with certain overall holistic approach instead of solutions. Perhaps it would be better to segment or segregate a couple of the key issues, the walk versus the wade, the commercial use to be specific. Deal with the one at a time rather than saying we have to agree on both of these things together.

Maggie Chumbley: Thank you. Last comment and then we move on. Yes

Unidentified Speaker: This is the third SDM or whatever you call it process I've attended on the Madison River in the last 10 years and nothings been done. I came in here saying well we got to get something done. I'm not so sure you can get anything done until you've agreed upon the facts and if there's so much distrust upon the facts you'll never come to an agreement because the perception each has of the other is going to be different. You got the two sides you've got the business interest, you've got the supposed land owners and conservationist to a certain agree with and they have different ideas about what the facts are. I just see something done and if not, that can't done with the present then start all over again.

Maggie Chumbley: Thank you. That's good segue way for our next activity.

MAGGIE AND NORA TALKING AT ONCE

Maggie Chumbley: This is a beautiful process. Start having all your meetings this way

MAGGIE AND NORA TALKING AT ONCE

Nedra Chandler: You can do it without our help.

#### MAGGIE AND NORA TALKING AT ONCE

Nedra Chandler: Let's take 10 minutes so we'll come back at 20 after or 25 after pardon me. 25 after, we'll start right at 25 after and we're on thing 2 next, that's coming up the piece of that situation assessment how do you know what you're ready for.

#### COMMITTEE ON BREAK

Melissa Glaser: Okay welcome back. Okay so we in the next section we're going to do some work like we started at the beginning which is an interview and this time I'm going to interview Nedra. Nedra has decades, decades of public policy experience and the question we brought in today when we were prepping to meet with you was what is Structured Decision Making, what is Negotiated Rule Making, what are all these processes, how do they work, what is the best fit, how do you figure out if Committees are ready to enter processes like this. So our goal is to give you some kind of nuggets to take away around finding out if Committees are ready to start processes like the ones that you were in and maybe find some clues as to what might be the next step. So I'm going to interview Nedra. We're going to talk to Nedra about some of her thoughts. (unintelligible)

Nedra Chandler: Okay I might go all professor on you and like stand up for a little bit but this should not take more than 20 minutes.

#### MAGGIE AND NORA TALKING AT ONCE

Nedra Chandler: I'm just warning you I can go on.

Maggie Chumbley: Wealth of knowledge here.

Nedra Chandler: But I want to engage you too. We'll have time to process it sort of like we did this morning too right so where we are right now is this piece. What are people ready for right. This piece on the agenda. How you do situations like that?

#### MAGGIE AND NORA TALKING AT ONCE

Maggie Chumbley: So okay, Nedra, tell me about situation assessment. What is situation assessment for?

Nedra Chandler: Uh, hang on I just feel like maybe there's something that needs handling procedurally.

Mark Deleray: We're good.

Nedra Chandler: Okay say it again.

Maggie Chumbley: What is situation assessment for?

Nedra Chandler: What's it for so, so the whole thing in and if people want to follow along I would like you go ahead and know, those of you in the back here that these are on the table, all these handouts, that you can take this first one. So actually no, take this one in blue okay? Members of the Committee take the if you could find the one with the blue especially. So what is the purpose of a situation assessment.

Maggie Chumbley: Right.

Nedra Chandler: People aren't always ready for something right? And a situation is always ready for something. And it never ends. To the gentleman's comment in back here, 10 years he's been coming to meetings and you know what it never ends right because it's public decision making. Its public policy and it never ends and so it's finding out what people are ready for right? Finding out what people are ready for.

Maggie Chumbley: Cool, good to know. So who is it used with?

MAGGIE AND NORA TALKING AT ONCE

Nedra Chandler: So in our field, in our rarified little field with like 300 people doing public policy and environment negotiation stuff it is for usually the sponsor and I'll point you to this piece of paper Maggie and Maggie but all of you, is you know usually there's something that needs to be decided or deliberated about right and that's always and it's constant so usually there's a sponsor that, and you can see this comes from um, this comes from the Consensus Building Institute, which is connected with the Harvard Program on Negotiation, and it's something that I, if your curious about sources I should have put sources on here but we can do it later. If you're interested call me please. So there's a sponsor and you say a credible, a sponsor is usually a government agency right? And they bring somebody in to make a first list of people with a stake in the outcomes right? And it might be 15. For example um, I've been using this Yellowstone example. Yellowstone winter use which is, was a continuing public conflict getting worked out in every branch of government right, there was the Executive Branch there was the NEPA process, National Environmental Policy Act, and there's the litigation I don't digress but basically we started with 15 people who had a clear stake in the outcome. They were either litigants or they were working to influence this for the EIS process so look at what you did. There was a list of people who, there was advanced notice of proposed rule-making and they said we'd like these kinds of interested, interest represented. So we make a list and then go out and explore those, develop some really good questions, kind of like Maggie and I tried to do for you, get some questions that are good and ask them and we don't have to do them in person, but in the old days we used to but now we do a lot more phone because of budgets and stuff but um, go out ask those questions and say you know what are the issues and start to do one on one kinds of, and then get the themes and then bring the themes back, oh and ask, so I'm, say I'm interviewing Scott and I say um, uh, you've agreed to be interviewed about, about this conflict

that's blown up because these things blow up all, there's always something bubbling up, and then I say and Scott who else do you think Maggie and I should be talking to or and so the list grows in these concentric widening circles right, it goes out. So eventually we talk to 60, 70 people. 65 I think and they're usually time limited processes like 90 days. Usually we don't want to exceed 90 days. People don't have the attention span. Sometimes 30 days right um, I'm not advocating this right now by the way. Whew it's warm in here, but um, so we go, but I am saying this can happen anytime so this is step 1, step 2 you'd initiate it, step 2, 3 gather the information, you get the interview results, you think about it phonetically. We're trained to think about themes, everybody in our field is so we'll think about phonetically what is coming up here and we'll put it out either visually, verbally or sometimes written but never to exceed, I mean I'm just telling you my thing now about this that usually it should not exceed more than like 10 pages because again people don't have the attention span and it should be brevity and clarity. So then we come back and we come into a meeting like this and it's not just the people who were interviewed and everybody that cares to show up and has a stake in the outcome is invited. Because you know how we much love government and the sunshine in Montana right, it's in our constitution, it's in our rules and laws, statutes that open meetings. So people come in, so I'm just saying in the example where Maggie and I've done, would do one we'd say, could say so these are the five themes around what you think this situation is ready for next. Um, process wise, substance wise and relationship wise. What kind of trust is there?

#### NELDA AND MAGGIE TALKING AT SAME TIME

Nedra Chandler: fatigue and then we say is that true?

Maggie Chumbley: That's bringing me to the next question is when is situation assessment most successful?

Nedra Chandler: Well when things are really unclear and kind of complicated like they've you know um, somebody during the break pointed out on the Madison there's maybe 50 years that this person could remember where there's always a flash point um, you know with trout fisherman or walleye got into the Missouri downstream from you know from Three Forks and where it turns into the Missouri system and all the things that happened there could be just this combination of, it's a mess you know. And so it can happen in a serial way like, but especially before you convene a Negotiated Rule Making, uh Federal Advisory Committee at the Federal level you know that's chartered under the Federal Advisory Committee Act. When a notice of proposed rulemaking goes out or is put in the Federal Register you might, or how about an EIS, how about an Environmental Impact Statement. You might as part of scoping do a situation assessment so there's no orthodoxy about it. This makes it look very tidy but it's not, it's, I mean it is tidy in that it's time limited, it's clear, it's done by a third party. The third doesn't necessarily go onto convene the group. At the end the question that's answered is what is this situation ripe for if anything? Should anybody be convened? Is you know, can credible people

be found? Is there enough trust so they'll actually build agreement and listen to each other? Can there be diversity, enough diversity on the group? Does that make sense? Am I talking to long?

Maggie Chumbley: Yes, no I think you kind of answered the next question which is how you find out what a situation is ready for or you know if we're, we want to make sure that, we want to make sure that we talk right now about situation assessment as a tool that can support this community

#### NELDA AND MAGGIE TALKING AT SAME TIME

Maggie Chumbley: in terms of figuring out what is possible and what could happen next so that, I mean if they didn't say more about how you find out what the situation is ready for what were those three elements again?

Nedra Chandler: Substance was helping with the content, oh, there's a lot of um, so let's talk about content for a second in this situation. There's been theme this morning right we're listening dramatically, data, oh we got crushed by all this data we never could really agree on what we're our questions, what data were credible, what sources of data could we go to that would be credible to answer our questions, can we develop a common base of information, and it sounds like you did a lot of that develop commonalities. But if you do that in a very deliberate structured way like with a technical fact finding panel where you deliberately agree on the questions, deliberately on where you go for sources and then, we did that on the Missouri and my first project back in Montana in 1998 was when and I'm just going to tell you an example

Maggie Chumbley: Yeah

Nedra Chandler: so that I can bring it down to the ground, um, uh, Don you were on the sides of that somewhere in Fisheries Division but, but there was no idea that they needed to do rulemaking they just doing a river management plan for the upper Missouri right? So Canyon Ferry, Hauser, and Holter and the trout fisher anglers were furious that Walleye were in the system. Let's talk about biology what happened, how did they get in there, they were sad, they were mourning, they're so sad. And the Walleye you know so basically what we did was we just did a very needed, how long did we spend, a committee got convened just to advise the Department but they did a really, how about we did a really in public fact finding, joint fact finding process. I think you've done a version of that, I not saying, here's one thing I've come to learn in all the years I've been a process (unintelligible) and it's 29 nonstop in public policy, there is no magic process. You're not going to find a magic process that you can jump on that pony and ride it into this beautiful future where everything's resolved. Does not exist I'm just telling ya. I get to have opinions about process, not substance but process just there isn't one so if you pick one and you behave, you, you attack the substance but you deal with relationship and the procedural issues.

Maggie Chumbley: Yeah

Nedra Chandler: Is there trust?

Maggie Chumbley: Yeah

Nedra Chandler: Is there, are there credible people that have time, is there support? In the old days and I say the old days late 80's early 90's you know these processes would be supported with budgets like when we did the C-TAC Airport noise mediation in 90, 1990, first project I did is a big negotiation, those, those community caucuses got funded and supported to do the kind of data gathering and so I'm saying this stuff is not for everything. You cannot do it, there's not enough money on the, in the world to support the kind of really deliberate beautiful you know collaboration and consensus problems. You've got to pick them really carefully. Can you tell I'm opinionated about that process?

Maggie Chumbley: So one last question for me and then we'll open it up to the group to ask some question um, my question is trust is a theme that been kind of come up a lot in this morning,

Nedra Chandler: Yep

Maggie Chumbley: Um, I've heard it like three times now what are your thoughts about, in terms of situation assessment like a that three pronged approach, content, process, and trust are the relationships can you comment on how people like you build trust for communities to do these processes well or

Nedra Chandler: Well so first of all I'm, all I need to be is credible I don't, and trust worthy or you

Maggie Chumbley: Yeah

Nedra Chandler: for anybody

Maggie Chumbley: Yeah

Nedra Chandler: to know, somebody that they're willing to talk to but the trust has to be developed by being vulnerable with each other and letting people know authentically and, and honestly what you're interests are so I mean I'm just going to, I am going to digress,

NELDA AND MAGGIE TALKING AT SAME TIME

Maggie Chumbley: Maybe interest versus position may be a good

Nedra Chandler: Oh, yeah, interest versus position. So you do have a page in your handout. Why don't you find the one with the orange on it, the last page of your handouts.

Maggie Chumbley: I'm going to need more paper when I'm drawing too.

Mark Odegard: Me to

Nedra Chandler: Do you see the one with the orange?

PEOPLE TALKING AT ONCE

Nedra Chandler: So it's just saying

NELDA AND MAGGIE TALKING AT SAME TIME

Nedra Chandler: and it's on the table to, it's just a quick excerpt from some training that we've done on interest based negotiation. But what its saying is three things okay there's three ways to resolve public issues or public, not just public issues actually, anything that humans do right? That's how basic it is.

Maggie Chumbley: Yeah

Nedra Chandler: Power, who has all the, who's got the most power? Let's watch power move around. Power moved around in this Committee. It's totally normal and power, power's always moving around. Who's got, who's got the rights, so the rights based approach. Usually a Judge or the Judicial Branch would take of the rights piece. Or um, you know, interest so this is the third one that you're, you've been, you've been working on explaining and describing them, listening for each other's interests and the big question, I can never get this story right. I've been doing this kind of sort of training and working as a practitioner in this field but here's the story briefly. It's trying to show you the difference between a position and an interest okay. So five people in the dispute over an orange if you were just going to compromise and just say let's just split that thing up whack, whack, whack, five pieces right? I know that many of you know this stuff but I'm just going to act like you don't. Um, so in interest based kind of stuff where if you say we're going to create, I'm going to tell you what I really want, what I really need, is some orange juice. Or I'm a Chef, what I really need is the zest because I've got this dish I'm going to make. I don't need the pulp, somebody else needs the pulp. So do you see the difference? Then I can, we can create some value with what we've just done. We've created a kind of value to get mutual gains in that, so we're creating value to get more for everybody. It's the expanding the pipe. That is the nuts and bolts of interest based negotiation. So when people get positional and put out position papers and say this is my position or I want to negotiate these things one thing at a time. I'm concerned about that because one thing about negotiations and it needs to be a package. Because if you start picking off one thing at a time you get a big win over here and a lose over here. It's a package deal, it's important. So anyway did I answer your question?

Maggie Chumbley: Well tell me what hot tub to war what's that?

Nedra Chandler: Okay hot tub to war, this is a this, ah, when Don or somebody said ah, we, from the last harvesting of the 1, 2, 4 all process we used he said we, somebody over here in the Committee said, we need some, we need to have impelling vision of where we're going to

manage the, with the Madison mess. But sometimes we would just go right to weighing the problems and it's tough so I would like for you to rename this. A spectrum of deliberative process's, processes, deliberate process. There's opportunity there. And what its saying briefly is if you had your pen you could say the hot tub or the high country, the upstream is on the left hand side and Maggie's going to help me not get in the weeds. And then on the right

Maggie Chumbley: I have to stand closer to your phonetic thing

NELDA AND MAGGIE TALKING AT SAME TIME

Nedra Chandler: You're going to come over and just get like get in my space.

Maggie Chumbley: Well we've got four minutes and we still have questions so

Nedra Chandler: Okay so real quick um, basically we'll just, it's, it's your version um, up here, upstream it's kind of quiet right I mean think about Hyalite Lake right now anyway I won't go on to the imagery. It's informal, a couple of people sitting in a hot tub could (unintelligible) we are six people in a hot tub can kind of figure out what out to be position for the Madison and how are we going to really make sure it's there for future generations. Or if that's not your value make sure my business blasts into next year which I also understand and honor, you know you figure that out up here. But then parties get assistance in here and the promise to the public from the government, from the leaders that we've, in our democracy we've asked the Executive Branch Agencies to do this stuff right? It's their job. Sometimes they want a supplement, they think you've got stuff they need to know in order to do their jobs so they'll ask for some involvement. They'll say hey we'll keep you informed on this Environmental Assessment. Hey we'll keep you informed about our next Commission meeting. We always take public comment. Hey let's do what we're doing, we'd like to do a Negotiated Rule Making to supplement the other, I mean the Negotiated Rule Making that's going to happen with the, under the Montana Administrative Procedures Act. This isn't the end of the deal ever. It's supplementing the agencies decision making so that's what's happening in here. Um, over here it's really what is happening downstream, things have gotten fast, the waters moving, there's a lot of water, and parties have given up to the Courts which I don't think you've (unintelligible) that right? Sometimes we need to take stuff to Court to get precedents set.

Maggie Chumbley: Right

Nedra Chandler: And so, so all due respect for Court but I don't think there's need anythings being litigated right now around the Madison? Is there Paul or Don? There's no litigation, yeah. So that's not happening so here you are in this messy middle and you picked Negotiated Rulemaking so, sounded really good.

Maggie Chumbley: Okay, any questions for Nedra.

Nedra Chandler: Dumb struck

## NELDA AND MAGGIE TALKING AT SAME TIME

Nedra Chandler: Can you situate yourself in that, I mean. Don't ask.

Michael Bias: Can I ask a fundamental question?

Maggie Chumbley: Yes please

Michael Bias: What are we doing? Are we deciding if we're going to use a new process called Situational Assessment to try and develop Madison River rules? I mean when do we get to the talking about Madison River rules part?

Nedra Chandler: Let me answer that. I mean, I know you asked Maggie because I think you and I aren't speaking the same language but it's alright because my job today was to expand every bodies thinking that has a stake in the outcome about the options. So I am not advocating that you just go to situation assessment or higher, higher somebody to do that at all necessarily. Maybe it will be a good tool. Anybody could sponsor it. It could be a Foundation or whatever but the point is right now I'm just trying to get up in your hearts and minds about get up on the balcony and sort of look at this from above and say where are we. And when you say when are we going to start doing that. We didn't come to help you keep negotiating structured decision making. We came to help do these things that we promised so I mean I guess the short answer and I'm sorry it's not short enough would be after this. After you sort of get your question answered

Maggie Chumbley: Yeah

Nedra Chandler: about the options because we don't know where this is going. Do you know where this is going? Are you going to use power? I mean are you going to use power to figure this out right now and try to strong arm each other into getting to some agreement or are you going to use a rights base? There's no call for that. Interest based is what I recommend today. We could help you for a little while, until 12:30. It's 10 till 11. Does that I mean what's your take Mike? What's the question (unintelligible)

Michael Bias: No I, honestly I what are we trying to accomplish between now and 12:30? What's our goal by 12:30 to have?

TOO MUCH BACKGROUND NOISE. CAN'T HEAR.

Maggie Chumbley: get a sense of what, what needs to happen next.

Nedra Chandler: So these are the three, four things you were wrapping up on Mike, because Mike decided Structured Decision Making had run its course so you did that, did it. You were, this thing, this is not working but this so thing 2 is just we knew, we're right on time, that's one thing and I know I sound defensive but you basically wanted to find out or the agency wanted to find out too like okay we don't know where to go next right?

Michael Bias: right

Nedra Chandler: So that's what we're doing right now and now we want you to practice some experience more of these methods to get to, maybe you can get an agreement. Do you think so Mike? I mean is that what you want to do?

Michael Bias: Yeah

Nedra Chandler: Is that what you're advocating for is to, so how would you recommend, what process would you recommend of the, you know the things we just looked at? The process you've been using or what?

Michael Bias: I don't know.

MIKE, MAGGIE AND NEDRA TALKING AT ONCE

Maggie Chumbley: If we ask you in two hours you might have a better idea of like okay we've heard about facts, we've heard about vision, we're going to talk, we're going to do an exercise next where we (unintelligible) the process

Nedra Chandler: Oh

Maggie Chumbley: And see if we can get some more insights into that so my hope is that at 12:00, 12:30 we say okay now what, what feels like some of the guiding specifications for what the next process could be um, that you have you're, you've got some more exposure to some other ways of thinking about it.

Michael Bias: Well we've been thinking about this for a year

Maggie Chumbley: The process

Michael Bias: My feeling today is we're just getting another couple of consultants to bring us to exercises to do something which I don't know what it is.

Maggie Chumbley: Right but our hope is to help you figure out what it is because we can't decide what it is. That would be up to the Committee.

Nedra Chandler: I understand that frustration.

NEDRA AND MAGGIE TALKING AT ONCE

Maggie Chumbley: No I understand it too. Yeah.

Nedra Chandler: I totally felt it. But did you hear what your work mates said? Did you hear them say we were overwhelmed, we need more time, we haven't had enough time?

Michael Bias: Yeah

Nedra Chandler: And so part of our job really is to slow you down because when you just say let's go we've been doing this. It's like welcome to the world of public policy, this should, this stuff doesn't end. It doesn't, we keep going. And so this, because you disband or keep going in some way or just go to the next Commission meeting or get involved in the next, if they decide to do rule making you're advising the Commission I understand.

Maggie Chumbley: Yeah

Nedra Chandler: It'll keep going right Mike? Because you've got interests you want met.

Michael Bias: Right

Nedra Chandler: Well today is not the day I don't think, is it the day? I mean maybe let's check, do you want to take a vote is that are other people ready to just get to, is it time right now for you to just caucus kind of as a group and see if you can figure it out

Michael Bias: I don't know I just want to know what we're doing.

PEOPLE TALKING AT ONCE

Michael Bias: been here for 2 hours and the only person who mentioned walk/wade so far was a member of the public where you know we threw out all those words and situational assessment

Nedra Chandler: I can understand the frustration

Michael Bias: so are we as, we're a Committee purposed to come up with a Madison Recreation plan and

Nedra Chandler: Is that

Michael Bias: that was the first time that was mentioned today but

Nedra Chandler: Wait a minute.

Michael Bias: I just need a direction on where we're going so if this is an exercise for us as Negotiated Rule Making Committee to figure out if we're going to keep going or

Maggie Chumbley: Go ahead and look at the agenda we've given to you and e-mailed to you and got ready for a little more what you're asking about what, why we're here, what our intentions are in the purpose of this meeting. It was all, it's all written there.

Nedra Chandler: We do have a thought for next, where's that notice for proposed rulemaking too? Does anybody have it?

PEOPLE TALKING AT ONCE

Maggie Chumbley: Let me know if you still have it. You can follow what we're up to.

Tim Aldrich: Do you want this you know (unintelligible) here?

Maggie Chumbley: No, we're good. Well just because it came out are there other feelings in this caucus that we're in now that should be stopped or altered or should we continue with our plan?

Charlotte Cleveland: I kind of agree with Mike

Maggie Chumbley: Okay

PEOPLE TALKING AT ONCE

Charlotte Cleveland: I really, I, the last thing we heard Mike Mitchell say was conflict resolution or

Maggie Chumbley: Right

Charlotte Cleveland: or arbitration

Mark Odegard: Fact finding

Charlotte Cleveland: Fact finding.

Don Skaar: Yeah

Charlotte Cleveland: I thought he stuck arbitration in but maybe I missed heard.

Nedra Chandler: Joint fact finding was what he called it.

Charlotte Cleveland: Okay. To me that, he was, as an expert in the process that we were trying to go through he was basically saying I've done everything I could do and we aren't anywhere near where we should be and this is clear to everybody in this room I believe. So I'm going to give you some suggestions as to where to go. So I thought we were coming here today to find out that the options that we had, that, I've done court ordered mediation before, I've never done conflict resolution before but I know those basics. I know how that worked in my particular experience but I think, my feeling was that we needed to decide do we have the facts that we need to go forward because I think fact finding is a primary problem here in terms of whose providing the facts whose providing the interpretation of the facts, what are the facts. And then do we have to go to conflict resolution only as a last resort if we can't all agree on what the facts are. Part of the problem that we're having here is that we've been presented with facts from Fish, Wildlife, and Parks which I personally believe are pretty accurate. You've seen a report from Bogart which was done by a statistician who is saying nope not quite right. There's some problems here. So we're stuck with crafting a recreation plan without the facts so I for instance believe there is crowding but other people don't then how do you craft a plan when we can't

agree on the facts. So my coming here today was to find out what conflict resolution was going to do for us or what fact finding was going to do for us because me personally I think that you have to figure out what the facts are and present them and have people say yep okay I agree with those facts and then go forward and craft a plan because you're all on the same page. I don't believe any of us are on the same page or let me put it another way. I think there's enough difference here that it's difficult for all of us to get on the same page.

Maggie Chumbley: Right and so the structures we're bringing forward are not (unintelligible) surface what the pages are and what could be the ways to start to come together.

Charlotte Cleveland: So is that, I'm talking about next.

Maggie Chumbley: So we're not going to lecture to you

Charlotte Cleveland: No, no, no

Maggie Chumbley: And I'm not saying that in a disparaging way but it's, the processes we use are, are utilizing the systems of the people that are in the room so when I asked, when we do 1, 2, 4 I asked what was said is what was most trusted and valued because it was sourced from everybody in the room and it was self-sorted and it came to this half of the pile and so that, that is the substance of the meeting is what people shared and it was sitting and having conversation so that is the substance of the meeting.

#### PEOPLE TALKING AT ONCE

Maggie Chumbley: We're here to ease, to make sure (unintelligible) ready to, at a readiness to make decision with one another or at a place where we're agreeing at least to disband or move forward but our job here is to present some other options and to dislodge maybe some of the thinking that's gotten stuck.

Charlotte Cleveland: Okay

Maggie Chumbley: So that's, that is, that's all the design behind our activities

Nedra Chandler: Thanks Maggie for sharing

Maggie Chumbley: and my hope is that you had a conversation or heard something that sounded fresh, sounded new maybe change the way something is, if not then our question of do we stick together or not at noon is, we've got more insights into that question. But it was sort of like our last restorative product and use a couple different processes to see what comes forward.

Don Skaar: And my understanding was if the group wants to go forward the situation assessment is one approach for deciding how that would be most productive going forward.

Nedra Chandler: Sure it's a flexible thing and I will say right away you would right away come up against an issue around diversity on the committee.

Maggie Chumbley: Yeah

Nedra Chandler: Right off the bat you have to deal with that. So if you're feeling impatient now that's an issue right there. That would be a procedural and relational issue. If your patience is, you, I want you to have compassion for what you have done. I thought that was so wonderful to listen you talk with Mark. You've done work. Mike sorry. I, you've learned a lot and you helped your constituent people learn things and the agencies learn things and that's what public deliberation is so I'm just, I guess I, I as I get older I do get less patient myself with impatience about public work. It's not going to get smooth.

Maggie Chumbley: But the message that we got when we were asked to come was that there's a (unintelligible) and that some people want to move forward and some people don't and some people want a different process and some people don't so our goal is was to expose was to hear are some other processes and I, that is, that is the experience in public policy said well they're doing negotiated rule making did they do a readiness assessment. I don't know. Did they know what a readiness assessment is? So that's what, that is just more discussion about how this processes operate and what's some of the options are. Because yeah it's been quite clear that there's disagreement and we're looking for a way through so.

NELDA AND MAGGIE TALKING AT SAME TIME

Maggie Chumbley: I guess the other, with that exercise that like it really is it's like you think its bad now we'll talk about how it could get a lot worse.

Nedra Chandler: Yeah, yeah

Maggie Chumbley: And how to try and not go down that road. So that's what we're trying to offer next

Charlotte Cleveland: (unintelligible) dislodging.

Maggie Chumbley: Yeah

Charlotte Cleveland: That to me was fascinating and what, and what is the technique for that?

Nedra Chandler: Learning, listening and learning, learning, adult learning.

Maggie Chumbley: I would say in what I've seen with groups to kind of dislodge things is um, a lot of the elements that Nedra mentioned are kind of building trust I mean I, people are set up (unintelligible) and I don't think it's either or, I think there's both and, a lot of times we get stuck in either or thinking but there are paradoxes that we have to confront to succeed and that's where really great policy can come out if we say how do we get both this and this seemingly opposite

thing in the same place. And it's also dislodging also think about how environmental systems adapt they're resilient because they let go of stuff that doesn't serve them anymore and they stop doing certain things to adapt to new environments. Not talking about architectural resilience where it (unintelligible) to get hit and it goes right back to how it was I'm talking about environmental resilience where it, it lets go of things and you ask what are you going to stop doing and whether we're going to stop doing in this process that isn't getting us anywhere. And so we're looking for what are you going to stop doing to make room for something new? So those are some of the questions we're asking. And no it's, we're not in the middle on the facts we're in the high level and we're in the granular. You guys just spent the past six months on the wade and walk and the facts and we're going to spend three hours on these other levels looking at the system. Yeah

Mark Odegard: (unintelligible) the readiness assessment if I'd done that at the beginning of this process then going through I would have said no way.

Maggie Chumbley: That you're not ready

Mark Odegard: Not ready.

Maggie Chumbley: Okay

PEOPLE TALKING AT ONCE

Nedra Chandler: That was our hunch too which was why we wanted to talk about situation readiness assessments.

Maggie Chumbley: Yeah

Mark Odegard: We got the fact book the day we arrived here with all of these data.

Nedra Chandler: Yeah

Mark Odegard: We should have been looking at that for a couple of months before we got together.

Nedra Chandler: I hope the outcome today isn't that you do just a lot of sugar so because it's all getting us somewhere, it really is and I think it's a decent use of the public money that they brought you together so but can we do triss or reverse engineering or we ask the Committee if they

PEOPLE TALKING AT ONCE

Maggie Chumbley: Are you up for another 45 minutes of activity or do you want to, should we stop now and decide how you want to proceed. I think we're kind of at a decision point.

Nedra Chandler: Yeah it is your decision we're at your service.

NEDRA AND MAGGIE TALKING AT ONCE

Nedra Chandler: How do you make decisions by consensus do you vote?

Don Skaar: Yeah

Julie Eaton: I'm not going to answer that question right now. I just want to say what Mark was saying that's actually what's making me open, looking at that should have that's what's making me open to this right now.

Maggie Chumbley: Oh, okay

PEOPLE TALKING AT ONCE

Nedra Chandler: should have because it's helping you

Julie Eaton: Well that one in particular is making me ready for

Maggie Chumbley: Okay

Julie Eaton: listening to you guys

PEOPLE TALKING AT ONCE

Maggie Chumbley: Maybe we weren't ready to jump all the way into this process as quickly as we did.

Nedra Chandler: Yeah

Julie Eaton: Maybe whatever but that's

Nedra Chandler: Are other people feeling like they want to, maybe we can hear from somebody we haven't heard from, Jim or Melissa, or Scott or Don or Tim

Melissa Glaser: I just want to say as far as the coming together with the thought of whether we disband or we go on, the last meeting we all, we all said that we were going to move forward and put our best foot forward however long it takes

Tim Aldrich: One meeting we agreed to.

Don Skaar: Yeah

PEOPLE TALKING AT ONCE

Melissa Glaser: you guys were told that we would looking to disband when last time we said that we were going to stick it out.

Charlotte Cleveland: I've got to say that, real quick that I agreed with one more week.

Melissa Glaser:           Okay

Charlotte Cleveland: I think that was what I was aware of. So I just want to make that clear.

Tim Aldrich:           I want to say something. I looked at your chart there and I don't want this to be power piece this thing started long before you're (unintelligible) draft environmental assessment and one thing or another that would went along with the draft rules the Commission saw the first time a year ago (unintelligible) so there was a lot of information gathered using different tools to gather information and so forth. And the Region 3 people decided we have enough indication that we have issue relative to crowding and one thing and another and social conflict for many users that have diverse desires and things like what a recreational opportunity should be. I think, and they came up with drafts to the Commission, now I mean most of you know that really the worker bees and the people with good science and one thing and another (unintelligible) Fish, Wildlife, and Parks that doesn't reside in the Commission. The Commission is five appointed people that have a diverse background in a matter of fact a great interest in things we're doing. The Commission you know is provided with our Legislature with the decision making responsibility so anything that is the nature the fishing use, those that fish the river and so forth is going to go through the Commission. The Department brought their proposal to the Commission and draft EA and I know I have, so I and probably the other four Commissioners at that time. I've spent a lot time looking at it and I think there was an agreement you know that, that the reason that we're looking at that was valid you know that there was strong indication of social conflicts certainly that the use on the river expanding very dramatically and very likely there was complications (unintelligible). And so the Commission took that on you know in the meeting and basically the motion you know was provided was to move this basically to a draft EA and the draft rules forward through public mediation and we were in the preliminary station to be followed by public input you know on the proposed under the Administrative Procedures Act and so forth and then come back June and make the decision of what are we here, are we we will see are were here, ready to go forward. Well the Commission stopped it short. The Commission saw some things that we're proposed in the draft rules that concerned them so they pulled back and no (unintelligible) not ready to go. I had, one of my first meeting as a Commissioner we dealt with quiet waters which was monstrous as far as I'm concerned in the fact that so many people and so many recreationists have so many different places across the state. And I sat in that Commission room asking the public around the State there was people from seven different regions in that room say what are you thinking. We've got vote (unintelligible). We really heard an awful lot I mean that proposal that came out of the outside group and uh, but it I just made everything sounds worse (unintelligible) look at. Its just not gonna happen. So the Commission, the reason, the big reason you said don't send it out is I, we've seen things like that what you get when you send out something that's that divisive to the public, vastly different opinions on when you get a final decision together all the time sort through it and figure fact from fiction come up with something that really makes sense. We wanted to avoid that in the Madison proposed rules. But we said the input that our, you know,

that you know negotiated process and again the Commission was brought into that very with big time, it time to be the decision maker again but we came to the process we chose and staffing that with Committee members the Commission took here from eight parts and I basically am here because of the interests of the Commission. I've, my perspective of this is and I've brought this up to the other Commissioners from time to time and kind of (unintelligible) information, good information, the Commissioners I think are expecting that the purpose and need statement you know that was in the draft EA that we looked at a year ago mentioned in the reasons for rule making and so forth was social conflict and how we need to look at it. It's not an attempt to shut down or you know taking an attack basically you know on the Commercial Service Providers in the area. (unintelligible) I would say that (unintelligible) you know they, that was one of the things that they, however the Commission felt was if there's a burden to be passed around here that needs to be shared, not the (unintelligible) commercial providers. There was a strong concern I guess about closing off the lower portion of the river to any commercial activity, the SRP permits. There were and I think the outfitters did a tremendous job of pointing out that one of the tools you know that we should limit the number of trips per day you know was really flawed and the math was absolutely crazy. It might have been a tool (unintelligible) applied you know in the ground rules that were set in the proposed rule. So any way we decided not to go forward with it to the public at that point in time so we came back with this group. That was this group and negotiated rule making. We followed a very much legislated process you know to work toward a negotiated thing. And the applications were all (unintelligible) and all filled out you know and talked about (unintelligible) common ground you know and come up with public consensus. You got to have that. If you don't have that willingness in the personal (unintelligible) you're going to be losing the desire solve some of these you know don't have.

Nedra Chandler: So what are you learning about that, I mean what is the

TIM AND NEDRA TALKING AT ONCE

Nedra Chandler: people to know

Tim Aldrich: What we're learning and how slowly but surely that the Commission was expecting something you know that looked somewhat like we looked at from the Department you know came with their proposal.

Nedra Chandler: A year ago.

Tim Aldrich: A year ago.

Nedra Chandler: Okay

Tim Aldrich: Not something that's (unintelligible) although language you know and charter that the group you know that was and it was revise the river recreation plan as we get it to the Commission (unintelligible)

Nedra Chandler: Here's what and so here's what I'm conscious of respect for every member that's here because it's your meeting and I'm a little worried about equalizing that a bit and I've told you already that I was worried that I was talking too much and I think Mike you know I was but it's 10 after 11

Tim Aldrich: Yeah

Nedra Chandler: And I think what you're saying is the Commission still has a hold of this and to remember that this group is supplemental or is that not the message you're

Tim Aldrich: This group is another CAC okay.

Nedra Chandler: Okay

Tim Aldrich: It's another Citizen's Advisory

Nedra Chandler: I think that's really important process

NEDRA TALKING AT SAME TIME AS TIM

Tim Aldrich: they become partner of the State Government when they do that. They become a tool of the State Government and

NEDRA TALKING AT SAME TIME AS TIM

Tim Aldrich: become the responsibility of the State of Montana become part of

Nedra Chandler: Exactly

NEDRA TALKING AT SAME TIME AS TIM

Tim Aldrich: You know I think we went through a lot of process you know that changed our problem statement, it takes things away out, directly out of it, the draft EA. I think our fundamental objectives they talk more of the same. Talking about (unintelligible) all these people need, all these things need to be fully addressed in the alternatives we accept. We went through that. So I think we were very consistent to that point in staying with what probably the Commission would expect in terms of draft rule you know coming from this group.

Nedra Chandler: So if these folks continued what does that look like?

Tim Aldrich: That's next

Nedra Chandler: Oh, okay. Is this working for you?

Tim Aldrich: I think

Nedra Chandler: No yes?

NEDRA TALKING AT SAME TIME AS TIM

Nedra Chandler: Okay good thanks Tim.

Tim Aldrich: I think what comes next is you know when we basically stop trying to optimize you know how different pieces of that evaluated set of alternatives and went into a different mode amongst ourselves and it's been a lot of good exchanges, a lot of good ideas came from a lot of good people but not all of them were focused on the purpose and need and even on our problem statement, what are we here to do and I think that you know the Commission is not looking for something that's vastly different in terms of focus and yet you know we've done some great work in a couple of very (unintelligible) to me the information education thing is priceless. Why didn't we think of that sooner? It doesn't take a rule you know we can do those kind of things without that.

NEDRA TALKING AT SAME TIME AS TIM

Nedra Chandler: So maybe it would be appropriate for this Committee to talk about stuff like information and education since the

NEDRA TALKING AT SAME TIME AS TIM

Tim Aldrich: affectively and that's

NEDRA TALKING AT SAME TIME AS TIM

Tim Aldrich: disagrees you know

Nedra Chandler: Oh so do you want to try to

Tim Aldrich: No I (unintelligible).

Nedra Chandler: Oh sure

Tim Aldrich: To me you know the thing that really was concerning I think raised the question of how we proceed is the recent vote of the folks that basically says the information was put together and evaluated and used as a basis for deciding there was a problem that needed to deal with is not acceptable to people in this group and

Nedra Chandler: I can see the body language right here

NEDRA TALKING AT SAME TIME AS TIM

Nedra Chandler: It's all being said with no words

Tim Aldrich: those that I'm talking about

Nedra Chandler: Okay

Tim Aldrich: organization and so forth, that really, if that is of no value as a starting point went into a problem statement, went into the fundamental objectives, went into the alternatives.

Nedra Chandler: Yeah

Tim Aldrich: I mean I think it's a long track from here to turn this around and I think we have some things we can tackle (unintelligible) (LOT'S OF BACKGROUND NOISE DROWNING OUT TIM). I think and take away whether the Commission or I'm sure for the Department some lessons learned you know from what we've gone through the last four months. I you know I think we, you know we have breach in the middle as far as I'm concerned to why we were here and what some of the input has been would take us to a different direction.

Nedra Chandler: So I'd like you to take a break right now as a group without Maggie and I involved I'd like you to express what you need to express and just huddle. Why don't you huddle for how many minutes do you want to just, really I want you to do that unassisted because you've clearly got some norms. I think that that might be do you have a better idea?

Maggie Chumbley: I was just saying that

NEDRA AND MAGGIE TALKING AT ONCE

Maggie Chumbley: I think what we need for now what you want to do now because we can, we can pack up or

NEDRA AND MAGGIE TALKING AT ONCE

Maggie Chumbley: true you know um, no that's a thought or we can hear what you feel like you're ready, because we could do this paradox, we could do this one, we have, I mean we have more things to show you um, but if it's

NEDRA AND MAGGIE TALKING AT ONCE

Maggie Chumbley: feel like it's not relevant and you're going yeah we should just talk about the fact but then we, it's your meeting yeah, so, just take 10 minutes to chat with one another does that sound good?

Nedra Chandler: I want to hear from Julie because of all the nonverbal. What is it Julie that needs to be expressed?

Julie Eaton: That definitely was our position statement that that's where it was at. We should have had that flush all of those things that you just said, that could have been in the application, all of those points.

NEDRA AND JULIE TALKING AT ONCE

Julie Eaton: Um, so uh, I guess if that's where we're at we all stand up and shoot out

NEDRA AND JULIE TALKING AT ONCE

Julie Eaton: Um, not what I thought I was coming to for this meeting.

NEDRA AND JULIE TALKING AT ONCE

Julie Eaton: Also we were, in this charter we were also told we don't have to start there. We were told at the very first meeting this is what we think is a good idea um, here's the information that we want to start to give you. Here's the April rule that we think is a good idea and you can look in the transcripts for those exact words. But then to at this point in time say that was a fallacy and these are the positions that we were to start at based on your position as a Commissioner I'm a little disturb by that.

Tim Aldrich: Yeah that's one that I don't want to get argumentative but you know, what does our problem statement say?

Julie Eaton: The one that we were pushed to say here's all our heartburn here's all this?

PEOPLE TALKING AT ONCE

Tim Aldrich: the Commission and the Department looked at

PEOPLE TALKING AT ONCE

Tim Aldrich: that to move forward you know we almost need to regroup

PEOPLE TALKING AT ONCE

Tim Aldrich: I don't think the Commissioners expected to see rules in some of the areas that we (unintelligible) with the various alternatives that we've all looked at (unintelligible).

Michael Bias: Where did we go that it wasn't in the April plan that rejected? I don't see where we went?

Nedra Chandler: Would you just excuse us because we could leave if that would be helpful? Seriously or do you want us to stay?

NEDRA AND MAGGIE TALKING AT ONCE

Nedra Chandler: We're in service to you.

Maggie Chumbley: We won't be your facilitators if we're not invited to be so I mean that's our cue to walk out honestly um, so we just thought to double check that we're being (unintelligible) what you want.

(unintelligible)

Jim Slattery: I thought we were going to do conflict resolution that was

Maggie Chumbley: Well I think that's our other problem is that when we were speaking with the people

JIM AND MAGGIE TALKING AT ONCE

Maggie Chumbley: to come we never got a straight story on (unintelligible)

PEOPLE TALKING AT ONCE

Nedra Chandler: This is really interesting let's stay really curious and have some fun with this okay? I'm serious. Life is too short not to have some fun, Charlotte hang on

Charlotte Cleveland: I will, I will

Nedra Chandler: Here's the deal with conflict resolution, we're in it, you're engaged in it. We're not trying, that's what this spectrum is from hot tub to war. Conflict is just conflict you're engaging in it all the time and so (LOTS OF BACKGROUND NOISE CAN'T HEAR) it's no body's fault, it's no body's fault if there's not clarity about where you are in it. (LOTS OF BACKGROUND NOISE CAN'T HEAR) handed the authority to delegated authority to figure out what's going to happen on the Madison. This Committee didn't and you felt like you did and that's a problem and I'm sure Paul's listening you know from the Director's office, I'm sure Mark is listening. That's a problem, it's not their fault really. You're not the first people to wander in to this type of very, this thing that's really for very specific kinds of cases. People are wandering into them all the time and it's doing damage so I mean I'm just saying so you are doing conflict engagement right now. And that's this, you don't have an option to go seek mediation. You were convened under an act from 1993 that does seem very, it's got a lot of detail but not, it's very free actually what you can do in it. That's what's our point today right? It's on this spectrum, it's in here, the promise to the public, that's why Tim very kindly tried not to get to positional, I think, well okay Julie you're kind too. Every body's, the capacity here and I don't think you have the capacity as a group to do what you're trying to do. Tim was trying to describe the history, what got you here. The stuff he was involved in before you got convened. Mark's over here as a Regional Supervisor, Paul's here, I mean it's just sort of like there is context here. That's all and sort of that's, you don't have the option to just take ahold of it and run all the way to some sort of resolution. Right? I mean is that not, that wasn't clear?

Jim Slattery: Well no it's not clear because that was one of the proposals at the end of the last meeting is that we need to go into conflict resolution and that's why we're here. Now apparently we can't do that so why are here?

Nedra Chandler: So that brings us all the way back to the promise to the public,

Jim Slattery: Unless I'm misunderstood

CHARLOTTE AND JIM TALKING AT ONCE

Charlotte Cleveland: That's what I thought too

Nedra Chandler: From Mike?

Charlotte Cleveland: Oh, from the whole context of everything that had happened yes.

Jim Slattery: Yeah, Mike said that we need to move onto maybe some other avenue

Charlotte Cleveland: Exactly

Jim Slattery: conflict resolution or is what was brought up. We all kind of agreed to that. To move forward maybe that's

Nedra Chandler: See how you saw it.

Charlotte Cleveland: Well at least we were to explore that as a possibility

Jim Slattery: Exactly

Charlotte Cleveland: And start the process and that's, I came to exactly the same conclusion, that's the conclusion I came to. That are fact finding, um, ah, so and I think it's fascinating to listen to Tim describe how he saw the process because that is, that's not the reality that happened here.

Nedra Chandler: Well every body's got their mind set right?

Charlotte Cleveland: Absolutely, yes

Nedra Chandler: You two remember things differently

Charlotte Cleveland: Yes

Nedra Chandler: Charlotte says I agreed to one more meeting you said I agreed to (unintelligible)

PEOPLE TALKING AT ONCE

Charlotte Cleveland: it's this kind of clarity in people's minds that isn't that clarity. That clarity is not shared.

Nedra Chandler: Takes time doesn't it. That was what Mike said it takes time.

Charlotte Cleveland: Yes it does and I think it's, and I, when Tim said well we were just supposed to do this, we're supposed to take the April 18<sup>th</sup> thing and just adjust it a little, these

little adjustments, um and when Becky got on the phone and said oh no, that she's the lawyer for Fish, Wildlife, and Parks she says you can do anything you want. That to me was free reign

Tim Aldrich: I don't think she said anything, she said revise you know you can broaden on (unintelligible)

Charlotte Cleveland: No I don't think so.

PEOPLE TALKING AT ONCE

Jim Slattery: Says that we can do that

Julie Eaton: Yep that's what was said specifically.

Don Skaar: Well I guess I'd like to say something on this. When we left the last meeting you know I as the staff person I heard this you know, put on conflict resolution or whatever well what really is that? We don't just show up for the next meeting and we're magically doing conflict resolution. That's why these guys are here.

Jim Slattery: Right

Don Skaar: I mean that's the whole purpose of getting them here is to help us decide what that really means and what that process is so we were just trying to be open about it but there's no magic. I mean I don't know what conflict resolution means exactly. (unintelligible)

Jim Slattery: Yeah, what's the definition of that.

Don Skaar: Who's talking to who and stuff

Jim Slattery: yeah

PEOPLE TALKING AT ONCE

Don Skaar: If we both could do that we both

PEOPLE TALKING AT ONCE

Michael Bias: That's how this all started this situation (unintelligible). We get this little exercise (unintelligible) I didn't know what we were doing and

Charlotte Cleveland: I hear you, I hear you.

Michael Bias: just okay Mike we're going to do these four exercises by 12:30, we're going to know what our next step is and I thought like oh cool, let's do the exercise.

Maggie Chumbley: I wish it was that tidy. It's not a recipe right?

Michael Bias: Right, at some point Mark you and I today at some point we were going to decide whether we were going to continue to keep meeting, we're going to decide whether we're going to continue to go out at 1, we're going to decide how many more meetings we should have and then when are we going to hand the Commission some revised rule. That was my understanding of what we were going to talk about today.

PEOPLE TALKING AT ONCE

Maggie Chumbley: supporting your readiness to make those decision and we were, we were picking up on (unintelligible).

PEOPLE TALKING AT ONCE

Maggie Chumbley: We were addressing a group that's come this far that haven't reached consensus may need a tune up on how their relating and what type of questions they are asking.

PEOPLE TALKING AT ONCE

Michael Bias: that's fine

Nedra Chandler: Mike would you just say that one more time? What do you think and then we'll just (unintelligible)

NEDRA AND MIKE TALKING AT SAME TIME

Michael Bias: Are we going to meet again?

Nedra Chandler: Going to meet again

NEDRA AND MIKE TALKING AT SAME TIME

Michael Bias: Are we going to continue and I think we have the authority from the Commission that it's up to us so are we going to go on with nine and not replace Lauren

Nedra Chandler: Is that a sub thing of this?

Michael Bias: No that's a number 2

Nedra Chandler: Okay 1, 2, ah, what's the question, what about Lauren's seat? Or is that

Michael Bias: Are we going to replace Lauren or go on with nine?

Tim Aldrich: It's a matter of (unintelligible) protective of active representative

Michael Bias: Right

Nedra Chandler: Keep going

Michael Bias: And then are we going to continue meeting

Jim Slattery: I'm strapped down here. I've got a lot, I feel like Atlas.

Nedra Chandler: You've voted on something can we finish with Mike's list

Jim Slattery: No

Nedra Chandler: just to check it

PEOPLE TALKING AT SAME TIME

Michael Bias: Are we going to continue meeting until we have a revised rule?

Nedra Chandler: Okay those are the big things on your mind so what do you

Charlotte Cleveland: The first one was are we going to continue period.

Michael Bias: Yeah

Charlotte Cleveland: Yeah okay so the first one should be are we going to continue period.

Michael Bias: Or you know concede until the Commissioner

Charlotte Cleveland: Disband or disband, are we going to disband was one of the options.

Nedra Chandler: Now

Charlotte Cleveland: Yes

Nedra Chandler: As of this meeting that you

Charlotte Cleveland: Yes

Nedra Chandler: thought was the final meeting? Okay so that's one option in your minds. Are we going to do that now, or, but if not so this is a if then, this is number one yes or no, and then if no then, if no then you've got these questions, replace Lauren, continue meeting until we have a recommendations?

Michael Bias: And then, then they get easier it's like are we going to manage commercial use through allocation or on river watches I don't know.

PEOPLE TALKING AT SAME TIME

Nedra Chandler: and so to turning in the shape of the table became the thing to end that right and people argue about process and relationships when they can't get their way on the substance so it becomes very important to get the structure right and that's why this feels like this. Feels like oh shoot, I was hoping conflict resolution would just work, you know, why it's

because you've got to actually design it and that's what we're trying to encourage here. But I, I'm respecting your list here how

#### PEOPLE TALKING AT SAME TIME

Michael Bias: I think we need to answer question 1

Nedra Chandler: Okay but Tim

Michael Bias: right away, right

Nedra Chandler: Or not Tim

Jim Slattery: Jim

Nedra Chandler: Yeah, Jim

Maggie Chumbley: Jim

Nedra Chandler: Did you want to add something to this.

Jim Slattery: No I mean

Nedra Chandler: Before you take a vote, (unintelligible), go ahead

Jim Slattery: No, I just thought what process, if we're going to continue what process are we going use?

Nedra Chandler: Okay, yeah, yeah

Jim Slattery: So I guess yes.

Nedra Chandler: So if you do decide to continue, so how do you know when you've got consensus on this group?

Jim Slattery: Everyone has to agree.

#### PEOPLE TALKING AT SAME TIME

Nedra Chandler: Everyone has to agree

#### PEOPLE TALKING AT SAME TIME

Nedra Chandler: You do know

Charlotte Cleveland: We voted on it

Nedra Chandler: So can we help you or do you just, do of you want to help you do this vote because we don't know your process

Maggie Chumbley: I think all that (unintelligible) should be (unintelligible)

Julie Eaton: I did not vote this one.

PEOPLE TALKING AT SAME TIME

Charlotte Cleveland: Did not vote on what?

Julie Eaton: That we all need to agree on consensus

Charlotte Cleveland: That was the definition that we agreed on.

PEOPLE TALKING AT SAME TIME

Jim Slattery: We got to live with it sort of

PEOPLE TALKING AT SAME TIME

Nedra Chandler: I would encourage you not to compromise too much, make sure your interests are met right at the orange. So any way are these the three things, are you okay with me asking you, um Mike was here because in this meeting he's the facilitator that you um, (unintelligible), I'd like a vote on having Maggie and I first of all, first vote is can Maggie and I continue for an hour at least? Till 12:30, could I see a show of, I would like to just have you do a (unintelligible) show of hands. Be nice to have a visual. So what you're doing right now is you're just voting, you're looking for a unanimous agreement um, on, um using me and Maggie and your confirmed facilitator just for to, this day, us, okay I'm not going to say more than that though. Go ahead.

Mark Odegard: Doesn't have to be a unanimous agreement it has to be nobody can say no.

Nedra Chandler: Okay, yeah, yeah so why don't you go boom or boom.

Tim Aldrich: And what we're voting on I guess I

Nedra Chandler: Is using us to help you get to the rest of the votes. It's a procedural vote. Are we doing damage here, are we doing harm.

TIM AND NELDA TALKING AT SAME TIME

Tim Aldrich: It's just a myriad of questions, I mean I, if the rule,

Nedra Chandler: go ahead

Tim Aldrich: functions you know is very clear about what the end game looks like

Nedra Chandler: In the act.

Tim Aldrich: Absolutely

Nedra Chandler: Recommendations.

Tim Aldrich: Absolutely

TIM AND NELDA TALKING AT SAME TIME

Tim Aldrich: recommended rules or you know recommendations beyond things that

Nedra Chandler: But you understand why people got confused about that

Tim Aldrich: I do understand that you know but again the reason we came together is very important too.

Nedra Chandler: Agreed

Tim Aldrich: And for rule making and that

TIM AND NELDA TALKING AT SAME TIME

Nedra Chandler: Do you want us to help you? I'd like to have you just show, do you want to help you or not?

Charlotte Cleveland: Yes

Tim Aldrich: Well, yeah

Nedra Chandler: Sorry Tim we can't stay if you don't.

Tim Aldrich: No I, fine

Nedra Chandler: All right so could we see it again?

Charlotte Cleveland: Yes

Nedra Chandler: Did they all vote?

PEOPLE TALKING AT SAME TIME

Nedra Chandler: Okay what are we going to do Maggie, let's whisper out loud, how are we going to help this team and not this group and not do any harm? It's part of our code of ethics man, I'm a little worried (unintelligible)

Maggie Chumbley: Well let me ask you this Nedra it's conflict resolution is, it's not a recipe, it's not a (unintelligible) box or anything, it's not a magic trick. What kind of, what kind of things help a group create like get ready for conflict resolution? Because that's a long process that takes a lot of people and research and

Nedra Chandler: Reinforces

MAGGIE AND NELDA TALKING AT SAME TIME

Nedra Chandler: Yeah so the way you do that is you focus on your interests, you maintain your values and your interests right? You focus on the prob, on these issues not the people. You build trust by being authentic and disclosing your strategies and disclose sharing information. You listen, listen, listen and you're heard, heard, heard.

MAGGIE AND NELDA TALKING AT SAME TIME

Nedra Chandler: and you consistently go out to your constituent like-minded interest and you say hey I got appointed, I signed up for this it's a big ask that I did this because it took a lot of my time and energy and emotional energy, I need to know from you how are you feeling about what we're coming up with? And then remember the 80 20 rule which is when you're doing this kind of work, the work happens outside of the meeting. It doesn't happen in here. That is the fact about conflict engagement to conflict resolution. It happens between meetings. (unintelligible) diplomacy with each other and with somebody helping. Usually a team so this is why you don't just go do negotiated rule making all the time. You do it very rarely. Because it's resource intensive. The Commission really needed to help when they wanted you to come help them. But it's every body's, it's on every body that you didn't clarify. That has to be, and you're not alone. Does that help?

Maggie Chumbley: Well no I'm wondering if it's, if we should spend talking about difference between interests and positions or and then gives, get people telling, explaining their position and then people providing interest in it and if we could open it up that way?

MAGGIE AND NELDA TALKING AT SAME TIME

Maggie Chumbley: story if that's the first place to start which is, we don't have two disputes we have like nine disputes or seven disputes right?

Nedra Chandler: And an empty seat

Maggie Chumbley: Right and an empty seat

Nedra Chandler: and some other empty seats

Maggie Chumbley: yeah, because it isn't just Mike on your side there's like (unintelligible) lots of different

Nedra Chandler: right

Maggie Chumbley: positions so

Nedra Chandler: Right, I get what you're saying

Maggie Chumbley: that could be a process, I mean just in terms of giving folks more decision making knowledge that conflict resolution works and whether the components of it and

MAGGIE AND NELDA TALKING AT SAME TIME

Nedra Chandler: We're just talking out loud how to serve you. I often call a break and have you caucus with people in the audi, you know with people that are observing, people who've really watched the process

Maggie Chumbley: Yeah caucusing could be helpful once we get

MAGGIE AND NELDA TALKING AT SAME TIME

Mark Odegard: You're talking about what's going to happen after question 1 is answered

Nedra Chandler: Thank you, is that what you're suggesting?

Mark Odegard: I'd like to mention

MAGGIE AND NELDA TALKING AT SAME TIME AS MARK

Nedra Chandler: Okay go ahead Mark

Mark Odegard: I'd like to talk to that a bit, uh, no matter what's decided, I'm going to continue.

Nedra Chandler: Talk with your mates

Mark Odegard: I am already building a data base so I can understand what's going on with Julie it's in ARC GIS but I also need facts so this summer what I'm going to do is going to see what the Department has given by actually doing observation to test various sights on my own. One of the things that was mentioned is whenever you do surveys people tend to answer (unintelligible) dissatisfied, not the ones that are going, they just don't care. And so I'm going to try and put together facts so I understand it and I think it will take until fall to do that. So no matter what the decision is on one that's what I'm going to do.

Nedra Chandler: Now you set a tone all of you Tim, Mark, and Julie just by coming in that there might be a little homily from each of you do you know what I mean? Before, do you need that (unintelligible) before anybody can vote? I can count on you to speak up if you need that time just to equalize it a little?

Mark Odegard: We haven't heard that much from Scott.

Scott Vollmer: I at this point Mark I and maybe other people feel this too I have probably less clarity about going forward now than I did last night at this point.

Charlotte Cleveland: Yeah

Julie Eaton: Yeah, thank you

Scott Vollmer: and you know I know how a lot of you feeling the same way, half of you. I don't even want to get into whether like Don said I don't know what conflict resolution is whether it can ultimately solve or let this group come to a conclusion. Uh, Tim was talking about where we were when we put the applications in and that was not my understanding when I read it so again that comes down to having what's clarity on this whole thing. Really what it comes down to me is if you throw a thousand different methods out there doesn't matter which one you throw at but you can try all of them. The big question in my head is whether this group will be able to eventually with one of those methods come to a conclusion based on why disparity in viewpoints over time, short period of time, long period of time no matter what it is.

Nedra Chandler: That's durable.

Scott Vollmer: And I'm skeptical, I'm skeptical so my question is whether we want to continue with all that time to go down the same road that we just went down through with eight meetings and I have no problem trying and I like that I want to try but it's and I talked about this with Julie earlier is it's almost in my head a cost benefit analysis. How do you weigh the costs with the benefits and which one is higher and I don't know an answer to that. I was hoping to have some clarity in that here today and I do not. I don't know if that helps or hurts.

Nedra Chandler: Do you see a path to get to clarity?

Scott Vollmer: Not yet.

Michael Bias: That's interesting I want to know why when after our last meeting six of us on this Committee met at Kelly Galloup's and had a super productive meeting, we went forward and following that meeting I went to other outfitters and we met with Fish, Wildlife, and Parks and had a productive meeting there and we talked about all this stuff that I feel we should be talking about that we talked about at our last meeting. And it started to see each other's ideas and (unintelligible) were charged with the Commission that hey here's your Committee get on it come up with a rule so we have our direction and every time we get into a meeting with you know with structure to it we can't talk. When you know we can't follow the same rules. And, ah, I don't know I really think strongly especially after meeting at Kelly's and meeting with Fish, Wildlife, and Parks the last couple of days um, maybe we just need to meet and talk about that there. Let's, I have trouble with the exercises and the big elephant in the room right here is allocation or river distribution. And we're talking about oranges. You know the orange is allocation right? Or the orange is Madison River stamp or whatever you, or non-residences. That's the orange. Let's stop talking about oranges and start talking about non-residences. Is it 85 percent or 79 percent? And we need help to do that I think. My feeling is yes continue today meet again get the Commission a revised rule.

Melissa Glaser: I feel the same as Mike. I feel like we can actually talk about things, get them out in the open, we're given the best place to do them or best way to do it. I think we work pretty well in small groups even in the SDM process um, just talking, being able to talk but it does seem like there's things that aren't brought up when we get into this structure.

Julie Eaton: I choose 1, 2, 4, all

Charlotte Cleveland: the structure?

Julie Eaton: Yeah, getting to talk to each other.

Charlotte Cleveland: I think Mike you have experienced things that I was unfortunately not able to experience. The meeting at Kelly Galloups, the meeting with Fish, Wildlife, and Parks, um, I think that those kinds of meetings which you found very productive, I couldn't be present for so I feel

Michael Bias: Really and so now we have the meeting now.

Charlotte Cleveland: Right and I have to say from my experience that going to disband now would be my choice because I just don't think we have the facts, I don't think we can agree on the facts, if you can't agree on the facts and the way the data was collected or how the data was interpreted that you have no basis upon which to make a plan. In other words if we could all agree that there was crowding in a certain way then we could all agree on how to solve it. But we can't even agree on the crowding. We couldn't even agree on whether to ban glass or not if you remember at the last meeting. So deciding

Michael Bias: I, I, think we didn't even get the chance to do it or talk about it.

Charlotte Cleveland: Well, I, here's the thing though you, that you're having meetings outside of these meetings and you find them very productive but some of us weren't there so perhaps

MAGGIE AND NELDA TALKING AT SAME TIME

Maggie Chumbley: (unintelligible) not include everybody

Charlotte Cleveland: That is correct

PEOPLE TALKING AT SAME TIME

Charlotte Cleveland: Since I wasn't there and there's no minutes I can't tell you how I felt about the meeting except that I wasn't there. I wasn't there when you spoke with Fish, Wildlife, and Parks. When I get into this group I feel that my, the people that I'm supposed to be advocating for, the Montana resident angler is being left out of the picture. You keep talking about how do we control the outfitters, how do we do this, how do we do that and the Montana resident angler is being left out of this discussion. Um, and that to me is vitally important that

those interests be taken into consideration and be as important as deciding whether outfitters should be able to fish whenever they want to fish, in any fashion they want to fish, as often as they want to fish, and whatever. So for me I vote for disbanding simply because at this point in time and it's going to take time to gather the, to get a totally unbiased opinion of how the data was collected, how it was interpreted and how the report was written that it is impossible for me to go forward because I experience crowding. I experienced it on what I was told was a shoulder season so I'm trying to fish on the shoulder seasons I'm getting out there in April fishing but I tell you the last time I fished which was last week, we had to leave the Madison at 2 o'clock because it was too crowded. It was too crowded.

### PEOPLE TALKING AT SAME TIME

Nedra Chandler: Okay so we're going to stop some cross talk. Right now. Really just because of (unintelligible)

Maggie Chumbley: And that's the heart of a processes we're using is because unstructured open discussion means people who have power or can articulate or whatnot just take the floor. Um, and so when Nedra and I started planning this we said we're going to avoid at all costs unstructured open discussion um, there's still plenty of that and it, it could just happen all afternoon. So that's what we're seeing happen and you, now you've experienced what that's like um, and we can, I, we can offer a what not to do exercise like a, if we're going to go forward this is things, because obviously we're having a hard time saying what we do want to do. I think we've got some footholds into that but we can look at what are we going to stop doing. I mean if we can all, if we can get to a place are we going to stop having meetings outside the meeting or are we going to stop moving forward until we have another report. Perfect unbiased information in my opinion I mean I don't think it exists in the world but you don't even have enough people in your Committee to have diversity you need at least 12 I think. 12 or 15 just to have a group of opinions that truly honor, so that this conversation isn't always weighted and swayed. So we want to empower you with kind of ways, tools to, and list the ways to think about it that kind of condition those specifications you're going to need moving forward and then again that is a activity that talks about the process. (unintelligible) process is an orange. It is a metaphor and that's what we're bringing forward, just for an understanding of some options here. So that, I mean I feel like we could do the tress exercise, we could do this reverse engineering exercise um, but if you're in process fatigue and you're kind of ready to take a break it's not going to work. It's not going to work unless you, unless you adhere to the process, the activity that we're doing all four steps all the way 100%. You've got to do the whole thing for it to work.

Nedra Chandler: I know at least one member, I know at least one member needs to leave right at 12:30. I'm just saying. So procedurally I'm tempted to bring in Mark or Paul to just make sure that you get your needs met too, the agency still has to move forward with, there the Executive Branch Agency that will move forward right and with their permission. So do we

need Eileen promised public comment. Could you do your vote, I'm just saying, we do the vote and hang on if you don't mind. Sorry (unintelligible)

Mark Odegard: this is an alternative

Nedra Chandler: Okay so that's what I was going to suggest is that because I also have to leave by 12:45, Maggie could hold on maybe if she chose to, it's her choice and your choice but um, I'm going to suggest you go ahead and just, just check. Just check this, take a vote on the three things and then we'll hear from folks who took the trouble to come um, also to observe you and we'll call it a wrap for the day. But what's your thought Mark (unintelligible)

#### MARK AND NELDA TALKING AT SAME TIME

Mark Odegard: On terms of disbandment which is going into a hiatus for (unintelligible)

Nedra Chandler: pause

Mark Odegard: talks to make clear we understand the facts thnigs like that

#### PEOPLE TALKING AT SAME TIME

Tim Aldrich: I think we've learned a lot over the last four months that probably ought to be brought into a new problem statement if you will you know maybe some additional information, some clarity. I think you know that right now with the disagreement over the validity of the starting point of the river, you know the social conflict and associated with (unintelligible) I think that's hard to overcome

Nedra Chandler: Pretty fundamental.

Tim Aldrich: this point in time. I just think a hiatus (unintelligible) as well, a larger group as you suggest that um, I think this is a tough row to hoe at this point in time to come up in a reasonable period of time. Something that really addresses problem statement that we are selves (unintelligible)

Nedra Chandler: Okay here, thank you so two things here. You're going to just like negotiate in the shape of the table (unintelligible) for, I want to see thumbs up on adding a thing up here that says hiatus or not. Hiatus?

#### PEOPLE TALKING AT SAME TIME

Nedra Chandler: Voting on a process. Okay so we're not going to have it because we don't have unanimous agreement. Okay so let's where we are is right here, lets vote for the first one. Let's just see a vote on going, is this group going to disband today? Show of hands if you could do that again. Oh, oh wait let's prepare hands up means yes or

#### MAGGIE AND NELDA TALKING AT SAME TIME

Tim Aldrich: (unintelligible) this disbanding doesn't mean just walking away, it means we have some things to

Nedra Chandler: Oh yeah

Tim Aldrich: (unintelligible) right

Nedra Chandler: Oh, that's important

MAGGIE AND NELDA TALKING AT SAME TIME

PEOPLE TALKING AT SAME TIME

Michael Bias: I have a procedural question on do we disband or do we retire?

Nedra Chandler: I beg your pardon?

Michael Bias: Do we have to disband as a group or can we just quit?

Charlotte Cleveland: I'd like to see the group disband.

Tim Aldrich: Let's, let's look at the law

Michael Bias: Well I don't know what the law says

PEOPLE TALKING AT SAME TIME

Tim Aldrich: The law says you know basically that after a conversation between the Committee and the agency you know they're going be agreement or they can

Michael Bias: Okay

Tim Aldrich: Or they can (unintelligible) at any rate you know the Department reporting is still, I think that's part of the learning experience that we want to make sure we do pass on if that's what chosen.

Nedra Chandler: What bundle of effort are you expecting on that all of you and who will lead that? Do you have a staff person to lead it?

Tim Aldrich: To do what?

Nedra Chandler: To lead the wrapping up of the reporting? I hope, how would you go away and then, how would you ever agree what, how would you ever check for consensus on what's been submitted?

Don Skaar: My idea on that if we did disband maybe it's more a vote on whether to go forward if we agree not to go forward. One idea I think the rule, statute crossed off and putting

back on the Commission on what we can agree on and what we can't and so I guess that would be our discussion how to report that out.

Nedra Chandler: Airing agreement and disagreement.

Don Skaar: So you're talking about it if we do go that route I'd suggest it probably should be to each individually provide a report to the Commission (unintelligible). You know the easiest way.

Tim Aldrich: That was recommended to you all have the opportunity for anybody who wants to (unintelligible)

Don Skaar: yeah

Nedra Chandler: Supplement the recommendations.

Don Skaar: That would be in, excuse me, that would be in addition to Chapter 1 which was what we did with Mike (unintelligible)

Nedra Chandler: Well um,

Don Skaar: be in addition to that.

Scott Vollmer: Okay I will. Seriously so what you're saying, what you're suggesting then Don is chapter 1 would (BACKGROUND NOISE) gave to us in the e-mail

Don Skaar: Yeah, that would go to all the Commissioners

Scott Vollmer: And then the next step would be for each of us individually on how we think we should go moving forward (unintelligible), how we feel about the Madison River recreation plan.

TO MUCH BACKGROUND NOISE TO HEAR

Scott Vollmer: yeah I don't know why it wouldn't be

Don Skaar: Could be another alternative, could be a suggestion on what would be next.

PEOPLE TALKING CLOSE TO THE RECORDER CAN'T HEAR DON AND SCOTT

Tim Aldrich: I think there's another piece in there and that's, that's the information thing we talked about is you know, to check on the data because right now it kind of blew the thing up and now (unintelligible). I think we need to acknowledge, one thing we got to ask because the Commission will be asking the Department

PEOPLE TALKING AT SAME TIME

Nedra Chandler: Yeah I, you know this is really, I don't know how everybody else is experiencing this but this is really good information right? How this conversation is going.

Tim Aldrich: Yeah

Nedra Chandler: So I mean I understand fatigue, I really do, um let's do this um, let's hear a vote, it is worded the way it's worded it says are we going to disband, yes or no, yes or no. Let's just see that.

Tim Aldrich: Are we going to disband?

Nedra Chandler: Yes..... No.....not sure

Jim Slattery: No vote

Nedra Chandler: That's no?

Jim Slattery: No it was abstaining

Nedra Chandler: let's can we count them and let's make sure that we know uh, sort of for the record um, where the heck is my list (unintelligible)

PEOPLE TALKING AT SAME TIME

Jim Slattery: Yeah you could do a voice (unintelligible) were recording this.

Nedra Chandler: Oh, okay, is that how you've done before?

PEOPLE TALKING AT SAME TIME

Scott Vollmer: don't know that it matters

Jim Slattery: It doesn't matter

Nedra Chandler: It doesn't matter who said no?

Charlotte Cleveland: No it doesn't.

PEOPLE TALKING AT SAME TIME

Charlotte Cleveland: It does not.

Nedra Chandler: You, you see this is part of what Becky Dockter meant when she said you had freedom. You have freedom around your process so good you know that. Let's see that vote again. So we are, we don't need to see it, we know it's in the vote. All there needed to be was one no vote.

Charlotte Cleveland: Yeah

Tim Aldrich: Let's do this vote from the other side of this thing. A vote to continue.

Unidentified Speaker: We're witnessing social conflict.

PEOPLE TALKING AT SAME TIME

Charlotte Cleveland: It's not going to be any different if we go to disband

Nedra Chandler: I'm so curious about all of this

Tim Aldrich: If we vote to disband then everybody has to agree on it.

Charlotte Cleveland: No, in other words if you said

Tim Aldrich: Oh I see what you

PEOPLE TALKING AT SAME TIME

Nedra Chandler: Okay here's what's on the table right now. It's this one okay, here's where you are, here's where you are.

Jim Slattery: You had it right the first time.

Nedra Chandler: You're voting on whether you're going to stay together or not and you can just slightly show your hands and I'll need to see it

Tim Aldrich: To continue to

Nedra Chandler: Stay together and continue negotiated rule making

Charlotte Cleveland: Continue the process,

PEOPLE TALKING AT SAME TIME

Nedra Chandler: Negotiated rule making which is (unintelligible). Okay vote down. Okay then so you made a decision and bravo, I mean really celebrate that you've gone through this process, learned a lot, I mean how can you (unintelligible) process that.

PEOPLE TALKING AT SAME TIME

Tim Aldrich: (SOMEONE WHISPERING AT THE SAME TIME TIM IS SPEAKING. CAN'T UNDERSTAND ALL OF WHAT TIME IS SAYING.) I think that some of the things we came up with might possibly be the most valuable (unintelligible). Start with the least impacted tool you know and that's (unintelligible). I think that you know and maybe the expectations of the Commission were too high but I'll tell you I think (unintelligible) you know, we've done a lot and we ought to take some pleasure in that and I think relationships (unintelligible) but I thank everybody for taking the time and energy and the heart you know to

make it, to get to this point. I think it's another learning experience to be used when deciding how we move forward.

Eileen Ryce: Nedra process we've got to get the decision recorded because it wasn't real clear for the audio so could, just, because of what essentially silent just so it's recorded in the notes for the transcribe

NEDRA AND EILEEN TALKING AT SAME TIME

Nedra Chandler: have each person say or

Eileen Ryce: Or if you

Nedra Chandler: say a name or

Eileen Ryce: If you could just um, say

Nedra Chandler: Say it

Eileen Ryce: Yeah

Nedra Chandler: So what we saw when we checked for a committee consensus checking vote on whether they were going to continue to stay convened as a Negotiated Rule Making Committee a, there was not consensus on that. There, so they will not continue. So did you do what you, so thing 1 you heard from Mike Mitchell. Thing 2 you got something on conflict engagement from us. Did you do the thing 1 and thing 2? Thing 3 we hoped that you would experience some methods that you would use in your future maybe you know like you continue to shape public decisions and thing 4 you just accomplish. You checked for agreement on the next steps for this Committee. But what you didn't do yet is listen for public comments and it's time for that now. And I think Eileen will oversee that and we'll excuse ourselves. We'll stick around a little bit so that we can wrap up and get our stuff so it's all right we'll stick around.

Don Skaar: If I can does everyone want to agree or decide on how we report out to the Commission?

Julie Eaton: May I ask one question about that because now I'm confused so if one person says no then how can we make recommendations.

Don Skaar: Oh, well okay

Julie Eaton: I mean that's what a consensus is because the way I understood consensus was if you make a no here are your facts

Don Skaar: Okay

Julie Eaton: It doesn't mean it's not pushed forward.

Don Skaar: Okay that's good I make the motion that we as a group individually provide a report to the Commission within two weeks and that can be open ended whatever you want to say, you know, where we go on the plans.

Melissa Glaser: Almost like a letter to them?

### PEOPLE TALKING AT SAME TIME

Melissa Glaser: Will it be a public document?

Nedra Chandler: What's the thing on the table please? So the question is how will the report be transmitted and nobody is going to transmit areas of agreement and that seems fine. So no areas of consensus agreement, no because you've just disbanded so that's not happening. You can do that in another time, you can do that when the, you can do that in another time maybe I don't know but so the option is to send your own individual report out from your caucus, your interest you're here to represent. Is that right?

Don Skaar: That's

Nedra Chandler: Did I do honor to that Don?

### PEOPLE TALKING AT SAME TIME

Nedra Chandler: Send your individual and by individual that means your interest group that you're here to represent in rule making interest area to ah, report by what date? And what time and to where?

Scott Vollmer: (unintelligible) consecutive, what's the month after May? June 1<sup>st</sup>.

Nedra Chandler: By June 1

Michael Bias: I thought it was still March

Nedra Chandler: By June 1 to where?

Don Skaar: Commission secretary in Helena

Nedra Chandler: By June 1 to

Charlotte Cleveland: So you'll give us her e-mail

Elieen Ryce: Yeah I'll get that to you

Nedra Chandler: I bet you know it (unintelligible)

Don Skaar: Ah

Eileen Ryce: I'll look it up

Nedra Chandler: To Commission, and to I mean I don't need to get to overly formal but does that usually mean 5 o'clock or midnight? Do one by 5 p.m. to Commission secretary.

Eileen Ryce: I can give you the e-mail address if you want.

Nedra Chandler: Okay, ready

Eileen Ryce: It's um, oh sorry I just lost it.

Mark Odegard: It's on the web site.

Eileen Ryce: It's [FWComm@mt.gov](mailto:FWComm@mt.gov). So that

Nedra Chandler: FWComm, F-W-C-o-m-m like Commission.

Don Skaar: Yes

Nedra Chandler: At mt.gov

Eileen Ryce: So that goes to Shauna and then Shauna gets that to the Commissioners and Shauna also typically copies the staff so in this case it would be myself, and Don that would typically get copied on that.

Nedra Chandler: And the way you would use that is

Don Skaar: It would get transmitted to the Commissioners and um, it would probably be a public offering of that in the Commission meetings, a discussion of that and (unintelligible).

Julie Eaton: Do we individually get to, you know, I would like each of us to copy each other I mean we worked really hard together on this.

Charlotte Cleveland: Yeah

Julie Eaton: I don't want to feel like some secret ballot.

Don Skaar: Yeah

Nedra Chandler: Yeah, yeah so

Don Skaar: (unintelligible) we'll be sharing with each other

PEOPLE TALKING AT SAME TIME

Scott Vollmer: CC the Committee

Nedra Chandler: CC the Committee yeah, yep, including Lauren yeah or no? I don't know why I said that, I don't know Lauren I'm just going to let that lie.

Julie Eaton: She already submitted hers.

Nedra Chandler: Oh she submitted it

Julie Eaton: (unintelligible)

Scott Vollmer: We weren't cc'd on that

Julie Eaton: We weren't cc'd on that

Nedra Chandler: All right any other thing before you, I hope some of you can oh, Eileen's up yeah? And you know it really when you not, for me I really did enjoy being of service to you today.

Charlotte Cleveland: Thank you

Nedra Chandler: You're welcome yeah, We had a great time. So Eileen?

Eileen Ryce: Thank you. Just again for process wise we'll plan on having an item on the next Commission meeting which will be the June meeting, I'm not sure what date that is but we'll make sure all the Committee members know

Unidentified Speaker: June 20<sup>th</sup>

Eileen Ryce: 20<sup>th</sup> June 20<sup>th</sup> um, and our report will be pretty simple. We'll you know restate what the Committee's decision was and then obviously you've spoken about getting all of your comments included so we'll get that on the agenda for June and that'll be in the hands of the Commission. So we'll take public comment I've lost my time keeper so we'll try to limit folks just to keep within three or four minutes

Maggie Chumbley: You can just it's on and it'll beep when you're ready just start it.

Eileen Ryce: Oh awesome, so can I just get a show of hands whose wanting to, oh there's my, just a couple of you? Is that it? Three, four, okay so we'll just do as normal if I could ask you to come up so we can record your comment on the audio again please state your name and then your comment we'll just do one by one.

Mark Deleray: How much time do you want?

Eileen Ryce: We'll do three or four minutes a person.

Mark Deleray: Three or four minutes a person did you hear that?

Jay Bingham: My name's Jay Bingham. I live on the Madison River. Ennis Lake actually but I have property on the Madison River. I'm a 15 member of the MRF and I am very disappointed. I think nothings been accomplished. We kicked the can down the road and I think the process has been damaged. And that is because certain individuals in the business community in Ennis have attacked the MRF and Miss Wittorp without cause, without any respect or courtesy and that doesn't develop trust when you sit down to settle a case, by settling an issue or to move forward with something as proposed here to control the Madison River use and recreational activities. I'm sorry, no I'm not sorry at all. I'm disappointed that such poor character was exhibited in the blogs, in the papers by certain individuals. You can attack somebody for their policy or the policy but you don't attack people individually. Not and expect them to deal with you later. So I can't express my disappointment.

Eileen Ryce: Okay who wants to go next? Anybody?

Nancy Delekta: So Nancy Delekta and I've been with you at every single meeting and it's very emotional today again. I think I'm a little surprised at Tim's comments today because I'm surprised to hear the different reflections about the April draft that are different from what I heard in the first, second, third, fourth, and fifth, and sixth meetings. So I think I want you to spend a lot of time thinking about all of the feedback that was provided by the public specifically addressing the April draft and certain things that people had feelings about that were very strong. Um, I do also in regard to having Lauren left I'm aware that she did state to many of us she submitted her opinion to Fish, Wildlife, and Parks and the Commission and I believe it would be fair for you to share that with this Committee at a minimum because they're all going to share with each other what they're going to submit to you. I hope that another process um, can begin because this will take time and there is a lot of issues that many people had a lot of feelings about and I think the Commission needs to reach out and get that input. Good luck.

Eileen Ryce: Who wants to go next?

Unidentified Speaker: Ah, I just would like to thank everybody for, I know a lot of time was invested in this process and um, I want to emphasize that although there's disagreement on certain points a lot was learned I believe um, the perspectives of the different stake holders were enunciated very well. And I think that, I hope that those things that were learned um, you know will be incorporated into the plan that will be drafted. Um, I would also request on certain specifics related to uh, the aspects of the plan that will impact Commercial use that our input would be, you know we can be an asset. There's certain nuances that we live on a daily life that a good plan hopefully will incorporate. Um, I do hope that a lot of the fresh public comment will be looked at more specifically related to public access issues um, related to removing boats. There have always been boats on the river. It's been identified as a navigable river. There's a lot of State laws related to the public right to navigate, to fish, to hunt, on navigable rivers. Um, and so that's always been the way it has been and there's been some fresh public comment with the concern that boats might be removed. But that's only recent and but I think it's been fairly

substantial and I hope that those comments are weighed in and that, that, if that is incorporated into a plan uh, I don't recommend that's incorporated into a plan but I hope that those comments are weighed heavily and the current laws are investigated and we weigh the potential loss of public access. Um, and you know the public welfare that's related to that is significant, um, if we lose boats as a tool for access on the river. Thank you.

Eileen Ryce:           Anyone else?

Shawn McNeeley:    Hi I'm Shawn McNeeley an outfitter on the river and a fisherman ohh since the early 60's so. I appreciate the time this Commission devoted to this as being a public servant for 10 years I understand the commitment you guys made. I appreciate what you've done. My comments are not directed at you, they're directed at Helena. I think Fish and Game went about this whole process about as poorly as possible, announcing in 11 that they were going to limit the river. Having no budget, no money and no desire to go down that process they let something happen in to the river that to now has created this entity. The Board had a sign up there saying how can we make sure we don't get to a decision well some of that is responsible here. We heard this morning oh, we should have had 15 people or 14 people on this Commission if we're going to have definite public opinion from everyone. Well that didn't happen did it. Then you've got a monetary issue that is involved in all of this and when you're broke it's hard to spend enough money to see these processes through. That's all I've got to say.

Eileen Ryce:           Anyone else? No more comments at this point and time?

Nancy Delekta:        Just thank you everybody for your time.

Eileen Ryce:           I also want to thank the Committee. I know this has been a lot of work for everybody involved. We certainly do appreciate all the efforts that you've done, you know obviously Don, Myself, and the Region will work with the Commission on next steps. If there's anything you need in terms of assistance of making sure we get your comments to the Committee you all know how to get a hold of us. If there's any other way we can help you know, this is certainly going to continue to be a point of discussion so you can reach out to anyone of us at any time but thank you for all of your efforts. I really do appreciate it and thanks to the Region Staff who've spent an awful lot of time on this too. So with that unless there's again one final question for comment from the public? We'll get the transcription from the meeting up as soon as we can. We'll keep the part of the website active. Just to remind the public anyone at any time can put comment up there and then we get those comments to the Commission so if you want to put a comment and didn't you have that other option too through our website.

Julie Eaton:           I don't think I heard how does all of our individual reports present, get presented at the June 20<sup>th</sup> meeting.

Eileen Ryce:           So you can e-mail them straight to the Commission

Julie Eaton: Right

Eileen Ryce: If you want us to do something different than just e-mailing, I would leave that up to the Committee to let us know what you want to do.

Julie Eaton: I misspoke what I, so then was there e-mail to the Commission, they just get those individually, is there some item that goes on the meeting agenda

Eileen Ryce: Yes, we will have an item on the agenda for the, it'll just be listed as Madison River Negotiated Rule Making Committee.

Julie Eaton: Okay

Eileen Ryce: And then our presentation will be pretty brief and then it'll be up to the Commission as to how we want to move forward.

Julie Eaton: I see, okay thank you.

Travis Horton: Just for clarification if I'm understanding your question I think the question is regarding reporting to, what's your portion going to look like?

Julie Eaton: How will that be characterized or used at the meeting? That's

TRAVIS AND EILEEN TALKING AT ONCE

Eileen Ryce: Chapter 1 will go to the Commission, that's the report from Mike Mitchell.

Julie Eaton: Any other like editorializing or it's just that report?

Don Skaar: Actually that report is already on the web site.

Julie Eaton: Yeah I realize that.

Don Skaar: Yeah

Eileen Ryce: So that will be part of the package if you want us to include your comments as part of that package we can do that but I will leave that up to you to decide how you want to do that. You know you

Mark Deleray: You need to decide that today though.

Eileen Ryce: No you don't, they individually they can decide whether it goes into the packet or

Mark Deleray: But I think what the question is do they all recompile all the letters and attach that to Chapter 1 or are they (unintelligible)

Eileen Ryce: I don't think they need to decide that now.

Don Skaar: I guess the question for everyone is everyone okay, I mean, we'll potentially put that on the website alongside Mike Mitchell's?

Eileen Ryce: I guess what I'll say is I didn't want to make the assumption that you were comfortable with your comment going public.

Don Skaar: Right

Eileen Ryce: Because if it's part of our package

Julie Eaton: It's public

Eileen Ryce: Then it will be public.

Paul Sihler: If it's received by Shauna in an e-mail to the Department it's public.

Eileen Ryce: Well no I meant distributing it. Well if there's a difference between it going to the public and us distributing it.

Paul Sihler: Yeah well let's just make clear it's our document whether it's distributed that's a different question.

Eileen Ryce: That's true.

Don Skaar: So how many people feel like, do they want theirs distributed. I guess they can let us know.

Eileen Ryce: Yeah you don't have to decide on that right now.

Michael Bias: (unintelligible)

Eileen Ryce: I think the point that Paul was making was under Freedom of Information Act rules that would be discoverable. Does that answer your question Julie?

Julie Eaton: Let me think about it. I'll give you a call.

Eileen Ryce: Yeah and I don't think we need to make decisions on what that looks like now, we've got , the packet won't go to the Commission until like two or three weeks before, so probably by the end of May.

Tim Aldrich: About 10 days before the meeting, the Commission gets the agendas.

Don Skaar: Right after the deadline for this.

Julie Eaton: So we're meeting again to

PEOPLE SAYING NO AT ONCE

Melissa Glaser: We're done.

Eileen Ryce: Any other questions from the Committee?

MEETING ADJORNED