Adaptive Management Program:
Improving decision-making and accountability

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Presentation to the Forest Practices Board

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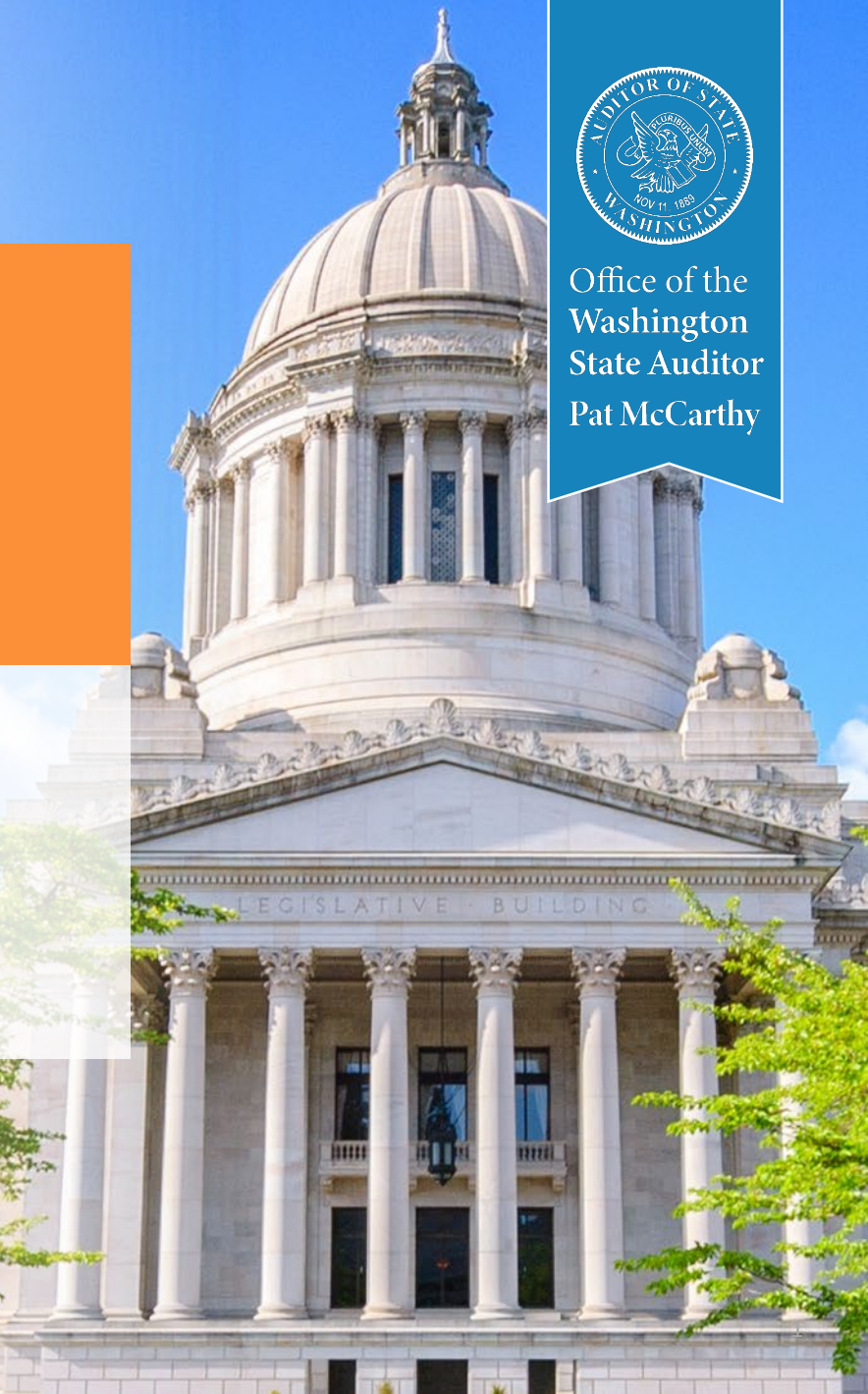
Key audit findings

- The Adaptive Management Program is not operating as intended

- Without change, the program will languish, putting Washington at risk for litigation

- Using leading practices from similar adaptive management programs could help Washington improve decision-making, accountability and transparency

Audit sought ways to improve processes

Audit questions included:

- Does the program use procedures that meet state and federal process requirements?

- Compared to similar programs, has the program applied leading practices?

- Are there delays in the process that prevent the Forest Practices Board from making timely decisions? If so, where are the delays and can they be mitigated?

- Has the program implemented process-related recommendations from previous evaluations?

Results addressed in three broad areas

- **Functionality:** Is the program operating as intended?

- **Consequences:** What risks does the state face if the program does not improve its decision-making and recommendation processes?

- **Improvements:** Can leading practices and the experiences of other organizations help the program improve?
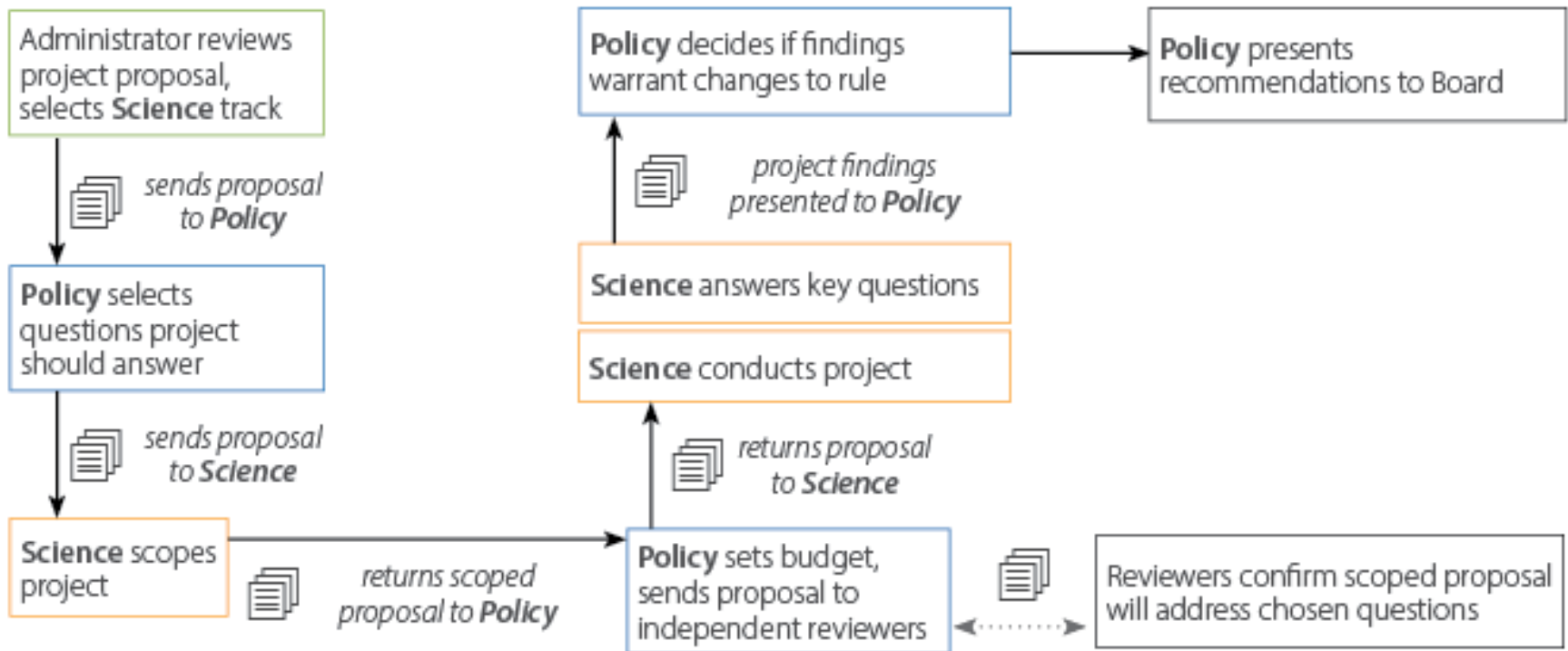
Functionality: Program is not operating as intended

- While rule changes are not the only measure of success, the program has produced only two science-based rules since 2006

- Unanimous voting results in little action by the board

- Program rules and guidance not set up to follow all requirements

A single veto can halt the process

Administrator reviews project proposal, selects **Science** track

sends proposal to Policy

Policy selects questions project should answer

sends proposal to Science

Science scopes project

returns scoped proposal to Policy

Policy sets budget, sends proposal to independent reviewers

Reviewers confirm scoped proposal will address chosen questions

returns proposal to Science

Science conducts project

Science answers key questions

project findings presented to Policy

Policy decides if findings warrant changes to rule

Policy presents recommendations to Board

Source: Auditor created.

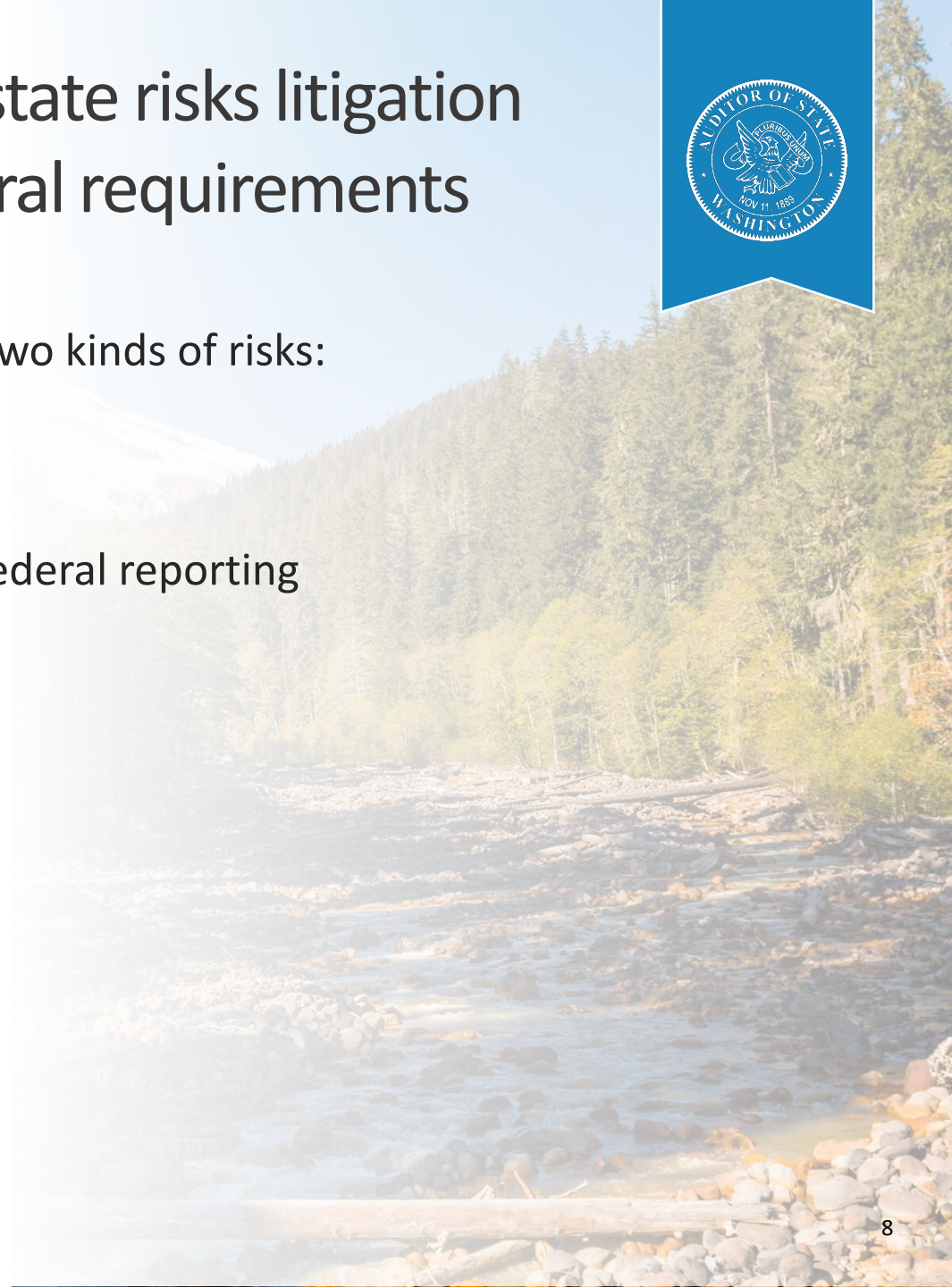# Dispute resolution was designed to allow the process to move forward

WAC 222-12-045 requires Dispute Resolution, however participants treat it as an option

Without change, the state risks litigation and not meeting federal requirements

Caucus members highlighted two kinds of risks:

- Litigation

- Missing deadlines to meet federal reporting requirements

Recommendations to alleviate delays

- Adopt an **alternative to consensus** decision-making model currently in rule (WAC 222-12-045) and the board manual

  - Consider using voting models used by Chesapeake Bay Program and Snohomish Sustainable Lands Strategy

  - This change would require a consensus vote by the board

- **Require participation from high-level principals** from each caucus on the Policy committee and on the board

- Update language in the board manual to reflect WAC: **"dispute resolution process is required"** whenever consensus cannot be achieved within either Science or Policy committees

Recommendations to alleviate delays

- The board should **set a trigger for dispute resolution**

- Use 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

- **Adopt decision criteria** for determining actions that will take place subject to project results *before* projects begin

Recommendations to improve accountability

- Ensure a peer review of the entire science program is conducted every five years. Opportunities for public comment on those five years should also be given, as stated in WAC. Update the manual to reflect this requirement.

- Create an on-boarding or training process so new members will have the necessary understanding of roles and responsibilities as well as ground rules.

Recommendations to improve accountability

- Develop procedures to ensure required biennial performance audits are conducted on the program by DNR or an appropriate state agency or contractor.

    - These audits can be conducted by a contracted company, another state agency, or an internal auditor with performance audit expertise.

- Implement a tracking system that follows each stage of a project and continuously shows how that work and the results of that work align with the goals of the program.

Recommendations to improve transparency

- Create a public-facing dashboard that provides real time information. Items that should be considered for inclusion in the dashboard include:

  - A list of all rules the program is expected to address

  - A list of current and past projects with their budgets and schedules, including reasons for any delays

  - A list of future projects with timelines and dependencies, such as deadlines imposed by other agencies

Recommendations to the Legislature

- Require the Forest Practices Board give the appropriate natural resource committees **periodic updates** on the Adaptive Management Program's progress on its projects and reaching its program mandates.

- If the board cannot reach consensus necessary to change the rule (WAC 222-12-045) governing consensus decision-making to an alternative method of voting, we recommend the Legislature chan**ge the program voting structure in RCW**.

Questions

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