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## MEMORANDUM

October 25, 2022

**TO:** Forest Practices Board

**FROM:** Saboor Jawad, Adaptive Management Program Administrator (AMPA)   
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**SUBJECT:** Net-gains options for TFW Policy and status of SAO audit recommendations

In January 2021, the Office of the Washington State Auditor (SAO) completed a performance audit of the Forest Practices Adaptive Management Program (AMP)<sup>1</sup>. The audit provided 13 recommendations for improving program performance. The report referred eleven of these recommendations to the Forest Practices Board (FPB). In May 2021, the Board approved staff suggested relative priorities among the recommendations in the form of a response plan.

Based on recommendations from a TFW Policy workgroup and the AMPA, TFW Policy has now identified and approved a list of five net gains options for the program. These options align well with the intent of auditor's recommendation #05 on adopting a net gains model for TFW Policy. The option paper is now submitted for your consideration of approval. Your approval will allow TFW Policy to fully develop each option leading to changes in Board manual guidance for the adaptive management program.

In May 2021, the Board also directed the AMPA to provide status reports to the Board at six month intervals. In Tables 1-3 of the attachment to this memo, I am providing an update to the Board on the status of each action item related to all SAO recommendations.

Please let me know if you have any questions or need more information.

### Attachments:

- 1- Summary of progress on implementation of SAO recommendations
- 2- TFW Policy net gains option paper

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<sup>1</sup> [Performance Audit of the Adaptive Management Program](#)

## 1- Progress on Implementation of SAO Recommendations

**Table 1:** Recommendations to be considered and acted upon by caucus principals that may be aided by third-party neutral assistance focusing on conflict transformation

Focus Area	Action Item	SAO Rec #	Status	Update
Decision making process	<ol style="list-style-type: none"> <li>1) Review consensus decision making model:</li> <li>2) Require participation by caucus principals</li> </ol>	1 and 2	<b>Delayed</b> Expected to be completed next biennium.	<p>The status of these two recommendations have changed from on-track to delayed since the last update. This is primarily because any changes to the decision making model would require a rule-change. A rule-change in the remainder of the current biennium is unlikely.</p> <p>Two rounds of TFW Principals meetings have been held this biennium.</p> <p>The FPB approved the MPS with funds to continue facilitating the Principals meeting in the next biennium. The principles are expected to continue discussions.</p>

**Table 2:** Recommendations involving changes to AMP processes to be evaluated mainly through the appropriate AMP committees

Focus Area	Action Item	SAO Rec #	Status	Update
Decision making process	Adopt decision criteria for determining actions that will occur depending on project results before those results have been found	6	<b>Delayed</b> But expected to make significant progress in the remainder of this biennium	TFW Policy workgroup on SAO Audit Recommendations has started discussions on developing decision criteria for projects in the program. Developing decision criteria is more complicated than anticipated. TFW Policy will have joint sessions with a CMER workgroup on this recommendation. The FPB can expect to receive a consensus recommendation at their May 2023 meeting.
Decision making process	Implement a “net gains” approach to each proposal, project, and decision that benefits more than one caucus by considering packages of projects instead of individual projects	5	<b>Completed</b>	TFW Policy has approved a list of potential net gains options. Implementation will commence with Board approval of the

				options paper at their November 2022 meeting.
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**Table 3:** Recommendations that are administrative in nature to be evaluated primarily by Board and AMP staff and brought to the Board for decision and action

Focus Area	Action Item	SAO Rec #	Status	Update
Decision making process	Update language in the board manual to reflect WAC which says dispute resolution is required when consensus cannot be achieved within the Science or Policy committees.	3	Completed	Board Manual 22 has been updated. Board staff presented revisions to the Board in February 2022 and obtained the Board's approval
Decision making process	The board should set a trigger for dispute resolution. It should work with the Adaptive Management Program Administrator and the chairs of the committees to determine the appropriate amount of time:  <ol style="list-style-type: none"> <li>1- Identify and recommend to the Board schedule or process based triggers for invoking dispute resolution</li> <li>2- Add line item for dispute resolution in the Master Project Schedule</li> <li>3- Establish on-call contracts for dispute resolution for Policy Committee</li> <li>4- Establish on-call contracts for a CMER technical arbitration panel</li> <li>5- Establish on-call statistical assistance contract for CMER</li> </ol>	4	Completed	Board staff have completed drafting mark-up language for Board Manual Section 22. Presentation to the Board is delayed until February 2023 when Board manual revision is expected to be on the Board's agenda.
Transparency and Accountability	<ol style="list-style-type: none"> <li>1) Tracking system for life cycle of projects</li> <li>2) Public facing dashboard</li> </ol>	10,11	On track Significant progress made since last update.	<p>AMP staff have started work on a project tracking system and on introducing cost and schedule metrics for continuous monitoring of projects.</p> <p>A DNR supported SharePoint Online platform has now been created. CMER and TFW Policy members will receive training in the remainder of this calendar year. Members of both committees will be provided access to the platform in calendar year 2022.</p> <p>DNR also issued a request for proposal (RFP) to build a public-facing dashboard this quarter. The RFP has now closed and the resulting contract will be signed in early November 2022. AMP staff</p>

				expect to complete the development of the dashboard by June 2023.
Transparency and accountability	Complete biennial fiscal and performance audits of the AMP every two years	9	<b>On track</b>	Status has changed from planned to on track since last the update to the FPB. Draft language is ready to be reviewed by FPB at their <b>February 2023</b> meeting when Board manual revision is expected to be on the Board's agenda.
Transparency and accountability	Peer review science program every 5 years	7	<b>On track</b>	<p>Status has changed from planned to on track since the last update. Board staff have developed mark-up draft language requiring 5 year review for part 6.1 of Board Manual Section 22. Draft language will be presented for Board decision in <b>February 2023</b> when Board manual revision is expected to be on the Board's agenda.</p> <p>The rule-required science review of the program will be fulfilled this biennium through a separate project lead by Washington Department of Fish and Wildlife</p>
Decision making process	Onboarding and training for new members	8	<b>On track</b>	<p>Status has changed from planned to on track.</p> <p>Board staff have completed a draft mark-up language for Board Manual Section 22 that would require training for new AMP participants. Revisions will be presented to the Board at their February 2023 meeting when Board manual revision is expected to be on the Board's agenda.</p> <p>Funds are added in the MPS for the next biennium to develop training materials.</p>

*Performance Evaluation of the Adaptive Management Program:  
State Auditor's (SAO) Recommendations*

## **OPTIONS PAPER**

**SAO Recommendation # 5: Adopt a Net Gains Model for Project Planning**

**TFW Policy Committee**

**And**

**Saboor Jawad, AMP Administrator**

06 October 2022

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## 1- BACKGROUND

The State Auditor’s Office (SAO) completed a Performance Audit of the Forest Practices Adaptive Management Program (AMP) in January 2021<sup>2</sup>. The audit provided 13 recommendations for improving program performance. The report referred eleven of these recommendations to the Forest Practices Board (Board).

In May 2021, the Board approved staff suggested relative priorities among the recommendations in the form of a response plan. The plan also identified additional resources that are needed to make and sustain identified changes. Consistent with the Board’s February 10, 2021 letter to the SAO, recommendations are separated into three groups based on entities that would need to complete the critical developmental work (Table-1). The Board assigned TFW Policy and the Adaptive Management Program Administrator (AMPA) the responsibility to address SAO recommendation number 5. The Board expects to receive an options paper at their November 2022 meeting.

**Table-1:** *Summary list of SAO recommendations referred to the Forest Practices Board*

SAO Rec.	Action Item	Implementation Responsibility	Status
1	Review consensus based decision making model	Assigned to TFW caucus principals for consideration	On track to be implemented
2	Require participation by caucus principals	Assigned to TFW caucus principals for consideration	
3	Update dispute resolution language in Board Manual Section 22	Administrative nature and assigned to Board staff	Completed
4	The Board should set substantive and benchmark triggers for dispute resolution	Administrative in nature and assigned to Board and AMP staff	On track to be completed. Dispute resolution on-call contracts are in place, and funds are added in the MPS.
5	<b>Adopt a net gains model for project planning</b>	<b>Assigned to TFW Policy and the AMPA</b>	<b>On track to present options paper to Board by November 2022</b>
6	Adopt decision criteria for determining actions that will occur depending on project results before those results have been found	Assigned to CMER, TFW Policy and AMPA	Delayed and expected to be delivered to Board at their May 2023 meeting
7	Perform peer review of science program every five years	Administrative in nature and assigned to AMP staff	On track and requires additional resources. Funds are allocated in out-years on the MPS
8	Onboarding and training for new staff	Administrative in nature and assigned to AMP staff	On track to develop training materials in 23-25 biennium
9	Complete biennial fiscal and performance audits of the AMP every two years	Administrative in nature and assigned to AMP staff	On track to present staff recommendations to Board in February 2022
10	Develop a tracking system for life cycle of projects	Administrative in nature and assigned to AMP staff	. Additional resources were provided in the MPS and the development work has started.
11	Develop a public facing dashboard		

The SAO’s fifth recommendation SAO Recommendation number 05 is the focus of this paper. The recommendation is for the development of a net gains model for project planning in the AMP. The auditor’s report recommends that TFW Policy “use a net gains approach to each proposal, project,

<sup>2</sup> [Adaptive Management Program: Improving Decision-Making and Accountability](#), Office of the Washington State Auditor, February 23, 2021

and decision that benefits more than one caucus by considering packages of projects instead of individual projects”. The auditors also provide examples of two other stakeholder based forums that pursue a net gains approach. These include the Yakima Basin Integrated Plan and the Snohomish Sustainable Lands Strategy (SLS). Both forums use a net gains approach by ensuring that every project aligns with stated goals of stakeholders or use a multi-benefit planning approach.

The auditor’s evaluation report also refers to net gains as the principle that makes the benefits of broad-scale agreements greater than the cost for every party involved. No person or group should be expected to accept a net loss so that someone else can gain. Only “win-win” agreements in which all parties see more gain than loss should be completed.

The AMP Administrator and a TFW Policy subgroup reviewed the net gains model as proposed by the SAO. Its applicability in the AMP program was discussed to identify net gains options for TFW Policy. By analyzing existing decision making process in TFW Policy, this paper cannot determine whether the net gains model as proposed by SAO is neatly applicable to the AMP. Projects in the AMP are vastly different than projects in the stakeholder forums identified by the SAO auditors. The Forest and Fish Report (FFR) has set four goals for the AMP. These include:

1. To provide compliance with the Endangered Species Act (ESA) for aquatic and riparian-dependent species on non-federal forest lands;
2. To restore and maintain riparian habitat on non-federal forest lands to support a harvestable supply of fish;
3. To meet the requirements of the Clean Water Act for water quality on non-federal forest lands; and
4. To keep the timber industry economically viable in the State of Washington.

Decisions within the AMP would need to consider the four goals listed above. Net gains options for TW Policy, nonetheless, are needed. Five net gains options are identified and proposed that if implemented can improve processes in TFW Policy. These options together can significantly improve AMP project planning as well as increase transparency and accountability in the AMP.

## **2- NET GAINS PRACTICES IN THE AMP**

The AMP is a collaborative science-based program. The program commenced with a monumental collaborative effort in the form of the Forest and Fish Report (FFR). This aspect is recognized by the Washington State Legislature stating that federal and state agencies, Tribes, county representatives, and private timberland owners have spent considerable effort and time to develop the FFR (RCW 76.09.055). The AMP is the continuation of the FFR process and spirit. With over two decades of history, the program has consistently carried out scientific research and has informed the Forest Practices Board on the effectiveness of forest practices rules. Of the program’s three participants, the Timber Fish and Wildlife Policy Committee (TFW Policy) is a consensus-based forum that supports the AMP by developing solutions to issues that arise in the Forest Practices Program.

Net gains options as defined by SAO Auditors are largely pursued by TFW Policy. The committee’s nature as a full consensus based body reflects the collaborative origins of FFR and its precursor the



TFW process. The nature of the projects and problems that TFW Policy considers are vastly different than other stakeholder forums including those identified by SAO Auditor’s report that include the Yakima Basin Integrated Plan and the Snohomish Sustainable Land Strategy. Unlike these forums, the majority of projects, issues or problems that TFW Policy attempts to address arise from science reports on rule or program effectiveness or policy identified needs to amend landowner guidance on how to implement the forest practices rules. Solutions to these problems often include the preparation of rule amendments and/or Board Manual (BM) guidance recommendations. While net gains are important to TFW Policy, the process of finding solutions to problems is deliberate, time-consuming and – often times - contentious. With a full consensus-based decision making model, TFW Policy still has a relatively good record of reaching consensus. In the last five years, 84% of the committee members’ votes have been consensus votes. About 2% of votes have been non consensus votes (Figure 1a). In the last decade, the committee has presented consensus recommendations to the Board. On water typing rule system, for instance, Policy submitted multiple consensus work products in May 2017. The Board then assumed the responsibility of completing the remainder of the process.

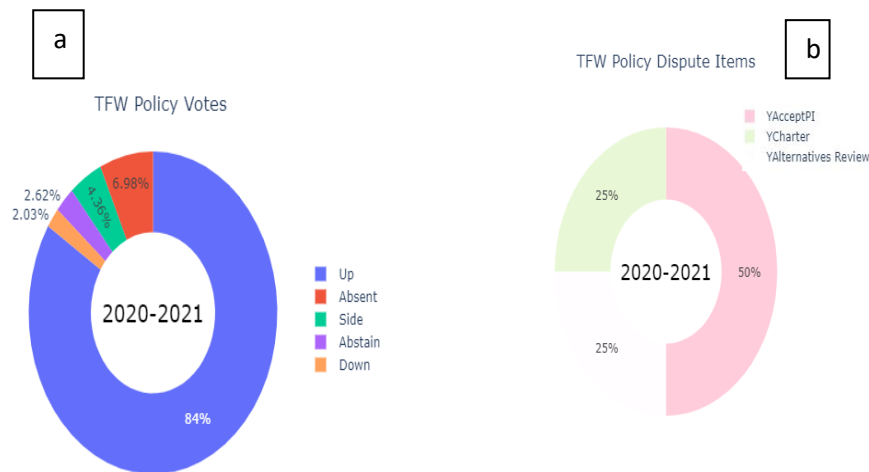


Figure 1: voting patterns (a) and number of disputes by items at dispute (b) in the last five years at TFW Policy

The down votes, small in number as they may be, do lead to disputes (Figure 1b). The dispute resolution process is among the central tenets of the program. The process is designed to break impasses when consensus has not been achieved and keep the process moving forward. While number of disputes is not a measure of dysfunction, in practice, however, disputes in TFW Policy do take much longer than mandated in rules to resolve. Though consensus is the goal of the process, a consensus recommendation at end of the full dispute process is also not a guaranteed outcome. TFW Policy disputes can end in minority and majority reports submitted to the Forest Practices Board. This outcome doesn’t result in win-win situations underscored by the SAO Auditors.

Even if the projects in other stakeholder forums are different than AMP projects, the concept of net gains as suggested by SAO Auditors remains relevant to TFW Policy. It is in line with the spirit and intent of the SAO Recommendation #5 if not the letter to identify a suite of net gains options that

could reduce the number of disputes and increase the number of consensus recommendations to the Board.

### 3- PROPOSED NET GAINS OPTIONS

We propose the following options for FPB consideration to be incorporated into BM 22 once options are fully developed. These options capture the intent of SAO recommendation and are expected to improve transparency, objectivity and quality of TFW Policy decisions.

#### 3.1. Adopt Multi-Criteria Decision Making

Relevance/Benefits	Complexity	Resource Requirements	Feasibility
High	High	Medium	Does not require changing WACs or RCWs Requires guidance and training
<b>Implementation Timeline in 2022-2023:</b>			
<b>October:</b> Policy acceptance and recommendation to the Board   <b>November:</b> Board approval for development   <b>Nov-Feb:</b> Develop guidance; test option in a series of workshops and revise guidance if needed   <b>May '23:</b> present final guidance and Board Manual Section 22 changes to the Board for approval			

Multi-criteria decision making (MDM) is widely used in policy analysis, resource allocation, planning and in resolving conflicts. Adopting a form of MDM is very close to the intent of the SAO recommendation on net gains options for TFW Policy. This approach to decision making provides a logical framework in which TFW Policy can simultaneously consider several decision factors. MDM can be an iterative process triggered once TFW Policy determines that a Cooperative Monitoring, Evaluation, and Research Committee (CMER) findings report warrants action. For MDM to be effective, this process should not be carried out in the shadow of an ongoing dispute. Dispute resolution can be invoked if at least three iterations – each not lasting more than a month - of an MDM process do not lead to a consensus recommendation. Each iteration can be carried out collaboratively in a workshop setting with staff support. The AMP should also have the option of bringing in subject-matter experts who can facilitate MDM workshops.

TFW Policy members would need to get further acquainted with the specific MDM tool and receive detailed training on its use. This could include jointly developing a MDM model. A Microsoft Excel template can be the simplest form of such a model. With expert support, however, TFW Policy could collaboratively develop a detailed MDM model that also allows the incorporation of a variety of data originating from either CMER or other reputable sources. A widely used and critically acclaimed MDM approach is proposed here as a net gains options for TFW Policy decision making process.

##### *3.1.1. Structured Decision Making*

Of the many available MDM models, Structured Decision Making (SDM) appears well suited for TFW Policy needs (Figure-2). A large and active community of practice, availability of literature and

guidance and – importantly – familiarity of TFW Policy members with SDM are all factors that make it a good choice to adopt. The TFW Policy technical workgroup on Type N alternative development, for example, used SDM to prepare a final report for TFW Policy.

SDM’s emphasis on collaborative and facilitated application of multi-criteria or multi-objective decision making is very relevant to nearly all types of TFW Policy decisions including non-rule making recommendations such as project planning and prioritization. SDM allows for the consideration of practical needs and constraints that natural resource managers face. Additionally, successful use of SDM highlights areas of agreement and disagreement. When applied in the informal stages of TFW Policy disputes, the process can – at the very least – sharply focus the subsequent stage 2 of the dispute on areas of disagreements. For a science-based adaptive management setting, SDM offers clear integration of science and policy. Other key SDM concepts include “making decisions based on clearly articulated fundamental objectives, recognizing the role of scientific predictions in decisions, dealing explicitly with uncertainty, and responding transparently to societal values in decision making”<sup>3</sup>

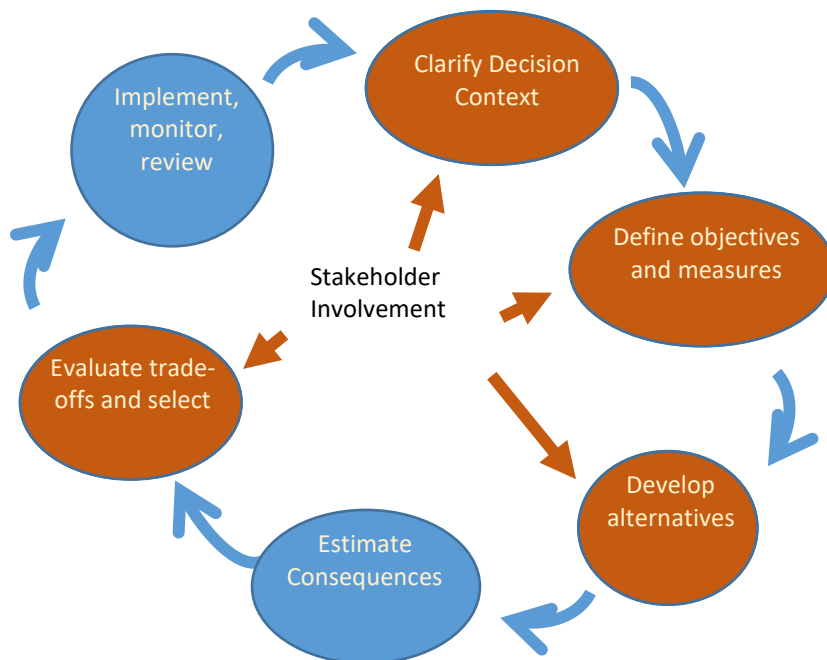


Figure 2: The iterative concept of a Structured Decision Making Model (SDM)

When developing alternatives and recommendations to the Board, SDM can provide a transparent process for TFW Policy to set clear objectives; identify relevant measures for each set of objectives; develop alternatives; and evaluate alternatives against objectives. The process alone is not a substitute for TFW Policy decisions. The committee will still need to take final decisions on a set of alternatives following the established consensus decision making process. The following steps would need to be followed to develop alternatives and make final decisions:

<sup>3</sup> [Structured Decision Making](#), Eastern Ecological Science Center, United States Geological Survey (USGS)

- Define the problem: the process would begin with a focused discussion on setting the decision context. The key objective here would be to define the policy problem being addressed. TFW Policy would clarify the involvement of concerned members; and note or record their concerns which may be social, economic, environmental, costs and/or risks. This step will end with a description of possible options and a set of clear decision goals. At this point the problem is clearly defined and TFW Policy may find the solution and wouldn't need to carry out the rest of the SDM analysis. The rest of the analysis would be completed in all cases where the solution is not obvious.
- Objectives and measures: within the defined decision contexts, objectives are all things that are important and that matter to participating TFW caucuses. Each participating caucus would list a set of objectives and a desired direction of change (ex. increase, decrease, more or less). Everything that matters would be listed at this step regardless of whether they are quantifiable. Each objective would also have a measurable indicator of progress. These could also be considered as evaluation criteria that serve as performance measures for each objective. TFW Policy could select any number of natural, proxy or constructed performance measures. This step, while time consuming, is necessary to establish a transparent and consistent SDM process; to allow for comparison of alternatives; and to clearly communicate the rationale of TFW Policy decisions to the Board and others who would not be directly involved in TFW Policy.
- Develop alternatives: the goal of this step is to create alternatives that are responsive to the objectives. Ultimately, the quality of decisions depends on identifying, combining or creating the best responsive alternatives.
- Estimate consequences: the consequences of each alternative are measured against objectives and visualized in this step. TFW Policy can use CMER studies as sources of information, other credible scientific information or local, traditional, and expert knowledge as well.

### ***SDM Iterations and Timelines***

Depending on the complexity of the problem being addressed and with expert facilitation, a SDM iteration can take up to 40 hours to complete. Policy can complete the process in two calendar months. Policy would be encouraged to use this tool well in advance of receiving a findings package from CMER. In doing so, Policy will also need to determine decision criteria which in itself is a separate SAO recommendation. The SDM will become a very effective tool if it is also coupled with a well-defined decision criterion before final reports reach Policy.

If initiated after receiving a CMER report, the SDM process would need to be completed within the rule-required timelines for certain policy decisions. These decisions include adaptive management recommendations to the Board based on certain CMER reports. Policy would need to complete the SDM process within the 180-day time-frame outlined in Board Manual Section 22. This timeline does not include the two stages of dispute resolution which together takes up to 5 months to complete. The SDM iteration could also be repeated in the informal stage of any dispute. In the formal stage of a dispute, however, the focus is on mediation and SDM would not be suitable. A

total of two SDM iterations are possible between the time a CMER report reaches Policy and the initiation of stage two of the dispute resolution process.

***Categories of Policy Decisions***

SDM is applicable to a wide range of decision and decision contexts. For example, SDM would be applied to the following categories of Policy decisions:

- All decisions that lead to adaptive management recommendations to the Board. These would include recommendations arising from both policy and science track projects
- Recommendations developed in Policy workgroup settings
- AMP program priority decisions
- Other ad-hoc uses of SDM for policy track projects

***Training Needs:***

To adopt SDM and successfully apply it to a wide range of decision contexts, TFW Policy members would need to receive training on SDM. Program staff, moreover, could obtain relevant SDM training and certification and could facilitate SDM sessions on ongoing basis.

**3.2. Clarify Process for Outside Science**

Relevance/Benefits	Complexity	Resource Requirements	Feasibility
High	Low	Medium – High	Requires updating Board Manual Section 22
<b>Implementation Timeline:</b> <b>October:</b> Policy acceptance and recommendations to the Board   <b>Nov:</b> Board approval of recommendations   <b>Feb '23:</b> fully develop option   <b>May '23:</b> present final guidance and Board Manual Section 22 changes to the Board for approval			

WAC 12-22-045 has assigned to CMER the task of advancing the science needed to support the program. This rule requires CMER to develop a process by which policy approval is obtained for research projects including the use of external information. The rule further clarifies that external information may also be reviewed through the Independent Scientific Peer Review Process (ISPR). The current version of Board Manual Section 22 (BM22) lacks sufficient clarity on how to incorporate outside science in the AMP. Outside science is any scientific effort, report or product that is not directly produced or supervised by CMER. BM22 does, however, clarify that external science may be brought to CMER as needed to address CMER work plan tasks and that both TFW Policy and the Board can ask CMER to review outside science. No further clarity exists on what the review entails or if the outside science review would be considered an AMP project. While CMER has developed guidance for best available science, detailed process guidance on using external information is not currently incorporated in CMER’s Protocols and Standards Manual (PSM).

This ambiguity is a key source of contention pertaining both to conditions that would warrant the need to use outside science as well as to whether the program’s dispute resolution can be applied to outside science. Nearly half of recently concluded TFW Policy disputes are either on the use of

completed outside science or on the request to incorporate completed outside science through the Proposal Initiation (PI) process. Some stakeholders in the AMP contend that CMER is not the only source of relevant science to consider in AMP. The universe of outside science, however, is vast. The quality and relevance of completed outside science also varies considerably. TFW Policy can lead the process of clarifying the role of outside science in the AMP as part of the net gains options allowing the program to benefit from forestry and aquatic resources interaction research that may be happening outside the program

The rule-outlined purpose of CMER means that the route to incorporating outside science in the AMP would need to go through CMER. Advancing the science for use in the AMP is the purpose of CMER as stated in WAC 12-222-045. To resolve the issue of outside science and to provide clarity on using outside science, TFW Policy would consider initiating a policy track project that carries out or clarifies the following:

- Request CMER to develop a guidance section in the PSM for review and use of completed outside science including developing review templates separate from the ones used for CMER science but including elements that are relevant to a Policy question which may include relevance, quality of science, and applicability to Washington forests. This guidance could be developed with the recognition that not all outside science will lead to, influence or be used in rule changes. Outside science could, however, be effectively used to reduce uncertainty and add to the growing body of knowledge within the program. Management change may result if warranted in certain conditions.
- Determine whether CMER should go into dispute over completed outside science while also considering the resource implications of disputing completed outside science. BM22 currently states that “as a body, CMER may have to conduct dispute resolution on issues presented by a Scientific Advisory Group or on issues originating in CMER”<sup>4</sup>
- Identify conditions or situations that would warrant the use of outside science
- Propose amendments to BM22 and seek the Board’s approval

Amending relevant WAC does not appear to be needed if the changes are made without affecting the standard PI process. If, however, it is the intent of TFW Policy to amend the standard PI process for outside science then relevant WAC sections would also need amendment. TFW Policy would then need to propose a rule-making alternative to the Board. The timeline presented above assumes that TFW Policy would clarify the process for completed outside science through a separate process which includes requesting changes to CMER’s PSM.

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<sup>4</sup> Forest Practices Board Manual Section 22: Guidelines for Adaptive Management Program, page 21

### 3.3. Set Clear AMP Priorities

Relevance/Benefits	Complexity	Resource Requirements	Feasibility
High	Low	Low	May require amending BM 22 Does not require amending WAC 12-222-045
<b>Implementation Timeline:</b> <b>October:</b> Policy acceptance and recommendation to the Board   <b>Nov:</b> Board acceptance and approval of guidance development   <b>May'23:</b> BM 22 amendments are presented for Board approval			

CMER work plan, the Master Project Schedule (MPS) and TFW Policy annual work plan are key documents of the AMP. These documents set out AMP priorities with an associated long-term budget in the MPS. The process of prioritizing projects on the MPS, however, needs to be consistently applied and clearly described in BM 22. Differing viewpoints on priorities, success measures, and decision criteria can slow the process of the AMP and often does lead to contention. Agreeing on a clear set of priorities – or, at a minimum, a clear process for agreeing on program priorities – and consistently applying it can improve the adaptive management process.

WAC 22-222-045 requires the AMPA to work with CMER and Policy to present a MPS to the Board. BM 22 clarifies CMER work planning process as does CMER’s PSM. The MPS process is not clearly included or described in BM 22.

Setting clear priorities for CMER and by extension for the AMP is the most obvious net gains option for TFW Policy. This can be achieved by orienting the focus of the program such that:

- CMER studies that test rule effectiveness or validate rules will have the highest priority in both work plan and the MPS
- Projects agreed to by consensus and that meet Department of Ecology’s Clean Water Assurances (CWA) will have second highest priority

TFW Policy currently prioritizes projects through the MPS process. This process, however, is not clearly articulated. The priorities listed above should be reflected in BM 22. The SDM can be effectively used to prioritize all other projects that don’t meet the criteria listed above. At a minimum, a new section in BM 22 on the MPS prioritization process is required. Policy would fully develop this option to include the following elements that are currently missing:

#### 1- CMER work plan and MPS:

The program’s biennium budget and the CMER work plan are currently developed asynchronously. This means that the program’s budget is developed, accepted by Policy and approved by the Board before CMER concludes their biennial work plan. This process needs to be reversed such that AMP priorities set by Policy are first clearly reflected in CMER work plan. Program staff would then provide a better cost estimate of the work plan and deliver that package to Policy. At this time, Policy can work with the AMPA to develop an MPS that both reflects the program’s priorities and is responsive to the CMER work plan. To synchronize the processes, the following changes would be needed:

- a) CMER would deliver their draft work plan to Policy no later than January of each even year. Currently, CMER delivers their work plan in January of odd years.
- b) Policy budget workgroup together with the AMPA and program staff would begin the process of developing the MPS in February of even years with the objective of delivering a draft MPS to Policy at their May regular meeting of even years. The MPS would then need to be delivered to the Board at their August regular meeting of even years.
- c) This synchronization can be achieved with an amendment of the BM Section 22.

**2- List of Program Priorities**

Policy to adopt and approve a standing list of program priorities for each biennium. New projects would get listed here and communicated to CMER in time to be included in the CMER work plan.

**3- MPS Contingency Plan**

Each MPS would also accompany a contingency plan. This plan would lay out possible scenarios and identify cost saving measures, and/or project elements that can be delayed in the event of a budget shortfall. A contingency plan would account for the program’s priorities first and then identify project elements that can be postponed without adversely affecting ongoing projects, projects that are near completion or projects that are Policy and Board priorities.

**3.4. Initiate Reform Dialogue with CMER**

Relevance/Benefits	Complexity	Resource Requirements	Feasibility
Low-Medium	Low	Low	Stakeholder consensus is needed May not require amending BM 22 Does not require amending WAC 12-222-045
<b>Implementation Timeline:</b> <b>Nov:</b> Policy acceptance and recommendation to the Board   <b>Nov:</b> Board approval of recommendations   <b>June '23:</b> negotiate options with CMER			

This option requests the Board to direct CMER to initiate a dialogue with TFW Policy Committee on potential reforms and changes in CMER. The following is an initial list of topics that can be discussed with CMER to start the dialogue. With AMPA and staff support, the dialogue can be expanded to include lessons learned from recently completed studies and other areas of interest for CMER members.

- A diverse and well seated CMER committee will improve the AMP. Revising membership in the committee is probably a net gains option for the program as a whole and not necessarily a net gains option for TFW Policy alone. This option would require limiting voting membership in CMER to one member per caucus. The broader scientific community can continue to participate in CMER and its associated Scientific Advisory Groups (SAGs). The intent is to allow CMER to sharply focus on science and not engage in policy issues in that committee. Revising membership may lead to such an outcome including exploring



minimum experience/skill requirements and setting high standards for CMER members. Implementing this option is largely dependent on consensus among AMP participants (CMER and TFW Policy Committee). Neither the BM22 nor WAC 12.222.045 limit the number of participants for CMER. Adjustments to CMER membership can, therefore, happen voluntarily.

- A related proposal involves modifying the structure of CMER as the science arm of the program. Under this proposal, the science function would be carried out independently by a research organization. The stakeholder or cooperative nature of doing science would no longer function in its current form. This is a fundamental change to the AMP. It most certainly would require a consensus process leading to Policy recommendation to the Board..

This dialogue could result in consensus recommendation to the Board including on items that aren't listed here.

The following is a nested option that Policy can immediately recommend to the Board:

- Amend Board Manual Section 22 to require annual CMER and Policy interaction/conference. The Board can task the AMPA to facilitate a conference focused on CMER need for policy clarifications that frequently arise in the course of implementing CMER projects. The AMPA would consult both committees to identify topics for the conference and facilitate the sessions including with external support if needed.

### 3.5. Develop Guidance or Manual for TFW Policy

Relevance/Benefits	Complexity	Resource Requirements	Feasibility
High	Low	Low	Requires amending BM 22 Does not require amending WAC 12-222-045
<b>Implementation Timeline:</b> <b>October:</b> Policy acceptance and recommendation to the Board   <b>Nov:</b> Board approval of recommendation for development   <b>Nov '22 – June '23:</b> develop detailed guidance for TFW Policy. <b>August '23:</b> Board receives approval request for an amended BM 22 or a separate TFW Policy Manual			

BM 22 currently serves as the guidance for TFW Policy processes. This section of the manual needs amendments to clarify a number of very important aspects of the committee's work. TFW Policy could either adopt a separate manual similar to CMER's PSM or propose detailed amendments to BM22 to cover every aspect of TFW Policy process. Such guidance will improve transparency and provide much needed clarity to AMP participants. While this is an involved process, TFW Policy can begin by providing the following process and participant related details in either BM 22 or a separate manual:

- Clarify dispute resolution process and separate it from CMER's process in BM 22
- Add a section on the roles and responsibilities of TFW Policy Co-Chairs as well as their nomination and election process
- Expand TFW Policy membership requirements to include:

- List qualification requirements for membership including experience, skill, and decision making authority with clear instructions or documented authority delegation from their principals
  - Members to be approved after an interview process with the Board
  - Annual performance evaluation of TFW members along with a performance measurement plan with an emphasis on adherence to established process
  - Demonstrated commitment to strengthen relationships, as well as to contribute constructively and frequently.
- Adopt consensus recommendation to the Board as an indicator of net gains in evaluating the performance of TFW Policy as a whole. Report this data on annual basis and make it available on a public facing dashboard along with a record of other decisions and metrics